

## MINIMUM DETERRENCE AS A VULNERABILITY IN THE MARKET PROVISION OF NATIONAL DEFENSE

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MANY ECONOMISTS CONSIDER national defense the classic public good given its nonrivalrous and nonexcludable character. Accordingly, they believe that state provision is necessary to overcome free riding, preferably at a level that is efficient as defined by Samuelson (1954). However, as Molinari ([1849] 2009) was the first to recognize, as with other goods, the monopoly provision of defense results in higher prices, lower quantities, and inferior quality, reducing consumer surplus. Furthermore, if the sole legitimate task of an institution of defense is to enforce the nonaggression principle<sup>1</sup> (NAP), the state falls short because its very existence depends on violating this principle (Hoppe, 2006, 227). Therefore, whether arguing on consequentialist or deontological grounds, anarchists reject the state in favor of defense provision by privately held, competitive, profit-seeking firms, often referred to as private defense agencies. Yet no such agencies exist in this statist world,

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<sup>1</sup> A definitive statement of the NAP is found in Rothbard (2003, 66): "No one may threaten or commit violence ('aggress') against another man's person or property. Violence may be employed only against the man who commits such violence, that is, only defensively against the aggressive violence of another. In short, no violence may be employed against a nonaggressor. Here is the fundamental rule from which can be deduced the entire corpus of libertarian theory."

and even Friedman (1973) concedes that the voluntary provision of national defense is “the hard problem” for anarchists to overcome. States possess large tax bases that fund large armies and destructive, precision-guided weapons; to compete, anarchists need to become sufficiently adept in organizing, acquiring resources, recruiting and training labor, procuring weapons, and fighting wars, all within a voluntary setting.

At the strategic level, the NAP suggests a purely defensive military posture. Such a posture is most consistent with the strategy of “minimum deterrence,” under which one rejects initiating conflict and supports maintaining the bare-minimum defensive capabilities necessary to respond to and deter attacks. However, minimum deterrence may be inadequate to deter and defend against state aggression. An effective national defense often requires initiating violence in preemptive counterforce attacks (targeting militaries), retaliatory countervalue attacks (targeting civilians), and collateral damage. Repudiating some counterforce strikes and all countervalue strikes in the name of the NAP undermines the survival of market anarchism by making retaliation less credible and effective. This paradoxically increases the likelihood of death and destruction.

Today, the consensus holds that a credible commitment to defensive or retaliatory force reduces the probability of invasion. However, private defense agencies are uniquely disadvantaged in this respect because their well-known commitment to the NAP constrains their actions on the battlefield. The NAP undermines their ability to threaten a range of effective responses to attacks, even as bluffs. Even under ideal conditions, the NAP constraint increases the cost of providing defense, meaning fewer victories, more deaths, more destruction, and more postwar concessions to invaders. Under less-than-ideal conditions, the constraint may prevent anarchism from arising at all. Consequently, anarchists may face a tradeoff between principles and saving lives—their enemies’ as well as their own.

Market anarchism is most likely to emerge and thrive if its adherents adopt the convention that they need not extend the NAP to statist, broadly defined as those who live outside the voluntary defense network. More narrowly, the NAP can apply to outsiders selectively, allowing anarchists to extend an olive branch when possible but unleash merciless brutality on those with nefarious designs. Anarchists may wish to adopt the convention as a mere bluff; however, credibility will suffer if they are perceived to be insincere, meaning anarchists who genuinely accept the convention will deter

more attacks if faking acceptance is costly.<sup>2</sup> Supplanting the NAP in matters of foreign affairs, while ruthlessly enforcing the NAP within the network, is the best chance anarchists have to enjoy civilization on their own while defending themselves from the great mass of statists in a Darwinian world that dispassionately rewards predation and punishes every vulnerability.

## 1. The Militia System

To attract clients, private defense agencies must offer a credible defense against aggressors ranging from common street thugs and gangs to the monopoly violence syndicates commonly referred to as states. States are particularly formidable opponents due to their massive armies, facilitated by government's prowess in acquiring and mobilizing resources. Coupling government's capabilities and its natural propensity for violence, state invasion of anarchist territory should be considered inevitable.<sup>3</sup> Defending anarchist territory from states will require that private defense agencies raise powerful and effective armed forces of their own, consisting of both active-duty personnel who conduct continuous peacetime operations and reserve forces that can be quickly mobilized. Yet anarchists hope—and this section assumes—that these private armies will maintain a purely defensive posture with no imperialistic ambitions. Mendershausen (1980, 2–3) describes such an army as

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<sup>2</sup> On bluffing, Schelling (1960, 36) writes, “How can one commit himself in advance to an act that he would in fact prefer not to carry out in the event, in order that his commitment may deter the other party? One can of course bluff, to persuade the other falsely that the costs or damages to the threatener would be minor or negative. More interesting, the one making the threat may pretend that he himself erroneously believes his own costs to be small, and therefore would mistakenly go ahead and fulfill the threat. Or perhaps he can pretend a revenge motivation so strong as to overcome the prospect of self-damage; but this option is probably most readily available to the truly revengeful. Otherwise he must find a way to commit himself.” Also see Schelling (1966, chapter 2).

<sup>3</sup> Mendershausen (1980, 4) warns that such a nation “wishes to impress other states with the fact that it offers no threat to their territorial integrity, although it does of course threaten the forces of an invader.” This will not be difficult according to Murphy (2010, 60), who writes, “By its very nature, the anarchist society would be a completely harmless neighbor. No State would ever fear attack from an anarchist military, and so there would be no need to preemptively strike it.” However, Mendershausen counters, “An actual or potential strategic aggressor aiming at either the country in question or one of its neighbors will probably perceive effective territorial defense forces as a threat to his enterprise.”

a manifestly defensive system, unsuited to attack across the country's borders, and unlikely to be perceived as a threat by other states... relying principally on latent rather than standing forces... [and] weapons and technologies different in type and composition from those of outward-reaching intervention and bombardment systems.<sup>4</sup>

For such armed forces, there is no role for weapons or tactics geared toward projecting power or even retaliating against military or civilian targets located within the invader's own borders. Rather, the focus is on repelling the immediate invaders, which means waging war within one's own territory.<sup>5</sup> Mendershausen (1980, 5) describes such defensive forces in greater detail:

As a rule, forces earmarked for territorial defense do not form fleshed-out combat units combining active personnel and combat-ready equipment in peacetime. They typically are latent or mobilization forces. Their personnel in peacetime is in civilian pursuits, except for small cadres of commanders, instructors, and caretakers; and their equipment, or most of it, is stored.

He lists several examples of countries lacking a large peacetime presence except for a few brief training exercises each year. These include the Swiss, who maintain a peacetime army of 5,000 that is able to expand to 600,000 within forty-eight hours. He adds that the Norwegian Home Guard, the Yugoslav Territorial Army, and the West German and French territorials of his time also maintained small standing forces backed by reserves capable of rapidly mobilizing (Mendershausen 1980, 5–6). Some countries also rely on armed citizens to defend the homeland, such as the United States, which

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<sup>4</sup> Expanding on suitable weapons for this role, Mendershausen (1980, 9) observes, "The missions of territorial defense forces obviously do not require weapon types and related technologies for bombarding targets far outside the national boundaries or for conducting ground, air, and naval operations in such areas. This eliminates weapon systems peculiar to these far-flung operations from the armory of territorial defense forces, notably the long-range fire, force deployment, mobility, and logistics capabilities." Such a system, he adds, also restricts or precludes membership in a military alliance since "it concentrates on the defense of one's own territory against attacking foreign forces, and on the deterrence of attacks on the territory."

<sup>5</sup> The purely defensive posture "renders territorial defense forces unprepared for attacking foreign territory (strategic attack), which does not mean, however, that they are unsuited to attacking invading forces (tactical attacks)" (Mendershausen, 1980, 9), a point consistent with Murphy's (2010, 59) contention that "the owners of defense agencies would have no reason to spend money on weapons that were ill-suited to tactical defense."

acknowledges the unorganized militia under 10 US Code § 311, or Estonia, which trains its citizens in guerilla warfare to supplement its 6,000-soldier army (Michaels, 2016).

Similarly, anarchist military forces are likely to consist largely of reserves that can be mobilized quickly. As reserves, recruits will typically hold full-time jobs outside the defense industry; mobilization will therefore result in an immediate drop in economic output. Yet the advantages of such militias include that they are cheaper than standing armies, they require less expensive equipment, and they tend to have lower personnel costs (Mendershausen, 1980, 21).<sup>6</sup> The reserves will complement a small standing army that monitors the anarchist territory, ready at all times to defend against attackers and call forth the auxiliary units. The presence of these active and reserve forces and their equipment will constitute the anarchist deterrent.

## 2. Minimum Deterrence

Since market anarchists tend to prefer production to conflict, and since even victory in war can come at a terrible price, private defense agencies will want to achieve a position of strength such that fear of reprisal will deter states from attacking at all. “To deter,” writes Stewart (1967, 5), “is to dissuade someone from undertaking an action through fear of the consequences.” It “involves the use of threats and/or promises to dissuade an adversary from undertaking some action it might otherwise have taken” (Rhodes, 1999). An adequate deterrent provides an objective basis for potential aggressors to conclude that an attack carries a very high risk of large-scale destruction of high-value assets of their own (Kahn, 1960, 557). Two conditions must be met for a deterrent to be successful: the deterring agent maintains an effective coercive strategy that includes the ability to impose negative sanctions on the opposition, and it advertises a credible commitment to this strategy; thus, deterrence should be both “frightening” and “inexorable” (Kahn, 1960, 146).

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<sup>6</sup> Additionally, Long (2007, 152) points out that without imperialism, the defense budget of a free nation will be lower than those of states. However, the difference may not be significant. Anarchists will need to assume the large fixed costs of assembling a comparable military force, and will save only the relatively minor marginal costs of routinely deploying them abroad as global policemen. Defense will be almost as costly as offense, and anarchists will need to seize any possible advantage, especially if they are the weaker force.

The anarchist deterrence posture can take one of many forms, ranging from what Kahn (1965) refers to as minimum deterrence to stark deterrence. Stark deterrence entails massive retaliation with “overkill by a factor of ten or more,” such that only an insane leader would dare invade (Kahn, 1965, 280). At the restrained end of the spectrum, minimum deterrence calls for “a relatively small deterrent threat” (Kahn, 1965, 279), at whatever minimum level of retaliation is thought necessary to deter an attack by a rational agent. By Kahn’s formulation, graduating merely one level from minimum deterrence to “workable deterrence” involves preparing to retaliate against countervalue assets, which entails “a reasonable probability of inflicting several million casualties on an attacker” and on civilian property, where Kahn reasons that “no nation... would lightly risk the deaths of a million citizens” (Kahn, 1965, 279). Since civilians are targeted even under workable deterrence, the NAP would seem to rule out all deterrence postures above minimum deterrence.

The first assumption of minimum-deterrence theory is “the belief that deterrence is fairly easy to come by, that it involves assuring only small damage to an aggressor—which is taken to mean that we need only small, inexpensive forces for the purpose and in fact that our large, expensive ones will needlessly ‘overkill’ the targets” (Wohlstetter and Rowen, 1959, 9). The second assumption holds “that the capability to deter general war is all that we require of our strategic power and in fact all that we need as preparation in the line of general war” (*ibid.*, 9). Unfortunately, minimum deterrence is likely to fall short in defending anarchist territory. First, the notion that the deterrent should be minimal increases the likelihood that defense will be underproduced in an anarchist society, with deadly consequences. Both overproduction and underproduction are inefficient, but underproduction would seem to be the error with a greater potential downside. Second, a society that advertises a commitment to the NAP lacks credibility that it will retaliate against many high-value targets in the event of an invasion. A modest defense force coupled with severely limited defensive and retaliatory options would make anarchist territory a relatively attractive target for imperialist attackers. To deter attacks, it is imperative that anarchists be able and willing to destroy invaders.

### 3. Second-Strike Counterforce

The aggressor holds a significant advantage as the initiator of a first strike, including the ability to choose the time, place, and manner of an attack after considering the target’s strengths and weaknesses (Wohlstetter, 1958, 8). Kahn (1960, 158) notes that vulnerability to a first strike both tempts an aggressor to attack and compels such an attack if they feel that such a

vulnerability increases the likelihood of a preemptive strike by the defender. Overcoming such disadvantages as a defending anarchist society might face requires vigilant, sizeable, well-rounded armed forces that rival the militaries of potential aggressors.<sup>7</sup> Above all, an effective defense force must be able to take losses and continue fighting. This means developing a reliable retaliatory force, providing anarchists with what is referred to as a second-strike capability.<sup>8</sup> According to Stewart (1967, 8),

to maintain a deterrence posture in the face of an enemy who has a capability himself to initiate preventive, surprise, or preemptive attack, we are forced to create a second strike capability. This is a capability defined in terms of vulnerability. These are weapons systems that can survive an opponent's first strike in sufficient strength to impose losses upon him too painful for him to risk.

The requirements for retaliation include “mobile or hardened delivery vehicles with the capacity to reach and penetrate the active and passive enemy defenses, the preservation of centers of responsible decision and control, and a network permitting a protected flow of information to and from these decision centers” (Wohlstetter and Rowen, 1959, 3). A second-strike counterforce deterrent is characterized by stable peacetime operation, the ability to survive an attack, the ability to communicate the decision to retaliate, the ability to reach targets inside enemy territory, the ability to penetrate enemy defenses, and the ability to destroy targets despite their defenses (Wohlstetter, 1958, 7). Second-strike counterforce, necessary to effective defense, demands that anarchists build armed forces in excess of minimum deterrence. Such preparations also hedge against the many setbacks that war entails since mistakes, attrition, sabotage, acts of god, diminished supplies, trade embargoes, and the fog of war on the battlefield may lead to a rapid deterioration of the war effort.

#### 4. Battlefield Tactics

The NAP exposes anarchists to major vulnerabilities on the battlefield such as the inability to trespass on private property outside the network, the

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<sup>7</sup> As noted by Hitch and McKean (1960) nearly six decades ago—and still true today—a leak-proof defense does not exist, and ballistic missiles are a particularly formidable problem for air defense. In the future, anarchists may develop a foolproof shield that thwarts all attacks. Until then, they must rely solely on the principle of deterrence, meaning developing the ability to strike back.

<sup>8</sup> “To deter an attack means being able to strike back in spite of it. It means, in other words, a capability to strike second” (Wohlstetter, 1958, 3).

inability to launch preemptive strikes on imminent threats, a diminished retaliatory efficacy, and a diminished offensive efficacy. Under the NAP, anarchists can only engage in retaliatory attacks and only against specific attackers. This requires the costly pinpointing of deserving targets and the complete avoidance of collateral damage. Yet scenarios in which it may be highly advantageous to violate or threaten to violate the NAP in conflicts with states include launching preemptive attacks on troop buildups on the outskirts of anarchist lands; ordering strategically advantageous movements of troops and supplies that violate the property rights of non-clients; sabotaging or bombing enemy civilian infrastructure such as factories, mines, power plants, ports, bridges, highways, airports, and railways; risking collateral damage in engaging high-value targets with conventional or nuclear weapons; conducting surveillance of enemy property; engaging individual enemy units that have not yet attacked in a battle; violating treaties and ceasefires when advantageous; and adopting a defensive policy of massive retaliation against a country's civilian population centers and industrial capacity to deter attacks. Even certain acts of espionage may be considered fraudulent activity, and capturing and punishing enemy spies and combatants may also violate the NAP in some cases. The ability of enemy forces to exploit the freedom of anarchist territory by purchasing land there to secretly plant bombs, launch attacks, and conduct espionage and sabotage prior to an invasion should also not be discounted. For these reasons, total adherence to the NAP increases the likelihood of invasion and reduces the likelihood of victory.

Furthermore, it is essential that anarchists be able to survive a surprise first strike, regroup, and take the fight to the enemy territory to minimize the destruction of their own territory in what may end up becoming a violent and protracted conflict. In a purely defensive war, the bulk of fighting takes place in anarchist lands, devastating the anarchist economy and resulting in long-run reductions in postwar wealth and output in addition to the loss of life and health. Being a nation of citizen-soldiers, fighting at home would mean that wars with states would become total wars, not only requiring the near-total mobilization of the economy but also likely resulting in the targeting of civilian insurgents and their property by the enemy, depleting the inventory of food, medicine, and weapons not only for the soldiers but for all civilians. Thus, Mendershausen (1980, 7-8) advises, "If you bring the 'fighting front' to the home front by preparing conscript military forces to engage the enemy everywhere and anywhere in the country, you must prepare the 'home front' to deal with the damage wrought by the invading enemy." Therefore, an "emphasis on territorial defense in a country's military posture usually goes hand in hand with a strong civil defense program... [Y]ou cannot expect the

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territorial defenders to combat the enemy forces and leave their families unprotected and rushing about, seeking safety in flight.”

Allowing statist invaders to fight their wars away from home spares them the worst costs of war, yielding an advantage to imperialistic nations since “countries that can fight wars beyond their borders avoid the most costly destruction” (Goldstein, 2003, 215). If defensive wars are to take place at home, anarchists will want to prepare both financially and psychologically for the deaths of spouses, children, friends, and colleagues, and the total loss of their property. Fighting at home means not only an increased likelihood of defeat, but also returning to a barren wasteland where the living envy the dead when hostilities cease. Given this harsh reality, the anarchists may find that taking the battle to the invader’s home country is preferable, the NAP be damned. To this end, and to deter attacks, they should consider discarding the ethics of proportionality<sup>9</sup> in war and become willing to escalate any conflict initiated by the state to a much greater level of violence.

## 5. Escalation Dominance

Given that “deterrent forces could fail because of irrationality, miscalculation, accident, or excessive pressures on the potential attacker,” the present essay concurs with Kahn (1960, 96–97): the primary objective of the armed forces is to deter, but the secondary objective is to fight and conclude a war on favorable terms while limiting damage. Preferably, no postwar concessions to enemies will be necessary. This will require not only that anarchists wield significant war-fighting resources to the end while maintaining the spirit of resistance that convinces the enemy that they would fight to the death, but that they also advertise their ability and willingness to escalate the level of violence. According to Secretary of the Navy and Secretary of Defense Paul Nitze (Kaku and Axelrod, 1987, 118):

In actual war, advantage tends to go to the side in a better position to raise the stakes by expanding the scope, duration, or destructive intensity of the conflict. By the same token, at junctures of high concentration short of war, the side better able to cope with the potential consequences of raising the stakes has the advantage. To have the advantage at the utmost level of violence helps at every lesser level.

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<sup>9</sup> On the theory of retributive justice, see Murray N. Rothbard (2002), *The Ethics of Liberty*, New York University Press, New York, especially chapter 13, “Punishment and Proportionality.”

Henry Kissinger theorizes that the ability to escalate the violence is essential to controlling a situation and that credibility in escalation depends on being prepared to escalate to the highest level: nuclear first strike (Kaku and Axelrod, 1987, 122). This “ability to threaten or coerce other nations by being capable of dominating the next level of escalation of violence” is known as escalation dominance (Kaku & Axelrod, 1987). It “requires that [opponents] always consider conciliation to be preferable to continued conflict and escalation. Such a criterion... calls for a much greater military capability than that associated with ‘assured destruction’” (Kahn, 1984, 79).

This is not to say that anarchists should rely solely on a nuclear deterrent, or develop only modest complementary conventional forces. A full range of conventional weapons is necessary for several reasons. First, in the many conflicts where tactical objectives are better served by conventional weapons it may not be strategically advantageous to escalate directly to nuclear weapons. Second, the credibility of defense will fall if anarchists rely solely on nuclear weapons to defend even minor interests: enemies are likely to gamble that by the anarchists’ calculations, the benefits of defensive action will not justify the costs of nuclear conflict in most circumstances. Builder (1979) also observes that the risk of conventional war is greater than the risk of nuclear war. Since conventional attacks by states are much more likely than nuclear attacks, anarchists should prepare to fight and win conventional wars and not just prepare for full-scale nuclear retaliation. They can deploy conventional and nuclear weapons in tandem as part of a defense strategy that seeks to deter invasions and to conclude any wars on favorable terms. The ability of a nation to suffer “a surprise, first-strike attack by any other nation and still inflict massive retaliatory destruction on the aggressor” (Polmar, 1982, 1) is one that arguably belongs exclusively to the members of the nuclear club.

In some cases, it may not be strategically disadvantageous to behave “morally”—that is, by pinpointing justifiable targets, which is difficult with weapons of mass destruction. Rothbard (2003, 72) observes that the ability to pinpoint targets and avoid aggressing against innocent people is severely reduced when anarchists graduate from guerilla warfare to using modern weapons such as nuclear bombs. Citing Rothbard, Stromberg (2003, 237; emphasis in original) adds that “guerillas are able, potentially, to distinguish friend from foe and even friend from neutral. They *need* not wallow in the moral swamp of Total War, which finds carpet-bombing of civilians morally acceptable.” However, guerilla war is also incredibly costly, tends to become protracted, and is not a sufficient deterrent to invasion by modern armies, as history demonstrates. Advances in modern weapon technology allow states to pinpoint and destroy guerilla fighters from several miles high, which they

regularly do in Iraq, Afghanistan, and elsewhere. If this does not break the spirit of the resistance, freedom fighters will watch their wives and children slowly starve to death in the protracted conflict while the invading state blockades their territory. Though Rothbard considers guerilla warfare the most effective strategy against a better-armed enemy, anarchists should seek to become as well armed as any potential state aggressors so that *lex talionis* can be enforced.

If anarchists are able to obtain or develop precision weapons, these may be used to take out the same targets they would otherwise need additional megatons to hit. This may be preferable since Brito and Intriligator (1995, 144) find that “the increase in the effectiveness of weapons that has resulted from precision guidance is eight to ten times greater than the increase that resulted from the introduction of nuclear weapons.” However, weapons such as cruise missiles and guided bombs may be out of reach of anarchists, who will undoubtedly be blacklisted by most if not all major defense contractors and may lack a comparative advantage in developing alternatives to Tomahawk, Patriot, Trident II, and Minuteman missiles, or the GPS satellites necessary to navigate them. Even low-grade atomic weapons—1940s technology—will allow anarchists without access to the most sophisticated and cutting-edge weapon technology to compensate.

In contrast, Murphy (2010, 60) refers to a “probable lack of nuclear weapons” among private defense agencies. First, he believes that weapons of mass destruction are ill-suited for defense, the sole objective of properly functioning private defense agencies, and that nuclear weapons are useful only for foreign conquest. Second, he argues that the high insurance costs for private defense agencies in possession of these weapons would drive them out of the market. Indeed, nuclear weapons are expensive to build and maintain, and this will drive up the cost to private agencies of providing defense. Ultimately, consumers will determine whether the additional value, if any, is worth the additional cost. Implicitly supporting Murphy’s case, Mendershausen (1980, 11) notes that “some American military observers believe nuclear weapons have no place in a territorial defense posture because the posture rules out long-range air and missile forces.”

Yet even if private defense agencies adopt the minimum-deterrence posture, tactical nuclear weapons may still serve a purpose. Tactical employment entails “battlefield nuclear weapons, for battlefield use, and with deployment, ranges, and yields consistent with such use and confined essentially in each respect to the area of localized military operations” (Van Cleave and Cohen, 1978, 14). In the event of an imminent conventional-war victory by the invading state, private defense agencies may be authorized by customers to escalate to tactical nuclear weapons, perhaps even deliberately

taking out both sides. Tactical nuclear weapons “in the form of shorter-range missiles, artillery shells, demolition charges, and tactical aircraft bombs... offered [the US during the Cold War] an economical way of defeating a large-scale offensive that threatened the collapse of the front” (Luttwak, 2001, 144). A policy of mutual assured destruction may even deter invasions to begin with, as explained by Luttwak (2001, 145):

If nuclear weapons were employed, the [enemy] could no longer conquer rich lands by invasion but would instead preside over their devastation. Thus if the [defender] could persuasively threaten to use its battlefield nuclear weapons if attacked, it should have been able to dissuade any [enemy] attempt at conquest.

Molyneux (2008) argues in favor of nuclear weapons, noting that they “have been the single most effective deterrence to invasion that has ever been invented.” Lemennicier (2003) makes the case that contrary to state propaganda, nuclear proliferation contributes to world peace by deterring attacks. Notwithstanding that some anarchists call for nuclear disarmament in defense (e.g., Hummel, 1990, 120; Stromberg,<sup>10</sup> 2003, 237), the present analysis concurs with Molyneux and Lemennicier that nuclear weapons are necessary and serve a useful defensive purpose. With nuclear weapons, private defense agencies need not achieve military victory in order to inflict punishment on an invader, and this may be sufficient to deter invasions. While Murphy (2010, 59) is correct that they are not always the most suitable weapons, successful deterrence will require cultivating in the mind of the enemy the fear of full retaliation not only against its military capital but against its civilian infrastructure as well. Threatening the use of such weapons in defense or retaliation for the purpose of mutually-assured destruction is an important pillar of successful deterrence.

Since anarchists will be defending their own land, and since the use of nuclear weapons within their own territory will, to put it mildly, generate

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<sup>10</sup> Stromberg writes, “I assume that minimal states and anarchies can do without nuclear bombs, cruise missiles, stealth bombers, and expensive ‘systems’ suited to world conquest or universal meddling. As for the ‘force structure’ of mere defense, I believe we would see some rough combination of militias and ‘insurance companies’...with resort to mass-based guerilla war... *in extremis*.” Rothbard (1999, 24) concurs: “A guerilla war would be the libertarian way to fight a war fully consistent with the American revolutionary ideals of liberty and equality of rights... [and] would be enormously more effective [than an orthodox war]; for that is the way any subjugated people—not only libertarians—can best fight a better-armed, but hated foe... Both moral principle and utility therefore required the choice of a guerilla war.”

negative externalities for residents, there may be a loss of credibility in the willingness of private defense agencies to launch tactical weapons of mass destruction. A nuclear arsenal may be most useful if it is designed to strike deep into enemy territory, which may be a great distance away. And since states do not only attack neighboring countries, and their homeland may be thousands of miles from anarchist lands, anarchists will need the ability to strike back at missile bases, air bases, command-and-control facilities, and other valuable facilities on the far side of the world when invaded by land and sea by distant empires.

## 6. First-Strike Counterforce

Counterforce attacks are directed against military targets such as troops and mechanized infantry, land-based missiles, bombers, navy ships, and command-and-control facilities (Kahn, 1984). There is no question that second strikes against such assets are consistent with the NAP: enemy forces that attack anarchist territory should expect severe retribution. However, first strikes against military units that have not yet attacked would seem to violate the NAP in all but the most extreme circumstance: when evidence suggests an attack is imminent. Yet first strikes can be highly advantageous in many scenarios, and forfeiting them in the name of the NAP reduces the effectiveness of providing defense. Above all, private defense agencies should be willing to take the fight to an approaching potential enemy, even at the risk of violating the NAP.

In Sweden, where “territorial defense plays a dominant role in... military thinking,” defense doctrine “provides that an aggressor force will be attacked en route, and that the air force’s attack squadrons must be capable of striking invading forces being transported by sea... [Sweden] may reach out not only into [the] surrounding Baltic Sea but also to the ports or airfields whence enemy forces are threatening” (Mendershausen, 1980, 19). Mendershausen (1980, 12) also notes that “the Israel Defense Force is built on the idea that it must be able to carry the war to an enemy’s territory if the nation’s existence on its narrow strip of territory is to be defended. Here operational self-reliance is not accompanied by a policy of confining the terrain of national defense to the national territory.” At least in the beginning, an anarchist society may be relatively small, like Israel or Sweden, and should seize every possible advantage in combat. Such tactics will require that anarchists develop offensive weapons, perhaps complementing a rocket and missile defense system comparable to Israel’s Iron Dome, as well as an air force that achieves total air superiority over anarchist lands.

In further support of attacking enemy combatants first, Wohlstetter and Rowen (1959, 11) add that “administering a given amount of damage in retaliation is a very different thing from accomplishing the same damage in a surprise attack.” They note that calculations of overkill—such as those regarding the “excessive” accumulation of nuclear weapons—neglect the differences between a first strike and a second strike. Second-strike capability depends on more than just the size of one’s military forces; factors like decision making and response times, the ability to penetrate enemy active and passive defenses, and the effectiveness of defensive systems mean that even a stockpile of weapons several times larger than necessary to destroy the enemy does not ensure overkill. Second strikes also depend on what may become greatly diminished and disorganized forces; some forces will even be completely destroyed in the initial surprise attack. Anarchists should prepare for a number of contingencies because “the game is loaded against the defense when small-scale sudden attacks can cause catastrophic and perhaps irreparable damage” (Hitch and McKean, 1960).

The element of surprise improves the kill ratio and permits one to knock out some of the enemy’s weapons before they can be used in the counterattack, leading Kahn (1960, 144) to assert that “in most postures that do not involve automatic mutual annihilation there will be an advantage in striking first.” Thus anarchists should consider not thinking exclusively of a second-strike-based deterrent, even though they are only concerned with their own defense. As Stewart (1967, 6-7) advises, “the broadest range of deterrent effects is obtained from the threat to strike the first strategic blow. To be able to do so requires a first strike capability—the means, by striking first, to strip the enemy of his ability to hurt us mortally in retaliation.”

In addition to robust defense forces capable of surviving a first strike, returning fire on enemy military forces, and retaliating against enemy targets back at home, all of which serve to deter attacks in the first place, Kahn (1965, 153) adds that “the country still needs much more from its strategic forces than an adequate second-strike capability. Among other things, it needs some capability for limiting damage if, despite this second-strike capability, war occurs.” This entails knocking out enemy offensive weapons before they can be used and reducing the vulnerability of an anarchist society to an attack and its aftereffects. Knocking out enemy offensive weapons requires offensive weapons, as discussed above. Limiting damage to the anarchist population may require “building blast and fallout shelters... stockpiling of nuclear disaster supplies, recuperation planning, anti-aircraft defenses, and... population and alert systems, as well as the development of antiballistic missile systems” (Stewart, 1967, 11). Assets built to withstand and respond to nuclear war will be useful even in conventional wars. In an

anarchist society, individuals may take the initiative and develop and organize such assets themselves, or private defense agencies and insurance companies may play a significant role in this process.

As a deterrent, first-strike capability “depends on the credibility of our threat to strike under certain conditions,” and “if the enemy believes our first strike would hurt him grievously and if he believes that we have the will to use it to protect our vital interests, he will be deterred from a wide range of aggressive actions” (Stewart, 1967, 7). The limited vulnerability of a state’s offenses, including planes in the air and missiles in the sea, reduces the effectiveness of anarchist retaliation. Thus Stewart (1967, 16) observes that “the efficacy of counterforce depends to a considerable extent upon striking first... [And] an important deterrent potential of the second strike capability is realized if the opponent believes retaliation will be directed against his cities.” The initial strike would target missile launchpads, runways, missile submarines, and enemy air defenses.

First-strike capability is an essential feature of an effective deterrent. Maintaining a first-strike counterforce capability shifts the balance in favor of private defense agencies, pressing aggressive states to choose between escalating to countervalue attacks or withdrawing. In defense of first-strike counterforce capabilities, Builder (1979) argues that they can provide the “advantageous counter-initiative” necessary to deter a powerful opponent at the conventional level. Minimum deterrence, he argues, is credible “only when one enjoys superior non-nuclear options wherever vital concerns may be threatened,” and states that the “ability to ‘restore the balance’ with an effective second-strike counterforce option may be less important than our ability to shift the balance with a credible first-strike counterforce option” (Builder, 1979). If anarchists choose minimum deterrence, it is “credible only when one enjoys superior non-nuclear options wherever vital concerns may be threatened” (Builder, 1978, 18). Kahn (1965, 137) adds,

The chief effect of some degree of “credible first-strike capability” (plus an invulnerable and large second-strike force) may be tacit. It is less likely to be used, or its use even explicitly threatened, than it is to provide an extra degree of pressure in dealings in an intense crises or even further up the rungs of the ladder.

Abiding by the NAP necessarily forfeits the advantage of such strikes. Murphy (2010) argues that “there would likely be no aircraft carriers, long-range bombers or subs capable of transoceanic voyages.” All weapons “would be designed for defensive use.” Yet there is a great deal of substitutability between offensive weapons and defensive weapons, and anarchists may benefit from focusing on developing forces capable of both roles: “Forces that can wait for the other side to go first can also, a fortiori,

go first themselves... The perfect second strike force, of course, would be able to perform both missions” (Stewart, 1967, 8-9). However, if the anarchists are known to be restricted to the NAP, the credibility of a first strike or even a second-strike countervalue attack evaporates since the constraint so severely limits possible retaliatory responses to first strikes.

Stewart (1967, 21-22) argues that

the necessity for a counterforce capability may always be with us, if only because the first strike may have so important an effect upon the outcome of a war... [D]eterrence of the widest range of enemy aggressive actions is provided by a credible capability to strike first[, which is] tantamount to a counterforce strategy. The credibility of a counterforce posture is in turn enhanced by conspicuous damage-limiting measures that make nuclear interchange outcomes less “unthinkable”... buttressed by second strike retaliatory capabilities that guarantee overwhelming punishment of the aggressor.

Counterforce requires “a bolder effort to obtain intelligence before the outbreak about the number and location of enemy forces, including a greatly increased reconnaissance effort” (Wohlstetter and Rowen, 1959, 5). Yet counterforce may not be sufficient to deter attacks, especially if the anarchists have a real or perceived disadvantage in conventional forces. Countervalue against enemy cities by nuclear deterrent can fill in the gaps.

## 7. Second-Strike Countervalue

Effective deterrence depends on instilling in the enemy the fear of being hit by a second strike. In developing such a system, anarchists reduce the likelihood that they will ever be pressed to launch a first strike out of military necessity, as explained by Stewart (1967, 10):

The primary function of the second strike capability, then, is to deter enemy surprise, preventive, or preemptive strategic attack. Its secondary effect is to lessen the necessity for us to launch our own first strike, unless we see some absolute necessity for doing so. The ideal deterrent force... is one in which all weapons systems have a first and second strike capability.

If anarchist weapons systems are capable of serving the dual role of offense and defense, their tactical options against enemy forces are increased and the ability of the enemy to prepare for every battle contingency is reduced. These advantages may be further enhanced through a policy of massive retaliation against civilian population centers in enemy territory. Such a policy promises the destruction of a target that the state greatly values, even if only as a tax base, while also motivating the population to exert political

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pressure on the rulers to refrain from attacking anarchists. By ruling out many targets that would serve to deter an invasion in the first place, anarchists make such an invasion more likely.

Given this grim reality, “counterforce capability and defenses are vital complements to an ability to retaliate against the enemy’s population and economy” (Wohlstetter and Rowen, 1959, 19).<sup>11</sup> It may be that only assured destruction of millions of citizens may deter an attack, and “there are plausible contingencies in which our deterrent power may not be operative if we cannot assure the [enemy] with a high degree of confidence that they will suffer fatalities many times ten million and a setback in their economic life for at least a generation” (Wohlstetter and Rowen, 1959, 10-11). The appropriate proportional response to an attack, and such matters as whether anarchists will take no prisoners or intern prisoners of war, will no doubt become a subject of debate.

Press (2005, 1) argues that credibility is driven “by power and interests. If a country makes threats that it has the power to carry out—and an interest in doing so—those threats will be believed... If it makes threats that it lacks the power to carry out—or has no interest in doing so—its credibility will be viewed with skepticism.” To deter state aggression, private defense agencies want to possess not only the ability to retaliate against high-value enemy targets but also the credibility that they will do so. Yet the NAP greatly constrains the retaliatory options available to anarchists. This in turn diminishes their credibility: aggressors may gamble that anarchists will neither be willing to push the button if doing so risks collateral damage nor willing to deliberately target a state’s economic base. Credibility of such retaliation depends on both military capabilities and the willingness to use them, and of course “deterrence... is not just a matter of military capabilities; it has a great deal to do with perceptions of credibility” (Kahn, 1984, 89). Credibility is thus an integral aspect of the deterrent that private defense agencies must provide. Deterrence becomes less forceful if private defense agencies are unwilling to threaten devastating attacks on civilian targets, even as a bluff, holding all else constant.

Anarchists will have to judge for themselves the effectiveness of threatening or targeting population centers. The strategic bombings of

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<sup>11</sup> Wohlstetter and Rowen (1959, 19) add that “as an addition to our ability to retaliate against his cities, [counterforce capabilities] work for the deterrent (a) by promising the destruction of something the enemy values greatly—namely, his military power—and (b) by providing us with the freedom to attack his cities without completely abandoning all attempts to limit the size of the disaster to ourselves.”

Germany in World War II, for instance, were acts of vengeance that yielded little to no military benefit. Conversely, it seems that Russian and American strategists certainly had the prospect of civilian deaths on their minds throughout the Cold War—presumably a contributing factor that prevented even a conventional war from erupting between the two major powers. It is worthwhile to consider that the United States, with its geographically isolated population, has in the last century waged war only on countries not possessing intercontinental ballistic missiles or countries that otherwise lacked the means to invade North America and kill large numbers of Americans.

## 8. Conclusion

This paper argues that total commitment to the nonaggression principle, as embodied by the minimum-deterrence posture and unilateral nuclear disarmament, will gravely compromise the effective defense of anarchist territory. This leaves anarchists with a difficult choice: (1) decline to extend the NAP to those outside the voluntary defense network in the name of self-preservation, or (2) extend the NAP even to their enemies, and be vanquished. Do anarchists compromise their principles or accept defeat? If the NAP really does compromise defense and private defense agencies accept the NAP constraint on themselves regardless, they may lose enough strength and security that they fail to survive. This may be a price anarchists are willing to pay, but they should do so with eyes wide open: there may be no solution allowing market anarchists to preserve their society while extending the NAP to statists.

Given the power and belligerence of states, private defense agencies must be prepared to seize every possible advantage in war. This often entails violating the NAP in attacks on military and even civilian targets. Refusing to violate the NAP not only reduces the likelihood of victory in wars with states, but increases the likelihood of being attacked in the first place. As Kahn (1962, 21) warns, “we may someday come face to face with a blunt choice between surrender or war. We may even have war thrust upon us without being given any kind of a choice. We must appreciate these possibilities. We cannot wish them away.” Anarchists must consider such eventualities ahead of time before risking everything to create a free society that they later find they are unwilling to defend.

Anarchists who find violations of the NAP unpalatable may still recognize the usefulness of threats as bluffs. For instance, they may threaten a nuclear second strike on civilian populations of any invading country while fully intending not to carry it out after a first strike since at that point the

second strike no longer serves any deterrent role anyway. However, bluffing is costly, in that it will be more difficult for defenders to appear credible than if they had genuinely adopted the convention that the NAP need not extend to outsiders. If enemies consider how anarchists will actually react to an invasion and determine that their retaliatory threats lack credibility, the likelihood of invasion rises. The anarchist societies that sincerely adopt the convention proposed above, and successfully advertise this fact, will likely be the ones safest from attack. The convention will also conveniently allow for violations of the NAP in other areas, such as the restrictions on immigration, and the deportation of socialists, that Hoppe (2001) calls for.

The dilemma of reconciling moral considerations with an effective defense strategy is not new, nor is it unique to the defense of anarchist territory. Stewart (1967), writing on US military strategy during the Cold War, questions whether deterrence can be effective when “ethical concerns and human costs of high levels of violence are so great as to rule out their use.” Yet paradoxically, those who appear most willing to engage in the kind of targeting called for above are the least likely to have to carry it out. To preserve their territorial sovereignty while doing no harm to anyone should be the true goal of anarchists. This outcome is most likely to come about by discarding the NAP as a guiding principle of defense policy, which will harm no one if the posture successfully prevents enemy states from invading anarchist lands.

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