

A formalist manifesto

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The other day I was tinkering around in my garage and I decided to build a new ideology.

What? I mean, am I crazy or something? First of all, you can't just build an ideology. They're handed down across the centuries, like lasagna recipes. They need to age, like bourbon. You can't just drink it straight out of the radiator.

And look what happens if you try. What causes all the problems of the world? Ideology, that's what. What do Bush and Osama have in common? They're both ideological nutcases. We're supposed to need more of this?

Furthermore, it's simply not possible to build a new ideology. People have been talking about ideology since Jesus was a little boy. At least! And I'm supposedly going to improve on this? Some random person on the Internet, who flunked out of grad school, who doesn't know Greek *or* Latin? Who do I think I am, Wallace Shawn?

All excellent objections. Let's answer them and then we'll talk about formalism.

First, of course, there are a couple of beautifully aged traditional ideologies which the Internet now brings us in glorious detail. They go by lots of names, but let's call them progressivism and conservatism.

My beef with progressivism is that for at least the last 100 years, the vast majority of writers and thinkers and smart people in general have been progressives. Therefore, any intellectual in 2007, which unless there has been some kind of Internet space warp and my words are being carried live on Fox News, is anyone reading this, is basically marinated in progressive ideology.

Perhaps this might slightly impair one's ability to see any problems that may exist in the progressive worldview.

As for conservatism, not all Muslims are terrorists, but most terrorists are Muslims. Similarly, not all conservatives are cretins, but most cretins are conservatives. The modern American conservative movement—which is paradoxically much younger than the progressive movement, if only because it had to be reinvented after the Roosevelt dictatorship—has been distinctly affected by this audience. It also suffers from the electoral coincidence that it has to despise everything that progressivism adores, a bizarre birth defect which does not appear to be treatable.

Most people who don't consider themselves "progressives" or "conserva-

tives" are one of two things. Either they're "moderates," or they're "libertarians."

In my experience, most sensible people consider themselves "moderate," "centrist," "independent," "unideological," "pragmatic," "apolitical," etc. Considering the vast tragedies wrought by 20th-century politics, this attitude is quite understandable. It is also, in my opinion, responsible for most of the death and destruction in the world today.

Moderation is not an ideology. It is not an opinion. It is not a thought. It is an absence of thought. If you believe the status quo of 2007 is basically righteous, then you should believe the same thing if a time machine transported you to Vienna in 1907. But if you went around Vienna in 1907 saying that there should be a European Union, that Africans and Arabs should rule their own countries and even colonize Europe, that any form of government except parliamentary democracy is evil, that paper money is good for business, that all doctors should work for the State, etc., etc.—well, you could probably find people who agreed with you. They wouldn't call themselves "moderates," and nor would anyone else.

No, if you were a moderate in Vienna in 1907, you thought Franz Josef I was the greatest thing since sliced bread. So which is it? Hapsburgs, or Eurocrats? Pretty hard to split the difference on that one.

In other words, the problem with moderation is that the "center" is not fixed. It moves. And since it moves, and people being people, people will try to move it. This creates an incentive for violence—something we formalists try to avoid. More on this in a bit.

That leaves libertarians. Now, I love libertarians to death. My CPU practically has a permanent open socket to the Mises Institute. In my opinion, anyone who has intentionally chosen to remain ignorant of libertarian (and, in particular, Misesian–Rothbardian) thought, in an era when a couple of mouse clicks will feed you enough high-test libertarianism to drown a moose, is not an intellectually serious person. Furthermore, I am a computer programmer who has read far too much science fiction—two major risk factors for libertarianism. So I could just say, "read Rothbard," and call it a day.

On the other hand, it is hard to avoid noticing two basic facts about the universe. One is that libertarianism is an extremely obvious idea. The other is

that it has never been successfully implemented.

This does not prove anything. But what it suggests is that libertarianism is, as its detractors are always quick to claim, an essentially impractical ideology. I would love to live in a libertarian society. The question is: is there a path from here to there? And if we get there, will we stay there? If your answer to both questions is obviously "yes," perhaps your definition of "obvious" is not the same as mine.

So this is why I decided to build my own ideology—"formalism."

Of course, there is nothing new in formalism. Progressives, conservatives, moderates, and libertarians will all recognize large chunks of their own undigested realities. Even the word "formalism" is borrowed from legal formalism, which is basically the same idea in more modest attire.

I am not Vizzini. I am just some dude who buys a lot of obscure used books, and is not afraid to grind them down, add flavor, and rebrand the result as a kind of political surimi. Most everything I have to say is available, with better writing, more detail and much more erudition, in Jouvenel, Kuehnelt-Leddihn, Leoni, Burnham, Nock, etc., etc.

If you've never heard of any of these people, neither had I until I started the procedure. If that scares you, it should. Replacing your own ideology is a lot like do-it-yourself brain surgery. It requires patience, tolerance, a high pain threshold, and very steady hands. Whoever you are, you already have an ideology in there, and if it wanted to come out it would have done so on its own.

There is no point in starting this messy experiment only to install some other ideology that's the way it is just because someone said so. Formalism, as we'll see, is an ideology designed by geeks for other geeks. It's not a kit. It doesn't come with batteries. You can't just pop it in. At best, it's a rough starting point to help you build your own DIY ideology. If you're not comfortable working with a table saw, an oscilloscope and an autoclave, formalism is not for you.

That said:

The basic idea of formalism is just that the main problem in human affairs is violence. The goal is to design a way for humans to interact, on a planet of remarkably limited size, without violence.

Especially organized violence. Next to organized human-on-human violence, a good formalist believes, all other problems—Poverty, Global Warm-

ing, Moral Decay, etc., etc., etc.—are basically insignificant. Perhaps once we get rid of violence we can worry a little about Moral Decay, but given that organized violence killed a couple of hundred million people in the last century, whereas Moral Decay gave us "American Idol," I think the priorities are pretty clear.

The key is to look at this not as a moral problem, but as an engineering problem. Any solution that solves the problem is acceptable. Any solution that does not solve the problem is not acceptable.

For example, there is an existing idea called pacifism, part of the general progressive suite, which claims to be a solution for violence. As I understand it, the idea of pacifism is that if you and I can not be violent, everyone else will not be violent, too.

There's no doubt in my mind that pacifism is effective in some cases. In Northern Ireland, for example, it seems to be just the thing. But there is a kind of "hundredth-monkey" logic to it that consistently eludes my linear, Western mind. It strikes me that if everyone is a pacifist and then one person decides not to be a pacifist, he will wind up ruling the world. Hm.

A further difficulty is that the definition of "violence" isn't so obvious. If I gently relieve you of your wallet, and you chase after me with your Glock and make me beg to be allowed to give it back, which of us is being violent? Suppose I say, well, it was your wallet—but it's my wallet now?

This suggests, at the very least, that we need a rule that tells us whose wallet is whose. Violence, then, is anything that breaks the rule, or replaces it with a different rule. If the rule is clear and everyone follows it, there is no violence.

In other words, violence equals *conflict plus uncertainty*. While there are wallets in the world, conflict will exist. But if we can eliminate uncertainty—if there is an unambiguous, unbreakable rule that tells us, in advance, who gets the wallet—I have no reason to sneak my hand into your pocket, and you have no reason to run after me shooting wildly into the air. Neither of our actions, by definition, can affect the outcome of the conflict.

Violence of any size makes no sense without uncertainty. Consider a war. If one army knows it will lose the war, perhaps on the advice of some infallible oracle, it has no reason to fight. Why not surrender and get it over with?

But this has only multiplied our difficulties. Where do all these rules come

from? Who makes them unbreakable? Who gets to be the oracle? Why is the wallet "yours," rather than "mine"? What happens if we disagree on this? If there's one rule for every wallet, how can everyone remember them all? And suppose it's not you, but me, who's got the Glock?

Fortunately, great philosophers have spent many long hours pondering these details. The answers I give you are theirs, not mine.

First, one sensible way to make rules is that you're bound by a rule if, and only if, you agree to it. We don't have rules that are made by the gods somewhere. What we have is actually not rules at all, but agreements. Surely, agreeing to something and then, at your own convenience, un-agreeing to it, is the act of a cad. In fact, when you make an agreement, the agreement itself may well include the consequences of this kind of irresponsible behavior.

If you're a wild man and you agree to nothing—not even that you won't just kill people randomly on the street—this is fine. Go and live in the jungle, or something. Don't expect anyone to let you walk around on their street, any more than they would tolerate, say, a polar bear. There is no absolute moral principle that says that polar bears are evil, but their presence is just not compatible with modern urban living.

We are starting to see two kinds of agreements here. There are agreements made with other specific individuals—I agree to paint your house, you agree to pay me. And there are agreements like, "I won't kill anyone on the street." But are these agreements really different? I don't think so. I think the second kind of agreement is just your agreement with *whoever owns the street*.

If wallets have owners, why shouldn't streets have owners? Wallets have to have owners, obviously, because ultimately someone has to decide what happens with the wallet. Does it ride off in your pocket, or mine? Streets stay put, but there are still a lot of decisions that have to be taken—who paves the street? When and why? Are people allowed to kill people on the street, or is it one of those special no-killing streets? What about street vendors? And so on.

Obviously, if I own 44th Street and you own 45th and 43rd, the possibility of a complex relationship between us becomes nontrivial. And complexity is next to ambiguity, which is next to uncertainty, and the Glocks come out again. So, realistically, we are probably talking more about owning not streets, but larger, more clearly-defined units—blocks, maybe, or even cities.

Owning a city! Now that would be pretty cool. But it gets us back to an issue that we've completely skipped, which is who owns what. How do we decide? Do I deserve to own a city? Am I so meritorious? I think I am. Maybe you could keep your wallet, and I could get, say, Baltimore.

There is this idea called social justice that a lot of people believe in. The notion is, in fact, fairly universal as of this writing. What it tells us is that Earth is small and has a limited set of resources, such as cities, which we all want as much of as possible. But we can't all have a city, or even a street, so we should share equally. Because all of us people are equal and no one is more equal than anyone else.

Social justice sounds very nice. But there are three problems with it.

One is that many of these nice things are not directly comparable. If I get an apple and you get an orange, are we equal? One could debate the subject—with Glocks, perhaps.

Two is that even if everyone starts with equal everything, people being different, having different needs and skills and so on, and the concept of ownership implying that if you own something you can give it to someone else, all is not likely to stay equal. In fact, it's basically impossible to combine a system in which agreements stay agreed with one in which equality stays equal.

This tells us that if we try to enforce permanent equality, we can probably expect permanent violence. I am not a big fan of "empirical evidence," but I think this prediction corresponds pretty well to reality.

But three, which is the real killer—so to speak—is that we are not, in fact, designing an abstract utopia here. We are trying to fix the real world, which in case you hadn't noticed, is extremely screwed up. In many cases, there is no clear agreement on who owns what (Palestine, anyone?), but most of the good things in the world do seem to have a rather definite chain of control.

If we have to start by equalizing the distribution of goods, or in fact by changing this distribution at all, we are putting ourselves quite unnecessarily behind the 8-ball. We are saying, we come in peace, we believe all should be free and equal, let us embrace. Put your arms around me. Feel that lump in my back pocket? Yup, that's what you think it is. And it's loaded. Now hand over your city/wallet/apple/orange, because I know someone who needs it more than you.

The goal of formalism is to avoid this unpleasant little detour. Formalism says: let's figure out exactly who has what, *now*, and give them a fancy little certificate. Let's not get into who *should* have what. Because, like it or not, this is simply a recipe for more violence. It is very hard to come up with a rule that explains why the Palestinians should get Haifa back, and doesn't explain why the Welsh should get London back.

So far this probably sounds a lot like libertarianism. But there's a big difference.

Libertarians may think the Welsh should get London back. Or not. I am still not sure I can interpret Rothbard on this one—which is, as we've seen, in itself a problem.

But if there is one thing all libertarians do believe, it's that *the Americans* should get America back. In other words, libertarians (at least, real libertarians) believe the US is basically an illegitimate and usurping authority, that taxation is theft, that they are essentially being treated as fur-bearing animals by this weird, officious armed mafia, which has somehow convinced everyone else in the country to worship it like it was the Church of God or something, not just a bunch of guys with fancy badges and big guns.

A good formalist will have none of this.

Because to a formalist, the fact that the US can determine what happens on the North American continent between the 49th parallel and the Rio Grande, AK and HI, etc., means that it is the entity which owns that territory. And the fact that the US extracts regular payments from the aforementioned fur-bearing critters means no more than that it owns that right. The various maneuvers and pseudo-legalities by which it acquired these properties are all just history. What matters is that it has them now and it doesn't want to give them over, any more than you want to give me your wallet.

So if the responsibility to fork over some cut of your paycheck makes you a serf (a reasonable reuse of the word, surely, for our less agricultural age), that's what Americans are—serfs.

Corporate serfs, to be exact, because the US is nothing but a corporation. That is, it is a formal structure by which a group of individuals agree to act collectively to achieve some result.

So what? So I'm a corporate serf. Is this so horrible? I seem to be pretty

used to it. Two days out of the week I work for Lord Snooty-Snoot. Or Faceless Global Products. Or whoever. Does it matter who the check is written to?

The modern distinction between "private" corporations and "governments" is actually a rather recent development. The US is certainly different from, say, Microsoft, in that the US handles its own security. On the other hand, just as Microsoft depends on the US for most of its security, the US depends on Microsoft for most of its software. It's not clear why this should make one of these corporations special, and the other not-special.

Of course, the purpose of Microsoft is not to write software, but to make money for its shareholders. The American Cancer Society is a corporation, too, and it has a purpose as well—to cure cancer. I have lost a lot of work on account of Microsoft's so-called "software," and its stock, frankly, is going nowhere. And cancer still seems to be around.

In case the CEO of either MSFT or the ACS is reading this, though, I don't really have a message for you guys. You know what you're trying to do and your people are probably doing as good a job of it as they can. And if not, fire the bastards.

But I have no idea what the purpose of the US is.

I have heard that there's someone who supposedly runs it. But he doesn't appear to even be able to fire his own employees, which is probably good, because I hear he's not exactly Jack Welch, if you know what I mean. In fact, if anyone can identify one significant event that has occurred in North America because Bush and not Kerry was elected in 2004, I'd be delighted to hear of it. Because my impression is that basically the President has about as much effect on the actions of the US as the Heavenly Sovereign Emperor, the Divine Mikado, has on the actions of Japan. Which is pretty much none.

Obviously, the US exists. Obviously, it does stuff. But the way in which it decides what stuff it's going to do is so opaque that, as far as anyone outside the Beltway is concerned, it might as well be consulting ox entrails.

So this is the formalist manifesto: that the US is just a corporation. It is not a mystic trust consigned to us by the generations. It is not the repository of our hopes and fears, the voice of conscience and the avenging sword of justice. It is just an big old company that holds a huge pile of assets, has no clear idea of what it's trying to do with them, and is thrashing around like a ten-gallon shark

in a five-gallon bucket, red ink spouting from each of its bazillion gills.

To a formalist, the way to fix the US is to dispense with the ancient mystical horseradish, the corporate prayers and war chants, figure out who owns this monstrosity, and let them decide what in the heck they are going to do with it. I don't think it's too crazy to say that all options—including restructuring and liquidation—should be on the table.

Whether we're talking about the US, Baltimore, or your wallet, a formalist is only happy when ownership and control are one and the same. To reformalize, therefore, we need to figure out who has actual power in the US, and assign shares in such a way as to reproduce this distribution as closely as possible.

Of course, if you believe in the mystical horseradish, you'll probably say that every citizen should get one share. But this is a rather starry-eyed view of the US's actual power structure. Remember, our goal is not to figure out who *should* have what, but to figure out who *does* have what.

For example, if the New York Times was to endorse our reformalization plan, it would be much more likely to happen. This suggests that the New York Times has quite a bit of power, and therefore that it should get quite a few shares.

But wait. We haven't answered the question. What is the purpose of the US? Suppose, solely for illustration, we give *all* the shares to the New York Times. What will "Punch" Sulzberger do with his shiny new country?

Many people, probably including Mr. Sulzberger, seem to think of the US as a charitable venture. Like the American Cancer Society, just with a broader mission. Perhaps the purpose of the US is simply to do good in the world.

This is a very understandable perspective. Surely, if anything ungood remains in the world, it can be vanquished by a gigantic, heavily armed megacharity, with H-bombs, a flag, and 250 million serfs. In fact, it's actually rather astounding that, considering the prodigious endowments of this great philanthropic institution, it seems to do so little good.

Perhaps this has something to do with the fact that it's run so efficiently that it hasn't balanced its budget since the 1830s. Perhaps, if you reformalized the US, ran it like an actual business, and distributed its shares among a large set of separate charities, each presumably with some specific charter for some actual specific purpose, more good might occur.

Of course, the US doesn't just have assets. Sadly, it also has debts. Some of these debts, such as T-bills, are already very well-formalized. Others, such as Social Security and Medicare, are informal and subject to political uncertainties. If these obligations were reformalized, their recipients could only benefit. Of course, they would thus become negotiable instruments and could be, for example, sold. Perhaps in exchange for crack. Reformalization thus requires us to distinguish between property and charity, a hard problem but an important one.

All this fails to answer the question: are nation-states, such as the US, even useful? If you reformalized the US, the question would be left to its shareholders. Perhaps cities work the best when they're independently owned and operated. If so, they should probably be spun off as separate corporations.

The existence of successful city-states such as Singapore, Hong Kong and Dubai certainly suggests an answer to this question. Whatever we call them, these places are remarkable for their prosperity and their relative absence of politics. In fact, perhaps the only way to make them more stable and secure would be to transform them from effectively family-owned (Singapore and Dubai) or subsidiary (Hong Kong) corporations, to anonymous public ownership, thus eliminating the long-term risk that political violence might develop.

Certainly, the absence of democracy in these city-states has not made them comparable in any way to Nazi Germany or the Soviet Union. Any restrictions on personal freedom that they do maintain seem primarily aimed at preventing the development of democracy—an understandable concern given the history of rule by the People. In fact, both the Third Reich and the Communist world often claimed to represent the true spirit of democracy.

As Dubai in particular shows, a government (like any corporation) can deliver excellent customer service without either owning or being owned by its customers. Most of Dubai's residents are not even citizens. If Sheik Al Maktoum has a cunning plan to seize them all, chain them and make them work in the salt mines, he's doing it in a very devious way.

Dubai, as a place, has almost nothing to recommend it. The weather is horrible, the sights are nonexistent, and the neighborhood is atrocious. It's tiny, in the middle of nowhere, and surrounded by Allah-crazed maniacs with a suspicious affinity for high-speed centrifuges. Nonetheless it has a quarter of the

world's cranes and is growing like a weed. If we let the Maktoums run, say, Baltimore, what would happen?

One conclusion of formalism is that democracy is—as most writers before the 19th century agreed—an ineffective and destructive system of government. The concept of democracy without politics makes no sense at all, and as we've seen, politics and war are a continuum. Democratic politics is best understood as a sort of symbolic violence, like deciding who wins the battle by how many troops they brought.

Formalists attribute the success of Europe, Japan and the US after World War II not to democracy, but to its absence. While retaining the symbolic structures of democracy, much as the Roman Principate retained the Senate, the postwar Western system has assigned almost all actual decision-making power to its civil servants and judges, who are "apolitical" and "nonpartisan," i.e., nondemocratic.

Because in the absence of effective external control, these civil services more or less manage themselves, like any unmanaged enterprise they often seem to exist and expand for the sake of existing and expanding. But they avoid the spoils system which invariably develops when the tribunes of the people have actual power. And they do a reasonable, if hardly stellar, job of maintaining some semblance of law.

In other words, "democracy" appears to work because it is not in fact democracy, but a mediocre implementation of formalism. This relationship between symbolism and reality has received an educational if depressing test in the form of Iraq, where there is no law at all, but which we have endowed with the purest and most elegant form of democracy (proportional representation), and ministers who actually seem to run their ministries. While history does no controlled experiments, surely the comparison of Iraq to Dubai makes a fine case for formalism over democracy.

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