

Libertarian Manifesto for Property, Freedom, and Order

An Allodial Libertarian Statement for a Policy of Real Property and Monetary Freedom

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Central Question

Why must the state be the sole allodial owner of real property in a country and monopolize currency issuance?

1. Introduction: Why Individual Liberty and Private Real Property Matter

Individual liberty and private real property are the bedrock of a free society, essential for human flourishing and justice. These principles form the foundation upon which all other freedoms rest, creating the conditions necessary for prosperity, innovation, and human dignity.

John Locke asserted, "Where there is no property, there is no justice" (Locke, 1689, p. 66). This fundamental insight reveals that real property rights are not merely economic arrangements but the very basis of a just social order. Friedrich A. Hayek reinforced this understanding in *Law, Legislation and Liberty*, stating, "The system of private property is the most important guaranty of freedom, not only for those who own property, but scarcely less for those who do not" (Hayek, 1973, p. 107).

The intimate connection between real property and law was eloquently expressed by Frédéric Bastiat, who emphasized, "Property and law are born together, and die together" (Bastiat, 1850, p. 43). This symbiotic relationship demonstrates that without secure real property rights, legal systems become mere instruments of state power rather than protectors of individual liberty.

Thomas Jefferson recognized that the fundamental natural rights to "life, liberty, and property" are antecedent to the state, declaring that these rights are "endowed by their Creator" and exist independently of government (Jefferson, 1776). These fundamental rights—life, liberty, and property—are divinely ordained, as implied in the Ten Commandments, and emerge spontaneously under anarchic conditions when dictated by God or custom, predating any state authority.

Cobin argues, "Private property is the cornerstone of economic liberty, without which no other freedom can endure" (Cobin, 1997, p. 18). Furthermore, "Allodialism restores

absolute ownership of real property, freeing individuals from state feudalism" (Cobin, 2009, p. 3). This restoration of true ownership represents a return to first principles, where individuals hold their land free from superior claims or state interference.

2. Historical Precedents of Liberty Based on Private Real Property

Throughout history, decentralized systems based on strong real property rights have consistently produced greater prosperity, justice, and human flourishing than centralized alternatives. These historical examples provide compelling evidence for the viability and superiority of allodial systems.

Ancient and Medieval Examples

Decentralized systems in Ancient Greece, Republican Rome, Anglo-Saxon England (Heptarchy), medieval Novgorod and Pskov, the Icelandic Commonwealth (930-1262 AD), and European merchant guilds fostered order through real property rights and local autonomy. These societies demonstrated that complex social coordination could emerge spontaneously without centralized state control.

The Icelandic Commonwealth provides perhaps the most remarkable example of stateless governance operating for over three centuries without centralized government, relying instead on competing legal systems and private enforcement mechanisms protecting real property rights.

Chilean Free Banking: A Monetary Success Story

Chile's free banking period (1862-1879) demonstrated monetary stability without state control. George Selgin's analysis reveals that "the absence of a central bank allowed market discipline to regulate money supply" (Selgin, 1990, p. 55; Cobin, 2009, p. 67). Giovanni Castiglioni notes that "Chilean free banking created unprecedented monetary stability through competitive market discipline" (Castiglioni, 2012, p. 89).

Carl Menger's work on spontaneous order supports this understanding: "Institutions like money arise from individual actions, not state decrees" (Menger, 1871, p. 250). The evolution of monetary systems through market processes demonstrates the superiority of decentralized solutions over centralized planning.

3. Expanded Theoretical Framework: Spontaneous Order and Allodial Policy

The theoretical foundations of allodial policy rest on Austrian economics insights, particularly spontaneous order concepts and transaction costs' critical role in economic coordination. While implementing allodialism requires force to move back from state-

enforced feudalism, it returns society to what had spontaneously emerged before state intervention.

Spontaneous Order and Market Coordination

Allodial policy grounds itself in spontaneous order, where market coordination outperforms centralized planning through dispersed knowledge utilization and decentralized decision-making. Hayek states, "Liberty is preserved by rules discovered through human action, not designed by state authority" (Hayek, 1973, p. 115).

Defining Allodialism for Real Property

Cobin defines allodialism as "absolute ownership of real property, free from superior claims" (Cobin, 1997, p. 15). This definition captures true real property rights essence—complete authority to use, exclude, and transfer land without interference from governmental or superior authorities.

He further notes: "Allodialism eliminates state coercion, enabling free land use and economic activity" (Cobin, 1997, p. 22). This freedom from coercion creates the necessary conditions for productive activity and voluntary cooperation.

Transaction Costs and Real Property Rights

Ronald Coase's theorem provides crucial support for allodial policy, demonstrating that well-defined real property rights minimize conflicts and transaction costs (Coase, 1960, pp. 1-44). When real property rights are clearly established and enforced, individuals can negotiate mutually beneficial arrangements without state intervention.

4. Privatization of Borders: Market Solutions to Immigration Policy

Border privatization represents a logical extension of allodial principles to immigration policy. By applying market mechanisms to border control, we can achieve greater efficiency, accountability, and respect for individual rights than current state-controlled systems provide.

Market-Based Border Control Framework

Market-based border control, as proposed by Cobin, would divide land borders into 6-8 sections managed by competing private firms, with ports and airports similarly segmented. Border companies would set visa costs and receive income from competitive rates while paying for mistakes, including indemnifying the country for damages caused by admitted criminals or terrorists.

Private firms would profit by setting appropriate visa rates and face direct liability for damages caused by individuals they admit who subsequently commit crimes (Cobin, 2004, p. A4; Cobin, 2006, p. A7). This creates powerful incentives for thorough screening and responsible admission policies.

Economic Coordination

Cobin notes, "Market-based immigration aligns labor supply with demand" (Cobin, 2009, p. 80). Rather than arbitrary quotas set by political processes, immigration levels would respond to genuine economic signals while companies bear full financial responsibility for security failures.

5. Stateless Legal Systems: The Foundation of Allodial Real Property

Protecting allodial real property rights requires legal systems operating independently of state control. History demonstrates that stateless legal systems can effectively provide justice, resolve disputes, and maintain social order without relying on centralized government authority.

With allodialism, either minimal state courts or completely private law systems without any state involvement could work effectively, depending on the specific implementation chosen.

Historical Examples of Stateless Justice

Bruce Benson's comprehensive analysis shows that stateless systems produced effective justice in Anglo-Saxon England, medieval Iceland's Commonwealth (930-1262 AD), and other societies through sophisticated private arbitration mechanisms (Benson, 1990, pp. 1-230).

Market-Based Criminal Justice

In an allodial world, criminal justice would operate through market-based solutions. Cobin's forthcoming work *Bearing the Cross* proposes six lawless allodial countries designated for criminals, based on the principle that "those who violate others' rights forfeit their own, facing market-driven consequences" (Cobin, forthcoming 2025, p. 305).

This system would operate on the principle of proportional loss—criminals would lose rights in proportion to their violations of others' rights. This creates both deterrence and restitution while eliminating the need for state-controlled prisons and punishment systems.

6. Armed Liberty and Defense of Absolute Real Property

The defense of allodial real property rights requires an armed citizenry capable of resisting both criminal aggression and state overreach. An armed society represents the ultimate check on tyranny and final guarantee of individual liberty and real property rights.

The Necessity of Armed Defense

An allodial system fundamentally requires an armed society to defend liberty and real property against all threats. The Second Amendment to the U.S. Constitution recognizes this principle: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Cobin argues, "The right to bear arms ensures resistance against state overreach" (Cobin, 2005, p. 10; Cobin, 1997, p. 30). This right serves as both a deterrent to tyranny and a practical means of defending real property when legal systems fail.

In an armed society, firms with organizational hierarchies would automatically emerge to implement more efficient and effective defense without requiring a state. Market forces would drive the development of sophisticated defense organizations while maintaining accountability to property owners. Individuals who do not want to be armed can contract the services of one of these organizations to defend them, like a group insurance policy or even a mutual fund of sorts, providing flexible options for personal security without compromising the overall system of armed liberty.

7. Advantages and Transition Challenges

The transition to an allodial system would bring significant advantages in economic efficiency, individual liberty, and social justice, while facing substantial challenges from entrenched interests and existing institutional structures.

Economic Advantages

The Heritage Foundation's *Index of Economic Freedom* confirms that nations with stronger real property rights consistently achieve higher prosperity levels (Heritage Foundation, 2024, p. 22). The security of absolute real property rights would unleash entrepreneurial energy currently suppressed by regulatory uncertainty and state expropriation threats.

It's important to note that while states may have in recent decades freed women to obtain mortgages or open bank accounts, they also previously took these rights away. Under anarchy, no such restrictions would naturally occur, and allodialism would permit banks to decide whatever policies they desire regarding any demographic groups, subject to market competition.

Resistance and Implementation

Despite these advantages, the transition to allodialism would face significant resistance from those benefiting from current arrangements. A successful transition would require

Carefully planned strategies addressing both technical and political challenges through privatization of public lands, currency deregulation, and development of private legal systems.

8. Appendix: Cases of Real Property Policy in the U.S.

The American legal tradition provides important precedents for allodial real property rights, particularly in the Nineteenth century when courts more consistently protected absolute ownership against state interference.

Foundational Cases

New Orleans v. United States (1836), 35 U.S. 662 (Supreme Court): The Court ruled that "lands granted by the government become allodial" (Cobin, 1997, p. 125), establishing that government land grants create absolute ownership free from continuing state claims.

Matthews v. Ward (1838), 10 Gill & J. 443 (Maryland): This Maryland case affirmed that "allodial title is free from feudal duties" (Cobin, 1997, p. 126), explicitly rejecting feudal concepts that land ownership carries inherent obligations to superior authorities.

Wallace v. Harmstad (1863), 44 Pa. 492 (Pennsylvania): The Pennsylvania court declared that by winning the Revolutionary War, all property became allodial for individuals, and the shackles of feudalism were discarded. The court stated that "allodial ownership excludes state exactions" (Cobin, 1997, p. 127), establishing that absolute real property rights include immunity from state taxation and regulation.

9. Contemporary Applications and Global Perspectives

Modern technology provides unprecedented opportunities for implementing allodial systems. Blockchain technology can create secure, decentralized registries for real property rights operating independently of government control, while cryptocurrency enables competitive currencies without government permission.

Special economic zones worldwide demonstrate the practical benefits of reducing state control over economic activity. They often feature stronger real property rights and reduced regulation than surrounding jurisdictions.

Cryptocurrencies, like gold and allodial real property, insulate people from the state and its mischief by providing alternatives to state-controlled monetary systems and property regimes. The transition to allodial policy will be costly, just as eliminating the central bank will be costly, but both reforms are worthwhile investments in freedom that will foster lower taxes in general and more personal freedom and choices.

10. Conclusion: The Path Forward

The allodial system represents both a return to fundamental principles of justice and liberty and a forward-looking approach to modern governance challenges. By recognizing absolute real property rights and enabling competitive solutions to traditional governmental functions, allodialism offers a path toward greater prosperity, freedom, and human flourishing.

The moral case for allodialism rests on recognizing every individual's natural right to the fruits of their labor and the security of their real property. Current systems of state feudalism violate these fundamental rights and create conditions for oppression and economic stagnation.

The economic advantages are compelling—societies with stronger real property rights consistently achieve higher prosperity and human development levels. The transition to allodialism would extend these benefits while eliminating economic distortions created by state intervention.

Success will require sustained commitment to education, legal reform, and practical demonstration of allodial principles. As more people experience the benefits of market-based solutions, political support for broader reforms will likely grow.

The choice facing contemporary society is clear: continue with systems of state feudalism that violate individual rights and create economic stagnation, or embrace allodial principles that promise genuine freedom and prosperity. The moral and practical case for allodialism is compelling—what remains is the will to implement it.

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