

**THE PROBLEM OF INFORMATION WAR IN THE FRAMEWORK OF
NATURAL LAW – PARADOX OF TOLERANCE REVISITED IN THE LIGHT
(OR DARKNESS) OF SOVIET PROPAGANDA**

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Abstract

In the framework of the natural law, only direct aggression or call to direct aggression may be legally punishable. However, the methods of information war and ideological subversion, while non-violent in the first stages of the long-term subversion process, are intentionally engineered to end in aggression (note: “information war” is here understood as conscious manipulation of cultural perception for future political gains, not cyberwarfare).

The paper examines whether it is possible to extend the notion of aggression in the framework of the natural law to include self-defense against ideological subversion. We use the information war tactics carried out in the XX century by the KGB propaganda department (as described by Eastern bloc defectors) as the most incisive example. We show that in order to proceed with defense against such strategies, due to the subtle, stretched in time and mostly psychological nature of propaganda – we would necessarily have to break the natural law ourselves. However, we also argue that for such subversion strategies to be successful, they must be carried out in a society with an already overgrown political system where one group can exert power over another group. Therefore, to ask if we can extend the definition of aggression to information war in the framework of the natural law is meaningless, because for an information war tactic to be successful, the natural law must already be violated in the targeted society.

We also examine the Popperian paradox of tolerance in this light and claim the clear demarcation line between “the tolerant” and “the intolerant” is impossible to be drawn.

Finally, we propose maximum decentralization and mature culture of self-reliance as the only possible defense strategies against ideological subversion, which also ensure a sustainable, relatively free society. We must note though that there might exist trade-offs between defenses against an ideological and an energetic attack.

Keywords: Natural Law; Propaganda; Information war; The paradox of tolerance; Cold War.

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El problema de la guerra de información en el contexto del Derecho Natural – la paradoja de la tolerancia revisada a la luz (u oscuridad) de la propaganda soviética

Resumen

En el contexto del Derecho Natural, solo la agresión directa o el llamado a la agresión directa pueden ser punibles legalmente. Sin embargo, los métodos de la guerra de información y de la subversión ideológica, aunque no son violentos en las primeras etapas del proceso de subversión a largo plazo, están diseñados intencionalmente para terminar en agresión (nótese que: "guerra de información" se entiende aquí como manipulación consciente de la percepción cultural para futuros réditos políticos, no tiene que ver con guerra cibernética).

El artículo examina si es posible extender la noción de agresión en el marco del Derecho Natural para incluir la autodefensa contra la subversión ideológica. Usamos las tácticas de guerra de información llevadas a cabo en el siglo XX por el departamento de propaganda de la KGB (como lo describen los desertores del bloque del Este) como el ejemplo más incisivo. Demostramos que, para proceder con la defensa contra tales estrategias, debido a la naturaleza sutil, prolongada en el tiempo y principalmente psicológica de la propaganda, necesariamente tendríamos que violar el Derecho Natural nosotros mismos. Sin embargo, también argumentamos que para que tales estrategias de subversión tengan éxito, deben llevarse a cabo en una sociedad con un sistema político ya demasiado grande donde un grupo puede ejercer poder sobre otro grupo. Por lo tanto, preguntar si podemos extender la definición de agresión a la guerra de información en el marco del Derecho Natural no tiene sentido, porque para que una táctica de guerra de información tenga éxito, el Derecho Natural ya debe ser violada en la sociedad objetivo.

También examinamos la paradoja popperiana de la tolerancia desde este punto de vista, y afirmamos que es imposible trazar la clara línea divisoria entre "el tolerante" y el "intolerante".

Finalmente, proponemos que las únicas estrategias de defensa posibles contra la subversión ideológica son: la descentralización en el ámbito político llevada a su máxima expresión y una cultura madura basada en la autosuficiencia, elementos que garantizan la consolidación de una sociedad sostenible y relativamente libre. Sin embargo, debemos señalar que pueden existir compensaciones entre las defensas contra un ataque ideológico y uno energético.

Palabras clave: Derecho Natural; Propaganda; Guerra de información; La paradoja de la tolerancia; Guerra Fría.

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1. Introductory remarks on the legal framework

Following the tradition of Aristotle, Cicero, St Thomas Aquinas, and finally, John Locke, Thomas Paine, Thomas Jefferson and Lysander Spooner, throughout this paper we define “crime” as violation of natural law, namely, the inalienable right of an individual to their property and physical integrity, the right not to be silenced or otherwise oppressed, which can be summarized as the right to non-aggression. In this non-positivist framework, no human being has the power to declare what is a crime and what is not, since laws are not man-made (Claude Frederic Bastiat in: *The Law*; Lysander Spooner in *Vices are not Crimes*; Aristotle, *Nicomachean Ethics*, in: 1180 a, Neal Wood, 1988; St Thomas Aquinas, *De Iure*, kw. 91; John Locke in *Second Treatise on Government*; Thomas Paine in *The Rights of Man*; Thomas Jefferson in *the Unanimous Declaration of the Thirteen United States of America*). In the previous century, their ethical arguments have been fully developed by Murray Rothbard (*For a New Liberty: The Libertarian Manifesto*).

Under such assumptions, it is seemingly easy to pinpoint what is and what should not be punishable: direct violence understood as violation of property or physical integrity is in all cases a crime, and an individual has the right to self-defense against it. The criminal case may be extended to open and easily identifiable calls for such violence.

The real difficulty then raises in issues that are more hidden and nuanced than the straightforward to discuss aggression. Where does violence, understood as behaviour that calls for intervention, start? Again, in the framework of natural law, it is easy to argue that only the cases discussed above (direct assault on property or physical integrity) are to be punished. It is an inalienable right of a person to express themselves and take responsibility for their own choices as long as they do not violate other's right to non-aggression, therefore, self-harm cannot be treated as a crime. If it is, it means that the judicial system is in itself violating the natural law, placing the lawmakers above other human beings. By doing so, the law-makers step on the right to self-ownership, and, according to the values we see as valid, it is them who become criminals: they force onto another person their own morality. Similarly, no person can be in the position to regulate what another person can say, and to place oneself in such position means to commit a crime of violating the right to self-expression. Regulating speech and morality is not only unethical in the personalist sense, but also leads to creation of a rapidly growing control system, and finally, a totalitarian state.

Moreover, such expansion, as argues Rothbard (1973), can be ultimately described as violation of the property rights of media owners – as information necessarily exists in a physical form. The right to self-expression can be then treated as a property right, which additionally – as it is due to each exemplary newspaper owner to decide what they distribute – furthers the ethical argument for decentralization made in the next sections of this paper.

The naturalist framework would let society develop with morality and religion separated from legislative power, deriving its laws from ethics, and putting high value on decentralization and individuality. This kind of organization of public life holds objective truth above dogmas and subjects everyone equally, including the king and his commands, to ethics, which is separated from the state (historically, some argue such ethical system was provided by Catholicism in what civilization theorists such as Koneczny call Latin civilization, theoretically, such organization of society allows for religious freedom as long as common ethics is agreed upon). As a result, it gives autonomic value to the individual and allows for development of morality and self-reliance. It is only under such organization that the power of the state is sufficiently restricted by the higher law that leaves no person exempt. Opposed to the personalism and bottom-top organization of Latin civilization, other civilization types distinguished in the quoted theory are collective and organized by state or military violence (Koneczny, 1962, Kuriański, 2011).

Even if (in a somewhat outdated manner) we agree with Koneczny that certain forms of such arrangement of public life (excluding the implications of the feudal system) existed in the Western Catholic Europe, no contemporary government is subject to ethics and derives the state laws from the notion of natural law - rather, we find ourselves in the world of growing suppression of the freedom of speech and press, redistribution, and nanny states that violate the law to self-ownership and cause harm to the culture of responsibility. One could therefore wonder if there exists a certain flaw in such construction of society that proves unsustainable in the long run.

Throughout this paper, we derive the public law from the natural law, maximally limiting the power of the government. In this framework, legislative power is held to the minimum, letting personal ethics organise the society.

We hold the foregoing description as the ideal and we ask under which conditions such organization is sustainable. If it is not, we ask whether the notion of self-defense can be extended within legal naturalism.

2. The methods of information war

The situation to investigate is where aggression, the only behaviour that calls for intervention according to the legal theory we work in, is only the last stage of a wider and more stretched in time psychological war: it has been written already by Sun Tzu in 500 B.C. that most wars are carried out by deceiving the enemy and by undermining everything that is positive and valuable in their culture. The strategies he mentions include ridiculing the values of the opponent's country and escalating conflict between various groups in the targeted society (Sun Tzu, in: *The Art of War*, Chapter III: Strategic Attack).

Similar tactics are described by Alinsky (1971), as well as Bezmenov, a KGB propaganda department defector (1984). In *The Rules for Radicals* Alinsky, a bottom-top organizer of the discontented among XX century Americans without proven ties to any intentional foreign influence agents, and a skilled psychologist, argues it is most important that the enemy thinks the subverter group has power - and fears it. He advocates for ridicule, constant pressure, identifying the enemy clearly and personalizing the struggle, aiming for emotional reaction on both sides of conflict. All these tactics are not violent but rely on persistent agitation and skilled manipulation through various media. In *The love letter to America*, Bezmenov outlines clear instructions to propaganda agents issued from Moscow, repeating largely what has been written 2500 years ago by Sun-Tzu. The rules include spreading contempt and ridicule for leaders of the targeted society, escalating conflicts between various groups, most importantly racial conflicts in the United States, emphasizing controversial issues with no importance, creating distrust between the old and the young, and causing breakdown of old moral virtues.

We can see that carrying out such orders does not require any direct aggression and is not done through agitation that is explicitly political. The first stages of subversion are rather a slow psychological war through molding the perceptions of mass culture.

We must note that certainly not all demoralization of society starts with an intentional agent of influence behind them, however, once they gain momentum and political influence, they will be undoubtedly steered by a person or organization that is fighting an information war. If they are small enough not to interfere with other people's rights, they are to be tolerated as we stated above. We should also note not all information war is foreign in its origin (it can also be started by groups tied with the local government) – this paper uses the propaganda tactics from the Cold War era as the most extreme example of the phenomena we examine.

2.1 A brief summary of the history and tactics of Soviet propaganda (with selected non-violent examples)

The process of culturally subverting capitalist countries started as early as in 1919, when the communist parties throughout the world received instructions from the Kremlin on how to “awaken the masses” and start their persistent agitation and disruption (Hutton, 1972). A more dynamic, new type of warfare has been launched by Stalin in 1948, at the beginning of the Cold War: the Red Fifth Column, a network of highly trained communist subverters was to infiltrate all environments of the Western world, operating under cover with respectable formal occupations and no detectable links to any communist party. Their tactics included provoking strikes, inciting riots, aiding existent terrorist organizations such as IRA and escalating conflicts, sabotage and all kinds of disruption in the society of their “class enemy” (Whitney, 1970; Klehr et al, 1995, Hutton, 1972). Their actions

included launching a radio programme (Klehr et. al., 1995), spreading radical pamphlets on campuses, as Moscow specifically targeted young malleable minds (Whitney, 1970, Hutton, 1972), publication of legally permissible newspapers (Whitney, 1970), escalating racial conflicts that lead to riots (Whitney, 1970, Hutton, 1972). It is easy to pinpoint which of these actions would not be punishable in a free society – a lot of them were indeed non-violent. According to the four stages of psychological war that Bezmenov quotes, only the last one is actual aggression¹ – the process begins with demoralization (Bezmenov, 1984). Additionally, while in operation, it was proven nearly impossible to detect the conspiracy, as most of these actions were carried out not by influence agents, but by people that were genuinely drawn to the movement, unaware of what it entails. However, the ties of the CPUSA to the Kremlin is recognized now a well-founded claim (Whitney, 1970; Klehr et al, 1995, Hutton, 1972). We should also note that the Soviet bloc agents of influence, due to the nature of their actions, were not subject to prosecution under Western espionage laws (Pacepa, 1987).

According to Bezmenov, communist propaganda in the USA has mostly been distributed by Americans, with the communist subverters providing ideological help. Their actions were legitimate, overt, and easily identifiable; however, the consequences of these actions are stretched over a long period of time, which makes it impossible for the majority to perceive it as a consistent effort of a conscious mind.

Other tactics of Moscow included changing the general perception of history and aiding all kinds of movements that would help their interest. General Ion Pacepa, the highest-ranking defector of the Eastern Bloc, extensively writes about KGB's and DIE's (Departamentul de Informatii Externe, Romanian foreign intelligence service) disinformation tactics in "Disinformation" (Pacepa and Rychlak, 2013). The examples he makes involve actions that are unviolent and seemingly tolerant.

They include the following:

- In order to defame the name of Pius XII, Erwin Piscator, a German director who have created the genre of political theatre (and a KGB influence agent), have directed a play entitled "The Deputy", written by Rolf Hochhuth. Pacepa claims Hochhuth was inspired to write the play by general Iwan Agajanc, which was a part of KGB operation "Seat-12". The purpose of the play was to portray Pius XII as a person who did not condemn nazism with all strength, which was untrue. Such presentation would then create discord between Jews and Catholics and weaponize the Kremlin against its grave enemy – the Catholic Church.

¹To be exact, some of the medium stages of subversion require direct violence from the hands of the local (not yet subverted) government system, but not from the hands of the subverters themselves

- Yuri Andropov has launched operation “Ares”, which resulted in today’s American peace movement. The purpose was to create a force that would hold the USA back from interventions against worldwide communist expansion, defame American military in general and magnify the feud between Europe and the USA.

The Soviet disinformation department also proceeded to influence Christian environments by inventing what was called “liberation theology”, which was a Marxist attempt at portraying the teachings of Christ.

For now, it appears that in certain environments Moscow has won the mass cultural part of the Cold War, its narrative having a visible impact on how an average person in the Western world perceives history. A major part in this victory was a subtle play of words – for instance, most initiatives linked with the Kremlin claim to be providing “liberation from oppression” in a Marxist framework. The 1930s narrative of communism as opposing nazism is still vital in left-wing environments. The hammer and sickle is perceived as symbolising “a good idea with a bad outcome” rather than praising genocide, and the Soviet crimes are hardly existent in history curricula.

Such methods are invisible to the eye of the public. If we follow the quoted examples – “The Deputy” was a theatre play, and Hochhuth dismissed the criticism by stating that as an artist, he does not need to be objective. However, the cultural perception was shifted according to the Kremlin’s interest. The peace movement in the USA does not encompass intolerant people that advocate for violence, but those that advocate for peace. Yet, in the geopolitical situation of the XX century, the peace advocates were, mostly innocently, serving the interest of those that would spread violence overseas. The general perception of history does not come from objective critical thinking, rather from what Stephen Davies describes as metapolitics, which are certain emotions and preconditions that precede forming a judgement. Mass culture serves much more prominent role in shaping societies than academic discussions. One could argue that the most harmful effect of the Cold War is, in the long run, the deception of mass culture and perception of history.

3. Can the definition of aggression be extended to incorporate information war?

The relevant question is what measures should be taken if influence agents are actively trying to put society in the middle of a process that is intentionally designed to end in aggression, but the first stages of such process are not aggression in themselves. Is it then possible to extend the definition of aggression and still be a legal naturalist?

Another question that remains to be answered is how to effectively defend a free society against ideological subversion: if such defense is legally impossible in the first stages of subversion, would it be too late when we progress to the directly aggressive stage of the information war?

One could argue that action that is not aggression, but an intentional, political prelude to violence, also breaks the natural law, and so, in order not to violate the right to self-defense of the citizens, the influence agents that are in the long run trying to overthrow the rule of law should be unmasked and punished.

However, looking closely at what would be needed to proceed with the defense against it, we see that such extension of the definition of crime is impossible within legal naturalism.

Only the first “spark” comes from the agents that know clearly what they are doing - the process is basically carried out by deceived, yet certainly non-violent people. The subversion is scattered and consists of elements that are impossible to punish in a free society. Fighting an information war essentially means engaging in a process of unmasking influence agents based on the non-violent behaviour of the first stages of subversion (which is an almost impossible counter-intelligence task), punishing people that are contributing to the demoralization process, closing down all the newspapers that are encouraging the young to be superficial and renounce the morality of their parents. Effective action would mean the end of the same values that would in theory be fought for.

Here the notion of such “spark” should be expanded on. It should be stressed out that violent riots, revolutions, or other kinds of disruptions (which clearly violate the natural law) come at the end of the process described by Bezmenov. Due to the nature of the subject (mostly limited access to relevant archives and the general lack of transparency in political manipulation), we must admit all claims concerning this process, including the claims of who starts it and how it progresses, will be debatable. However, by “spark” we do not mean the direct cause of a riot, but the beginning of the cultural process that leads certain society to such an unstable state. To exemplify, the death of George Floyd was not the “spark” behind the Black Lives Matters riots of 2020. Such “spark” happened in mid-XX century (or we can even claim in 1919; see Section 2) - foreseen by President McCarthy - and was most probably carried out by a number of conscious influence agents aided by non-violent ideological communists. During the Cold War, the American society has slowly been fed the idea of conflict between classes turned conflict between races, “being on the wrong side of history” and other disturbing notions with clearly Marxist origins. Such narrative came from colleges, mass culture and media. Only after at least one generation of the duration of such process could we arrive at a society so divided and emotionally invested that a wave of violent riots can break out. We should notice that the mentioned protests openly used the narrative of Critical Race Theory, which is openly the variation of the Marxist class conflict rewritten to suit the divisions of the American society (originating from the Frankfurt school and developed on American universities, for example see: *Critical Race Theory, an introduction*, Delgado and Stefancic, 2001). The co-founder of the Black Lives Matters movement, Patrisse Cullors, has even stated to be a “trained Marxist” (NY Post, 2020). The question to find the beginning of the exemplified process of subversion would be as follows – we would need to ask who came up with the idea of training them as Marxists, what was

their purpose and, additionally, where their loyalty lied. Once started in the XX century, such process took many small steps in all areas of public life, steps that are not openly political and not aggressive. Therefore, it is an impossible task to identify what Bezmenov calls the first “spark” and to dissect every manifestation of subversion in its non-violent phase. We need to again point out this phase consists of slightly changing history textbooks, screening films that emphasize societal divisions, adding to the curricula university classes that are subjective and sympathetic to the class war, culturally changing the perception of truth and the truth-seeking attitudes of the young - and such.

It can be easily seen that none of the described disinformation operations could be prevented in a free society. Dismantling a propaganda machine this wide and subtle would mean putting an end to free expression - ironically, in the geopolitical context of the XX century, also of those who were peace activists.

This kind of slippery slope has been described by Judge Andrew Napolitano in *The Nation of Sheep: A history of Abuse* (Napolitano, 2007), dealing with events as early as the Lusk Committee: the efforts of Senator J. Henry Walters to fight Bolshevism resulted in fighting free speech in the State of New York, infiltrating meetings, investigating documents, and arresting thousands of peaceful citizens.

Bolshevism may rightfully be called one of the biggest imaginable threats to humanity – however, trading natural freedoms for security against its mere presence in the discourse (as against all kinds of totalitarian propaganda) would need expanding the structure of power, invasion of privacy and suppression of the freedom of speech. Such measures would lead to progressive enslavement, possibly more stretched in time than under the totalitarian system we would try to defend itself against - yet, we would eventually start resembling our own enemy, engaging in a broadly understood cold war of ideas, propaganda, and surveillance. It would be impossible to defend a free society against ideological subversion and still end up in a free society. The nature of this fight would mean that it is state violence and not ethics that organizes social life, morality is legislated, and free expression suppressed. In order for our natural rights not to be violated by an ideological enemy at some distant point in the future, we would have to violate them ourselves, creating a ruling cast of people that have more executive “rights” than others – and are eligible to force the others to live as they see fit or say only what they proclaim harmless in the state of ideological war (by the “ideological war” we mean the non-violent actions of a potentially subversive organization - a movement can be rightfully outlawed if it becomes directly violent; for a modern model of tolerance in this respect see Galeotti, 2001).

As a side effect, such censorship measures would lead to polarization of society, making what is prohibited even more attractive: Alinsky praises public prosecution of a radical as establishing credentials and gaining platform (Alinsky, 1971).

In extreme cases, some utilitarians could argue that if, given an external threat, we only have the choice between different time rates of stepping into totalitarianism, we should make what Mises described in *Liberalism in the Classical Tradition* (1927) as an “emergency makeshift”. However, leaving aside the efficiency of such control, once the power is transferred from the people to the government, it is almost impossible to transfer it back and dismantle the control system. It is the essence of human behaviour in the position of power - once this power is not restrained by ethics that applies to everyone, but gives some people control over other people's non-violent behaviour, the government will keep on growing dangerously, unstoppable in its crave for more control, even if the process has different time-spans for different systems and historical settings. Even John Adams, having signed his name under the Jeffersonian view of the natural law in 1776, 13 years later, as a president, facing an undeclared war with France and fearing the possible rise of movements similar to the French Revolution in the United States, ratified The Alien and Sedition Acts, repealing the freedom of speech - and proving that the government looks dangerously different from the inside than from the outside (only the principled Thomas Jefferson himself declared this Act unlawful later, proving that the birth of the United States was still a historically unique process) (Napolitano, 2007).

However, as it has been stressed, we do not carry out our argumentation from a utilitarian perspective. Extending the definition of aggression to information war would be unethical and incompatible with the notion of the natural law.

Similar questions have been asked before. While in *For a New Liberty* (1973), Rothbard offers a full argument on how the Non-Aggression Principle exhausts the naturalist legal framework and how natural rights can be expressed in terms of property rights, a number of debates addressing more nuanced crime definitions have been conducted on top of his theory. An issue similar to one discussed in this paper has been raised by O'Neill and Block (2013), in which they attempt to characterize a call for aggression or an attempt of aggression without said act - so called inchoate crimes, ones incomplete in some respect. They argue incitement, a non-direct call for aggression based on emotional manipulation, cannot be recognized as crime under natural law, however, a free decentralized society respectful of property rights would otherwise limit its negative impact. However, the propaganda war as understood in this work, while it also consists of incitement, appears to be more wide-stretched and subtle than incitement alone. Calls for aggression may be initially so indirect that they can hardly be recognized as such, and theatre plays – like *The Deputy* – are legally merely means of artistic expression, even though they cause moral breakdowns, ignite conflict, and spread misinformation. There is hardly any possibility one might call out a particularly demoralizing theatre play as means of political subversion, especially if it is virtually impossible to unmask the influence agents behind it at the time of its making, and no intent of aggression can be proven to make a legal case.

Thus, it seems that if we were to directly address the subtle propaganda tactics, we would have to engage in state censorship, which goes against the values we initially declared as valid and is itself a crime under the natural law.

If the described situation means a free society would perish either from its own hands or from external propaganda - does it mean freedom is unsustainable? We argue that the possibility to subvert a free society (in a way other than energetic assault) means that substantial mistakes in the legal framework have been made beforehand, and such society is not to be called “free” to begin with.

A closer examination of what any information war or a violent political movement is intended to achieve concludes that it does need some kind of power structure in the society it wants to subject to its rule. If the power structure is not there, it would need to create it with – either loud or silent – agreement of the citizenry. For instance, in *The love letter to America* Yuri Bezmenov cites a secret document entitled “Rules of Revolution”, enlisting several rules for the communist subverters. One of the points states “By encouraging government extravagances, destroy its credit, produce years of inflation with rising prices and general discontent” (Bezmenov, 1984, Kossecki, 1997). Yet, that plot would be impossible to carry out without the government controlling the monetary supply and spending excessively in the first place. This example is violent in the sense that it requires the execution of policies violating property rights from the hands of the local government. However, we can also find non-violent instructions for information war that would require an aggressive structure for their ends to be successful - another point from the document states: “Cause breakdowns of the old moral virtues: honesty, sobriety, self-restraint, faith in the pledged word”. This is intended as a part of a long-term process that would eventually lead to adopting damaging policies, but it would not cause any harm to the society if the moral standards of one group would have no power to rule over another group. Subversion already needs an overgrown political system.

In the most extreme example, CheKa, which later became KGB, took over the already existed structures of the Tsarist state police, Ochrana (Solzhenitsyn in: *The Gulag Archipelago*). Russia used to be a state of total control for many years prior to the October Revolution, with its people so used to being ruled that they met terror with not enough resistance, as Aleksandr Solzhenitsyn regretfully writes in *The Gulag Archipelago*: “We didn't love freedom enough”.

The Americans may still be on the other side of this cultural spectrum, yet we can here state that by renouncing their own rights and placing the government in control of their lives and property, they already took the first steps towards being victims of an information war. Generally, if we are not immune to subversion and internal propaganda, it is because we already live in a system that does not respect our natural rights. Asking whether one can punish agents of influence and still be a legal naturalist is meaningless, because the very

existence and possible success of influence agents means that the natural law has been renounced a while ago – and the states are just criminals fighting other criminals.

Above we asked whether it is possible to fight subversion and remain in a free society but having to fight it may mean that we are not living in a society that we could call “free” by our standards - unless the process of subversion is in its very early stages, when citizens are slowly molded into renouncing their ethical standards and enhancing a structure of power that would place their rulers above them. However historically, such process was never a part of any plan of an influence agent, and in most cases, except the United States, it did not occur bottom-top (Napolitano, 2007). It happened already much earlier, when rulers opened to ideas that they could stop being subject to ethics – when it started to be acceptable for a state official to be aggressive and to regulate the lives of other people without being punished. The process which escalated in XX century totalitarianisms began centuries before, some could argue that with the ideas of Machiavelli - with the notion that the rules of morality could be dispensed in an emergency. It led to progressive centralization and degrading self-determination – even more rapid after the French Revolution. When applied, those ideas were met either with failed defense or lack of reaction, proving the ideal system we described beforehand historically never existed on a large scale - and people never had the chance to become mature enough for actual self-ownership (Young, 2010).

4. Relations to the paradox of tolerance

While we carry out the main argumentation with respect to the natural law, the issue relates clearly to the paradox of tolerance mentioned by Karl Popper in 1945, in the footnote to Chapter 7 of *The Open Society and Its Enemies* (Popper, 1945). His argument follows that as long as it is possible to uphold reasonable discussion, all views should be tolerated, and then, if such discussion becomes impossible, we should suppress the freedom of speech of those who are openly intolerant and advocate for violence, while keeping the distinction between attack and defense clear (the use of the word “paradox” stems from the fact that according to Popper, freedom of speech must be sometimes violated in order to be upheld, otherwise it is self-destructive).

Similar problems are described in Rawls’s *Theory of Justice* (Rawls, 1971), in the “Toleration of the Intolerant” chapter. Rawls examines a case in which an intolerant sect lives in a tolerant society with a just constitution. He claims that the tolerant, well-ordered society can persecute the intolerant only if there is a justified belief that they act in self-preservation. However, he later argues that such intolerant sects will in the end be drawn to freedom, seeing its merits.

The XX century have proven both Popper’s and Rawls’s statements unrealistic or even naive.

Firstly, it is mass culture, not rational and overtly political discussions that shape public opinion (Alinsky, 1971), so it is not straightforward to identify influencers. Secondly, and most importantly – the advocacy for violence that in the last century has been the most persistent was wide, subtle, present in work of arts (*The Deputy* was a theatre play), schools, campuses, and other institutions of learning, long-term – and mostly carried out by well-meaning citizens. One will not be able to suppress the freedom of speech of such propagandists without creating a prelude to a totalitarian state themselves. Therefore, the sharp distinction between defense and attack required by Popper to “not tolerate the intolerant” is a condition that can never be fulfilled given the nature of propaganda. Especially that the intolerant distinguishes themselves as tolerant masterfully.

Now, let us imagine that “the intolerant sect” mentioned by Rawls is indeed a group of communist subverters aided, either wittingly or not, by a Soviet propaganda department. Before anyone in the tolerant society could see them as a potential threat to the rule of law, they would have already launched their psychological warfare by non-violent means, and any possible defense will be carried out too late. Also, such subverters would be continuously hardened in their role as class warriors and would recruit more discontented members of such tolerant society. Rather than gradually seeing any merits of freedom and converting, they would professionally train others to see the perceived merits of slavery - all under the banner of liberation and tolerance as seen by a Marxist.

5. The ethical case for decentralization

If today, as a result of these long-term mechanisms, we live in a world of endless wars and control – is there a way of dismantling these systems and giving the power back to the people, at the same time promoting the culture of self-reliance and making them immune to overgrown governments? How could we go back to personalist ethics and, with the more recent development of laissez faire capitalism, promote a truly tolerant society, in which disagreement is indeed peaceful and natural rights – respected, and under what political organization self-defense against ideological threats proves the most efficient?

In this chapter, we will try to answer whether there exists an option of creating a long-standing defense against psychological war, while at the same time respecting the inalienable rights of each person to their body, property, and expression.

The map of Europe from the times in which, according to Koneczny, the Latin civilization – the only individual-centered civilization that left nobody exempt from the Christian values and proved the most peaceful and prosperous – flourished, encompasses a mosaic of independent counties, lands, and free cities. However, with growing power and the slow turn from ethics to control, the states started the process of centralization, inevitably linked with deterioration of the freedoms the highly decentralized Europe used to enjoy. The dangers of centralization are manifold and in the long run, as they create societies that have

no culture of self-determination, allowing for even more rapid progression of the processes we previously described.

The power of the state not only grows extensively with more regulations, but also with the size of its area and population – bigger states have no interest in engaging in reasonable economic policies. Since they do not fear competition from the surrounding areas and people “voting with their feet”, they can afford more regulation. It proves to affect all aspects of life, including the quality of the defense system, monetary policy or trade embargos. The bigger the population of a given state, the less representation each individual or community have in the power structure, and the more they would have to be subject to the will of others (Hoppe, 2011). Centralization employs unnecessary middlemen and by its nature creates and extends the control system that would be later needed for influence agents to start the process of subversion. It makes certain groups of interests seek control over others, rendering true peaceful disagreement impossible. Adding to the argument the economic side of information distribution, if only very few information outlets exist in a given political system, they may be easily controlled or taken over. One could then argue that a certain volume of independent journalists (also those radical or considered novelty acts) must act freely in a free society to ensure all possible information is accessible, no narrative is banned, and the media are not easily corrupted. Such multitude of agents is in a way similar to the multitude of circumstances in the Hayekian knowledge problem, and, as Rothbard points out, can only exist if the property rights of media owners are not violated (Rothbard, 1973).

Therefore, in order to fight the information war in an ethical way, we need to reverse the process of creating big and centralized governments ruling over people who due to that, in most cases, have little say about their property, defense rights, means of exchange or even expression. Going back to an ethical system based on the natural law essentially means returning to maximum decentralization – due to the nature of state control.

Small states cannot be self-sufficient and must engage in free trade, small number of population means more transparency, failed economic policies are bound to collapse earlier and it is easier to trace their effects - meaning there are more incentives not to engage in them. More action is carried out on a local level. With more decentralization, competition between currencies makes inflation policies undesirable (so one of the points from “Rules of Revolution” quoted above would not be possible).

Maximally scattered power is the first step for true self-determination and the prerequisite for our natural rights to property, physical integrity, and expression to be respected. We strive for conditions in which anything we may call evil affects only those who are willing to subject to it - in which there is no way one group of people would be able to violently rule another. In such system, provided it is stable and it grew bottom-top through the will of mature citizens, influence agents are helpless.

However, building communities of stable political culture of self-ownership takes time, wise policies, and specific natural conditions. Today, it is increasingly hard to promote mature culture of self-defense against energetic assault – to convince that one needs a gun to defend from a gunman. defense against subversion would be even more difficult to implement – it essentially needs generations of stable culture of economic freedom and private property, alongside with classical education in history, logic, and the art of debate.

What we require to become ready for such defense are years of peaceful trade without an overgrown political system, which in the contemporary world seems like a political fantasy.

As a side note, maximum decentralization may be the best possible defense against a cultural war, but we would have to retain the means of carrying out an actual energetic war in a world full of massive armies led by massive governments. What treaties are sustainable and how to ideally outsource such defense is beyond the scope of this discussion.

Let us trace a reverse process where power is given back from the government to the people. If we start from a totalitarian system, we would have to first implement economic freedom and more stable rule of law, then slowly proceed with more and more direct democracy, until we arrive at self-determination at a local level (Hans Adam II von un zu Liechtenstein, 2009, Young, 2010). Such process would take generations – we need a culture of self-rule, so that people would take responsibility for their lives and will not give it away anymore. Yet if it succeeds, we arrive in a situation in which no propaganda can harm us, and our rights are respected. Then, if a group wants to try out a communist system, it could in principle live peacefully alongside other local communities, but it would have no way of implementing it large-scale on unwilling individuals.

We could even take a step further and arrive at secession of an individual, private law fully based on property and fixed accountable contracts (Hoppe, 2005), exchanging politics for markets. If geopolitically stable, such system would never be able to violate anyone's natural rights.

The more decentralized the power, the more crime is being called “crime” for what it truly is - and the less the lawmakers engage in it. However, it requires communities to understand that ultimately, it is the individual that has the power of acting and they should not search for their ends in violent political means, since it is not only unethical, but also inefficient.

6. Conclusions

We carry out the argumentation in the naturalist framework, stating that tolerance applied to not only direct aggression, but also behaviours or words that we may find demoralizing - cannot be called a crime, and that demoralization should not pose a problem if it affects only the people that willingly subject to it.

However, in some cases, such as operations carried out by the KGB propaganda department, demoralization may be used as a part of a long-term political agenda that is intended to end in a wide-scale violence.

We examine whether it is possible within legal naturalism to extend the definition of aggression to entail the early stages of the subversion process. We conclude it is not, and to punish the early-stage demoralization and agitation of the influence agents would deteriorate freedom.

We also claim that the statements of Popper and Rawls considering the handling of the intolerant in a tolerant society were proven unrealistic by the XX century – due to the nature of propaganda that we describe.

We argue that such information wars may only be successfully carried out if the societies they plan to subvert are already subject to a structure of power in which the individual has no right to self-determination. Therefore, we state that a long-term immunity to intentional propaganda alongside with respect of the natural law is only possible in the case of maximum decentralization and mature culture of self-ownership and responsibility.

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