

# **When the Universe Is Not Enough: The Self-Annihilation of Markets through Dispossession**

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## **Abstract**

This article explores the implications of forcible commodification and marketization of owner-defined non-marketized or priceless goods or elements of humanness – goods or elements of humanness which their legitimate owners would not subject to market exchange at any price, including the entire universe – for the possibility or relevance of markets, property rights and economics as a science. It is argued that far from facilitating marketization, dispossession of non-marketized or priceless goods or elements of humanness from their legitimate owners annihilates any potential economic substance of markets and transforms them into a yet another nihilistic battleground in full spectrum warfare. Although the implementation of the most appropriate or least illegal solutions may well require more equitable distribution of wealth, the nature of the underlying conflict may not be primarily economic, but defined by those ethical, moral, religious, social or other potentially relevant considerations which rendered the relevant goods or elements of humanness – in the view of their legitimate owners – non-marketized or priceless in the first place. Once the law has failed to prevent non-consensual marketization, there may be nothing that could be done to restore economic or legal logic in the markets or the society in general.

## **1. Introduction**

Market-clearing prices have sometimes been regarded as products of “exogenous” or “unmediated... human desires” (Robertson, 2007: 501, 502). What happens when not only the prices themselves may be essentially centrally planned, but also the alleged commodities forcibly subjected to market exchange may ultimately be determined by “the partisan representatives of the neoliberal capitalist state” (ibid.: 502) who may facilitate or engage in “discovering” prices “in all the wrong places”(ibid.: 500)<sup>1</sup>?

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<sup>1</sup> According to Robertson (2007: 518, original emphasis), “price discovery is always a task achieved by complex agents whose identities exceed the economic, embedded in networks that extend beyond the breadth of the wetland credit market. This complexity cannot be wished or theorized away; it can only be undone by the conscious choices of agents who choose—contingently—to behave in economically

This article explores the implications of forcible commodification and marketization of owner-defined non-marketized or priceless goods or elements of humanness – goods or elements of humanness which their legitimate owners would not subject to market exchange at any price, including the entire universe – for the possibility or relevance of markets, property rights and economics as a science. It is argued that far from facilitating marketization, dispossession of non-marketized or priceless goods or elements of humanness from their legitimate owners annihilates any potential economic substance of markets and transforms them into a yet another nihilistic battleground in full spectrum warfare.<sup>2</sup> Although the implementation of the most appropriate or least illegal (see Auvinen, 2016) solutions may well require more equitable distribution of wealth, the nature of the underlying conflict may not be primarily economic, but defined by those ethical, moral, religious, social or other potentially relevant considerations which rendered the relevant goods or elements of humanness – in the view of their legitimate owners – non-marketized or priceless in the first place. Once the law has failed to prevent non-consensual marketization, there may be nothing that could be done to restore economic or legal logic in the markets or the society in general: the entire rules-based normative social framework which distinguishes markets and economics as a science from physical optimization problems based on bare natural laws may be irrevocably lost.

What would be or would have been needed is a “transcendence of existing capitalist social relations and state structures, not merely the better regulation of actually existing capitalism” (Garside, 2013: 247) – although not necessarily through the same pre-packaged set of “conscious comprehensive transformatory action” (Mészáros, 2011: 351, emphasis removed, quoted in Garside, 2013: 262) involving also some less directly economy-related factors that has been suggested by some authors. In other

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rational ways.” Any potential complexity or embeddedness of “agents whose identities exceed the economic” does not necessarily mean that those parts of their identities which might be over and above the mere economic could not largely or primarily have the intent or effect of promoting the economic interests of the relevant “networks”. If, for instance, any potential “intimate dance by which buyer and seller determine price” (ibid.: 513) produce “price signals that are simply uninterpretable within the assumptions of neoliberal economics” (ibid.: 518), one might ask whether it is reasonable to assume the price signals to be randomly distorted or perhaps deliberately rigged in the interests of some potentially relevant “complex” and “embedded” agents or “networks” which might not be entirely dissimilar to economic in nature. It is remarkable that even if “market actors refuse to be confined within market-rational conceptions of agency” (ibid.: 519), non-consensually extracted or expropriated priceless goods or elements of humanness are forcibly incorporated into the sphere of market-irrational or nihilist conceptions of agency. Forcible marketization or dispossession of non-marketized or priceless goods or elements of humanness may well also be “a task achieved by complex agents whose identities exceed the economic, embedded in networks” that extend beyond the breadth of the relevant market. While such “networks” or “complexity” may indeed not “be wished or theorized away”, they may well be eliminated through deliberate policy choices. After such a task has been completed, asking about actual individual price-setting practices – or asking the roulette ball why it might fall on 33 (ibid.: 514) in either the roulette table or examples presented in academic articles – might be somewhat less irrational.

<sup>2</sup> As “international law does not recognize the existence of an accepted definition of war” (Lee, 2008: 426), “[m]ore than any other time in world history... wars are out of control, undefined, and often legally indescribable” (ibid.) and some of the perhaps less traditionally acknowledged types of warfare – social or class warfare, covert warfare against dissidents etc. – may well in many cases involve the use of military hardware, software, technologies, networks, materials, substances, intelligence, knowledge, tactics, personnel, hierarchies or command structures, the terms “full spectrum warfare” or simply “war” are used in this article without additional descriptive epithets. The terms cover anything from social or class warfare or governmentality or reverse eugenics imposed through covert violence to an all-out open military confrontation through all conceivable means.

words, what would be or would have been needed is freedom to designate some goods or elements of humanness as non-marketized or priceless rather than mere regulation or reform of the prevailing forms of markets for commodified goods. “Decolonizing property rights” (Merino Acuña, 2014: 935) may well be a global endeavor, as some of the prevailing economic or legal cleavages may well be largely, for instance, class-based rather than deriving primarily from “deep ethnocentric roots” (ibid.) and involve enhanced protection of individual rights to non-marketized or priceless property in addition to a mere reclamation of “indigenous communal rights” (ibid.) to property which may or may not be in principle marketizable, commodifiable or amenable to monetary valuation. Going beyond the notion of “the right to property as a dimension of the right to identity” (Delgado Menéndez, 2009: 375, all translations by the author) – and perhaps human rights, as if self-ownership and control over one’s bodily functions or cognitive processes, for instance, was a mere “right” which might in theory be denied and without which humans would still remain human – this article views individual – and communal, whenever appropriate – rights to non-marketized or priceless possessions as a basic and inalienable element of humanness, which belongs to every human being simply by virtue of them being human.

## **2. The Implications of Conspicuous Consumption of Irreplaceabilities for the Possibility or Relevance of Markets, Property Rights and Economics as a Science**

Whether non-marketized goods can be legitimately called priceless is debatable. On the one hand, the very notion of price may imply the existence of a market as a potential reference point for the goods’ valuation, thus potentially rendering the usage of the term inappropriate. If, for instance, the role of price is seen as “quantifying value and providing markets with the information needed to produce equilibrium conditions and optimal social welfare” (Robertson, 2007: 500), markets may not constitute appropriate reference points for the valuation of priceless goods. Priceless is not the same as informationless. To markets, the tag “priceless” effectively means “self-annihilatory”. It tells the markets to either refrain from marketization or potentially irrevocably lose their economic rationale and become merely a yet another nihilistic battleground in full spectrum warfare.<sup>3</sup> Under such circumstances it may

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<sup>3</sup> Warfare might be a more appropriate term than, for instance, “lawfare” (Goldstein and Meyer, 2009: 395, drawing on Rivkin and Casey, 2007). Naming specific types of warfare conducted through several different types of weapons systems in multiple battlefields after a single type of weapon may be misleading, excessively reductionist or unwarranted. The very existence of law as a conceptually distinct type of weapon or professional or academic field in full spectrum warfare may also not be self-evident. Law may be a distinct type of weapon only when all parties to the conflict recognize it as such. Merely recognizing legalistic discourse or practices as a part of the battlefield does not automatically render law a distinct type of weapon or professional or academic field any more than, say, a voice-to-skull system promising surrendering enemy soldiers place in the paradise with a given number of virgins in a god’s voice would render paradise filled with virgins a distinct weapon or professional or academic field that would be conceptually or practically distinguishable from the wider notions of war propaganda or the overall full spectrum war effort. If the enemy views proposals on what a legal solution or place in the paradise would allegedly require or entail as, for instance, mere propaganda, there may be little that some other party to the conflict could do to unilaterally create or impose distinct fields of warfare with autonomous normative significance. To the extent any potential comparison of international legal interpretation – if not also the nature or potential existence of law – to a game might be viewed as “a compelling analogy” (Ammann, 2016), any potential suggestions that identifying a substantively significant, well-defined, relatively stable and non-nihilist field of law as a distinct type

well be more appropriate to emphasize the separation of non-marketized goods or elements of humanness from the sphere of market exchange rather than to use inherently quantified or market-centric terminology to describe separation from markets.

On the other hand, the word price might also sometimes be used in the sense of a trade-off. Anyone claiming, for instance, that in global markets everything has a price might in fact simply be stating the potentially ubiquitous existence of trade-offs – such as the clearly insufficient or incommensurate “price” paid by individuals who might be executed for, for instance, non-consensual access to others’ thoughts or other forms of personal information (Auvinen, 2016) – or expressing an ideologically or religiously inspired position on the alleged normative desirability of such all-embracing global interconnectedness and marketization. In such a sense calling non-marketized goods priceless or “trade-offless” may not be entirely inappropriate, as the meaning of the word price would not presuppose consensual marketization while still recognizing the fact that any potential “price” or trade-off associated with non-consensual marketization would not constitute the full, comparable or commensurate value of the forcibly appropriated goods or elements of humanness that could have induced their consensual marketization. If the notion of price is deemed to imply payment for the full value of the relevant goods or elements of humanness, the term priceless cannot be used in reference to non-marketized goods, as their value may never be payable or compensatable through any means.

Classifying some goods or elements of humanness as non-marketizable or priceless does not necessarily imply that such goods or elements of humanness could not be involved in economically productive activities. A person might well, for instance, regard access to his/her thoughts or thinking processes as non-marketizable or priceless while producing self-selected cognitive output for some markets or purposes or utilize non-marketized or priceless personal possessions for economically productive activities. To the extent non-marketizable goods or elements of humanness are involved in economic activity, the sphere of activity might be called, for instance, white economy. In contrast to the black economy, the white economy is non-commodified and secretive only to the extent privacy is a part of the non-marketized or priceless goods or elements of humanness. A global economy involving highly specialized division of labor but no buying or selling of anything or anyone, for instance, might to a large extent – if not entirely – be a white economy.

Monetary prices, fines or compensation may be ineffective means to achieve desirable outcomes even in the case of marketized commodities. According to Kean Siang (2012: 95, 87), for instance, “fines are perceived as price to buy commodity. This economic perception is changed to a social perception... if social norm dominates the decision”. Even in the case of marketized commodities, the most relevant information for economic decisions may thus be contained elsewhere than in the price of the commodity. Setting a monetary price for a good which may in principle be legitimately marketizable or commodifiable may thus well be inefficient, as it may in some cases create incorrect expectations about all relevant social norms and other potentially relevant considerations being incorporated into that price. A potential market for commodified fines or the underlying activities which result in fines, for

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of weapon or professional or academic field may not be entirely straightforward may not be entirely without merit.

instance, may well achieve more efficient, informative or desirable outcomes without market prices through the incorporation of non-price information on, for instance, social norms into the decision-making processes.

Whenever the focus is on “creating procedures that can authoritatively resolve disputes among people about value” (Markell et al., 2012: 224), the focus is still on marketized goods. Such de facto markets may involve, for instance, the government’s exercise of eminent domain power, which

“transforms property ownership from what one might characterize as a property rule to a liability rule. That is, instead of a property owner’s ability to make the decision to retain or sell his property on his own (a property rule), eminent domain divests an owner of the power to make this threshold decision, leaving the owner with a liability rule-based remedy of compensation” (ibid.: 251, footnote omitted).

In the context of such markets, any potential perceptions of “judicial litigation as a neutral process” (ibid.: 212) may constitute a mere market imperfection due to, for instance, insufficient or distorted information which disregards, among other things, the potential nature of legal interpretation as a “game” (Ammann, 2016) in which lawyers “know what role to play” (a Chinese lawyer quoted in Givens, 2014: 736).

In the case of non-marketized goods, non-consensual dispossession and marketization destroys the substantive rules-based normative foundations of markets. Conspicuous consumption of non-consensually expropriated and marketized irreplaceabilities or priceless goods eliminates the economic rationale for markets based on consensual and mutually beneficial exchange and converts them into battlefields. Why would anyone whose most valuable or priceless possessions have been expropriated bother with offering any economic value at all – let alone mutually beneficial trading opportunities – to the perpetrators rather than simply, for instance, attempting to restore the possessions to their legitimate owners, implement justice for the perpetrators and redistribute their assets to the victims? If “precarization” (see e.g. Gago Prialé, 2008) of commodifiable property resulting from a failure to create “an efficient property system, a task [that is] directly the responsibility of the State” (ibid.: 64) leads to violence, any potential justification or rationale for violence is hardly diminished when the stakes might become higher in the case of non-consensually appropriated non-marketized or priceless goods or elements of humanness. Without an adequate and actually enforced legal framework that distinguishes marketized and non-marketized goods, markets, property rights or economics as a science may not exist. It is this legal failure that may have rendered markets, property rights and economics as a science in a substantive rules-based normative sense, at best, irrelevant and potentially non-existent. After such wilful self-annihilation of markets or perhaps a breach of an economic as well as a social contract, what remains might well be physical optimization based on bare natural laws in the absence of any pretence that the human or social effort that would continue to be associated with economic activity would from a descriptive or normative point of view be consistent with voluntary market exchange, self-ownership as the first and most important property right or economics as a separate field of science.

### 3. The Masters of the Universe

From an economic perspective, the value of non-consensually expropriated and marketized goods or elements of humanness is determined exclusively by their owners. In the case of non-government-affiliated or -protected larcenists or shoplifters of marketized products, the value of the stolen products which sets the appropriate standard for compensation claims is determined by the owners. Any potential suggestions that the owner-set valuations or price tags might be unreasonable might rarely justify the act of larceny itself or reduce the required compensation to a level which corresponds to the larcenist's or shoplifter's own actual or alleged valuation of the stolen item.<sup>4</sup> From an economic perspective, it might thus be perfectly feasible to value some items or elements of humanness as priceless: as non-marketized goods or elements of humanness, the value of which is incommensurate with or exceeds any conceivable economic measure. Any potential forcible appropriation and marketization of such inherently non-marketizable goods or elements of humanness will give rise to legitimate compensation claims for the highest conceivable economic value – the entire universe – which does not, however, constitute adequate, commensurate or conceptually feasible compensation for the nature and extent of the damage caused. Forcible appropriation and marketization of inherently non-marketizable goods or elements of humanness will thus create groups of individuals with legitimate claims to the entire universe – perhaps masters of the universe, if the principles of self-ownership, owner-defined valuation and the rule of law were consistently followed.

Collectivist narratives, imaginaries or practices may in some cases support rather than challenge such a potential conclusion. Even if the law was declared potentially redundant by viewing “law as culture” (see e.g. Reimer, 2017) or examining “law as a

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<sup>4</sup> The intention here is not to single out potentially relatively insignificant acts for analysis. It is quite possible for corrupt, cliquish or cultist elites, for instance, to effectively steal every permanent salaried position of authority and not an insignificant part of the world's total assets from more competent, efficient, productive or deserving non-members or outsiders. In such a case any potential larcenist or shoplifter might be simply returning some of the loot to its legitimate owners. In *Nineteen Eighty-Four* (Orwell, 1949) Orwell put the percentage of the proles of the total population at 85% - individuals who, in the absence of a de facto revolution in the form of, for instance, law enforcement, have no realistic chance of receiving positions, incomes or assets that would be commensurate with their capabilities or productivity. The aim of the *duckspeak*, in turn, was “to make articulate speech issue from the larynx without involving the higher brain centers at all” (ibid.) – perhaps analogous to a willing and knowing transhuman or posthuman loudspeaker who simply reproduces whatever a totalitarian artificial intelligence system and/or its human overseer(s) happens to play through his/her mouth and receive compensation for the propagandist services provided without any autonomous skill, competence, capability or effort. If it ever turned out that Orwell was writing about or inspired by societal, social, technological or cultist developments which were already present or imminent also in England in 1948 when the manuscript was apparently largely completed – for instance, the Brotherhood having already overthrown the State and become the Party – and simply changed the order of the last two digits in the title of his book in an attempt to distance it from the prevailing or imminent realities at the time, contemporary distribution of property rights or the nature of markets, for instance, might well be utterly totalitarian, authoritarian, fascist or nihilist rather than, for instance, merit-based and restoration of the possibility of law or legality might require, among other things, destruction of “the immortal, collective brain” (ibid.) which might produce the *duckspeak* of the Party members and some unwilling and often unknowing victims and non-consensually access and model the thoughts and other forms of personal information of potentially everyone in the world. If so, potentially relevant authors might in some cases appear to die at too young of an age – in the following January after *Nineteen Eighty-Four*'s publication in the case of Orwell – to give potential readers a chance to look for more explicit formulations in their subsequent work.

cultural phenomenon and practice” (Olson, 2017: 245)<sup>5</sup>, it is quite possible that in some cases it is precisely the culture, religion or some other collectivist narrative, imaginary or practice which regards some goods or elements of humanness as inherently non-marketized in contrast to the letter of the law, practical jurisprudence or their deliberate absence which might continue to facilitate non-consensual appropriation and marketization of priceless goods or elements of humanness despite of cultural or religious objections. In such cases it may well be the culture that is being shaped by and ultimately comes to reflect the law – or the law that is a tool of “conscious cultural evolution” (Ornstein and Ehrlich, 2000: 202, quoted in Konsa, 2008: 10) – rather than the other way round. In the words of Konsa (2008: 6):

“at least for western society, the domestication or taming of culture, as Heiner Mühlmann (Mühlmann 1996) has put it, has become the greatest challenge. In reality, it means the artificialisation of culture as the last stronghold of naturalness and the creation of artificial cultures.”

Whenever cultural considerations are evoked in defense of specific legal practices, what may in reality be taking place may well be the “domestication or taming” of original or authentic manifestations of culture and their replacement with “artificial cultures” through the coercive power of law or the power relations resulting from an effective absence of law.

It is debatable whether mere nihilism, for instance, could be legitimately classified as a relevant type of collectivist narrative, imaginary or practice which could give rise to, for instance, legitimate cultural interpretations of the law rather than, for instance, mere power-based illegalities. Any group of individuals claiming, for instance, a cultural right not to follow its own written constitutional or ordinary law on, for instance, cultural grounds might have to show that nihilism is a long-standing and universally accepted defining feature of the cultural group in question. Satisfactorily

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<sup>5</sup> Apart from rendering law potentially redundant, the privileged or default analytical or explanatory position that might sometimes appear to be given to culture is often less than perfectly justified. According to Reimer (2017: 264):

“it may well be that this erudite attack on the use of culture as a legal concept suffers from a lack of interest in a productive definition of culture which is neither minimalist nor maximalist. It is easy to identify fallacies on the basis of exaggerations and overstatements, but how convincing can a model of legal application be that aims to ignore the non-legal context of the law? How can law in action be understood and convincingly applied and improved without a sensitivity to law’s intended effects or ascribed social meanings?”

Why should “the non-legal context of the law” or “sensitivity to law’s intended effects or ascribed social meanings” be automatically regarded as cultural matters potentially necessitating the formulation of “a productive definition of culture”? Are there no other “non-legal context[s] of the law” or “ascribed social meanings” except culture? Even if “a productive definition of culture” was conceived, “discursive control over the normative contents of the law” (Gutmann, 2015, quoted in Reimer, 2017: 264) might still be lost, as there might well be no other “non-legal” signifiers of “the normative contents of the law” left except culture or, at the minimum, they might not be ascribed the analytical significance they would deserve. Why not use potentially more precise descriptions of any potential non-legal normative content of the law – such as conscience, religion, social relations, power relations or the relevant transhuman or posthuman “technological systems” which might contribute to “artificialisation of culture” or the “clear” goal of “technologically modified or constructed cultures” by, for instance, “[c]onnecting the human body to various technical devices” (Konsa, 2008: 2, 1, 11, 3) – whenever they might exist?

addressing such a burden of proof might well require some fixed analytical value standards, which might even in theory render any potential group of actual or alleged nihilists incapable of proving any potential cultural pedigree of nihilist, inconsistent or illegal practices. One might expect every jurisdiction to explicitly state how the written constitution or law might conflict with the natural law or some other potentially relevant conceptualizations of law and why the letter of the law might not have been modified accordingly despite the jurisdiction in question potentially having the power to do so. In the absence of such explicit statements, failures to follow, for instance, one's own written constitutional or ordinary law might be described simply as unconstitutionality or illegality rather than legitimate cultural interpretations taking place under the conceptual auspices of the law.

Regardless of the extent to which collectivist narratives, imaginaries or practices may or may not be evoked, “the individual's obligation to fight for her subjective feeling for law/justice in order to secure the stability of law overall (adapted from Koller 2012)” (Olson, 2017: 238) – for instance, to demand him-/herself to be declared as one of the masters of the universe and to be still gravely wronged in the case of sufficiently severe and irremediable transgressions – may well be a precondition for the possibility of the rule of law. Such an obligation may not be confined to “sufficiently empowered” individuals “who are already recognized as being rights holders or legal persons within their legal environments—in other words, as citizens or as legal personae” (ibid.). The availability of “tools with which to fight for what well may be their inherent feeling for law/justice” (ibid.) may not be a precondition for any potential “obligation to fight” per se and in any case in sufficiently nihilist jurisdictions being actually or allegedly recognized as a “rights holder” may in practice provide few additional “tools” with which to fight for one's “inherent feeling for law/justice”.<sup>6</sup> If such a fight is based on, for instance, interests or the use of law as “a politically manipulated weapon deployed to achieve selfish or socially undesirable

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<sup>6</sup> For instance, in case some “legal rights” remain unenforced, according to some collectivist, cultural or nihilist (il)logic one might argue that such legal rights do not in fact exist. If, for instance, any specific actual or alleged collectivity claims to be inherently nihilist or dishonest in nature – or is incapable of accurately expressing such “legal” or cultural traits precisely due to its inherent nihilism or dishonesty – it might be the task of non-members of the collectivity in question to point out its inherent nihilism or dishonesty to others in order to, for instance, implement externally coordinated remedial action by coalitions of the willing. Given the target collectivity's inherent nihilism or dishonesty, none of any potential objections that might be raised by the target collectivity against external intervention could be regarded as substantively significant over and above their cultural function of performing nihilism or dishonesty and, given the collectivity's nihilism, would not matter in any case as there would be no objective standard to regard external intervention as worse than any potential domestic manifestations of nihilism.

If law is regarded as, for instance, culture, no collectivity, polity or jurisdiction can appeal to law against external friends or enemies, who may have perfectly valid cultural justifications for intervening in, invading or annihilating the collectivity, polity or jurisdiction in question – whether for allegedly or actually friendly or hostile motives. Suggestions that “almost any legal system can be viewed as a cultural archive—a repository of the history of social-political thought” (Reimer, 2017: 269) presume a certain degree of authenticity on the part of the culture that is being repositied in a “legal system”. If the “culture” in question is nihilism, what is being repositied in the “legal system” is nihilism, which could be replaced with any other potential spatiotemporal manifestations of nihilism without necessarily doing injustice to the underlying “culture”. Nihilism may not necessarily be an original or authentic feature of any specific jurisdiction or culture, but the result of deliberate efforts to annihilate non-nihilist legal or cultural substance. Such efforts may to some extent have been taking place worldwide for non-negligible periods of time, for instance, through claims that “the term ‘fact’ is a simplification,

objectives” (Gómez, 2013: 511) rather than “inherent feeling for law/justice”, it is no longer taking place within law but merely attempting to appropriate law for the pursuit of extra-legal objectives. Whenever the “inherent feeling for law/justice” may implicate a sizeable proportion of the population in crimes or human rights violations, the mere scope of the potential social or societal impact does not, however, render law “selfish or socially undesirable”. On the contrary, any potential failure to implement penalties or remedies according to the “inherent feeling for law/justice” merely due to the nature or scope of the expected social or societal impact might be seen as a “selfish or socially undesirable” usurpation of law on the part of, for instance, an affected majority through the use of terrorist brute force or power.<sup>7</sup>

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since in an information-based society such as ours, everything depends on the interpretation of the information at hand” (ibid.).

<sup>7</sup> A cynic might point out this conclusion as one potential reason why the task of law might sometimes be alleged to be to “respond to... developments” (Scharf, 2014: 341) rather than to anticipate, pre-empt or prevent them. Through deliberately obsolete, unclear or incomplete legislation, affected majorities, shielded oligarchies, cults, the Party or other potential groups of perpetrators may attempt to preserve the maximum degree of political freedom to blatantly violate the “inherent feeling for law/justice”. As long as the law is not sufficiently clear or up-to-date in addressing specific types of crime or human rights violations, the argument goes, the powers that be retain political freedom to shape the law according to perpetrator preferences as opposed to having to interpret relatively explicit and inflexible law to their own disadvantage when specific types of crime or human rights violations can no longer be widely concealed.

A cynic might further point out that the intent or effect of such policies may well involve the minimization of any potential future legal liability for the powers that be through the violent reshaping of the electorate rather than willingness to shape current law according to the prevailing voter preferences and thus potentially expose themselves to immediate and significant legal liability. It may, for instance, be self-evident that “building in privacy from the outset achieves better results than bolting it on at the end” (Rubinstein, 2011: 1410). Once, however, technologies facilitating egregious privacy violations of non-consenting and often unknowing victims have been implemented, legal risk exposure management for the powers that be may well consist largely of the marginalization or physical extermination of the more privacy-conscious part of the electorate as well as the occupation of academic, regulatory, legal and other potentially relevant positions of authority with “loyal dogs” (Uy, 2011: 1001) – or perhaps ducks – or proverbial, de facto or actual Party members. When long-standing egregious privacy violations can no longer be widely concealed, there may well no longer be a sufficient number of non-nihilist individuals alive or at least in positions of authority to implement the appropriate types of legal penalties or remedies for potentially the entire institutional structure of the society and every sufficiently significant power-wielder within it. There may also be nothing to prevent the perpetrators from blatantly usurping the law by, for instance, using their potential democratic majorities or capabilities for exerting external influence or control on the voters to absolve themselves from adequate legal liability.

One might expect “inherent feeling for law/justice” to demand that deliberate refusals to legislate or enforce the law and any potential claims about the nature of law being reactive rather than anticipative should be regarded as a part of the offence necessitating more severe penalties or more extensive remedies rather than mitigating factors which might grant the perpetrators ex post power to determine what the law allegedly is for the purposes of determining their own sentences. If “a holistic community based health program launched to target the underserved” or “an unconditional cash transfer program geared to assist women in extreme poverty”, for instance, can be labelled “effective vote-purchasing strategies” (Gómez, 2013: 512), what is one supposed to make of, for instance, politicians who, if elected into their positions through independently and autonomously acting voters, might effectively be selling crime, human rights violations or forcibly commodified humanness of marginalized or effectively disenfranchised voters or non-citizens to more powerful groups of voters through their refusal to implement anticipatory legislation or often even to ensure that appropriate institutional structures and individuals are in place to enforce even the existing legislation universally and uniformly rather than according to selective actual or alleged voter preferences?

#### **4. Economics and Law Transformed into War**

The extent to which the attainment of any specific outcomes may depend on other people's assistance or collective political organization in support of any specific cause may constitute one potential necessary but not a sufficient criterion to distinguish law from the politics-war continuum. Suppose, for instance, that an individual whose inherently non-marketized goods or elements of humanness have been non-consensually expropriated and marketized in a jurisdiction which claims to adhere to the principles of self-ownership, owner-defined valuation and the rule of law wishes to obtain legal recognition for his/her claim to be one of the masters of the universe. The individual in question demands redistribution of all of the perpetrators' – in the widest possible sense of the term – assets to him-/herself or all victims before the perpetrators' potential execution as a feasible practical approximation of such a recognition while still being irremediably wronged. If the individual in question is able to attain such an objective without having to undertake any additional social networking, political organization or other potentially unrelated activities or incur any further illegalities, human rights violations, privacy violations or publicity in the process of doing so, the jurisdiction in question may be operating within the realm of law. If some additional social networking, political organization, illegalities, human rights violations, privacy violations, publicity or other potentially unrelated activities are needed, "law" may merely constitute a "tool" (Olson, 2017: 238), "an instrument of social change" that is "far from being an instrument of rational change" (Witker, 2015: 339, 357) or a "soft weapon" (Auvinen, 2016) utilized primarily by the strong, unscrupulous, wicked or co-opted against the weak or non-co-opted in a full spectrum war that is fought through all available means.

One of the potentially relevant questions in economics may thus well not be "whether economic efficiency suffers when governments make greater efforts to protect the poor" (Pressman, 2005: 83), but whether an economy or economics as a science is feasible without strictly enforced legal protection of the non-marketized goods or elements of humanness of everyone, including those who may not have access to sufficient financial or military power to protect themselves. In the absence of such legal protections, there may be neither equity nor efficiency. Conceptually the entire universe would belong to each and every one of the masters of the universe – the individuals whose non-marketable goods or elements of humanness have been non-consensually expropriated by others – rather than the expropriators who are able to keep their illegitimate possessions merely due to the absence of law enforcement. In terms of economic efficiency, the direction of the world's overall development may well be negative. Whenever all actual or alleged factors of production are socially constructed in a manner which may have little if anything to do with the underlying physical laws or realities, all measures of productivity are essentially political rather than economic in nature. "The implicit liberal ideal of an 'economically efficient' extinction of the species" (Auvinen, 2010: 155, footnote 70) may thus well involve depletion of economic, political, social, moral or other forms of physical or human resources in real terms at a greater speed than what the forcible expropriation and marketization of priceless goods or elements of humanness can conceal. As unrepayable economic, legal or moral debt, for instance, may demand the elimination of the entire humanity in order to destroy all non-consensually extracted and marketized priceless goods or elements of humanness, the value-destroying nature of

the prevailing economic system may be concealed or enforced only through wilful misdefinition of alleged measures of economic efficiency or legal compliance and selective ignorance of the theoretical and practical gaps which may result from such wilful misdefinitions. There may well not have been a mere “*positive* relationship between equity efforts and efficiency” (Pressman, 2005: 93, original emphasis) in the widest possible sense of the terms – including, for instance, equal and universal access to effective law enforcement mechanisms to prevent non-consensual access to non-marketized goods or elements of humanness – but strictly enforced equity in the aforementioned sense may well always have been a precondition for the possibility of efficiency.

Once non-marketized or priceless goods or elements of humanness have been non-consensually appropriated and marketized, there may well be nothing that could be done to transform a nihilistic battlefield back into an economy – to create, for instance, equitable and efficient market rules in the ongoing presence of perhaps one of the most severe conceivable types of market distortion: the forcibly marketized priceless goods or elements of humanness which may continue to demand, for instance, the destruction of the entire humanity as a partial or incommensurable form of payment on any potential road to restoring the predominance of a primarily economic rather than a power-based or nihilistic logic. Depending on the definition of capitalism, it may be inappropriate to refer to such systemic incentives for or necessity of violence as a manifestation of the “aggressive-repressive character of capitalism in general and the bourgeois State in particular” (Morales Domínguez, 2006: 118). In the absence of adequately defined and actually enforced legal framework for markets, there is no market economy and some forms or agglomerations of capital may clearly be more equal than others. If some form of non-nihilistic order continues to exist after the non-consensual appropriation and marketization of priceless goods or elements of humanness, the system in question might perhaps more appropriately be described as, for instance, totalitarian, authoritarian, militaristic, fascist, dictatorial or communist rather than capitalist in the sense of equally and uniformly promoting the interests of all forms of real and fictitious capital regardless of its nature or origins over all other considerations.

Under such circumstances war studies, for instance – as opposed to economics or law – might well be more relevant and accurate in examining some of the prevailing interpretations of markets, property rights or whatever the relevant terminology might be in a de facto command economy that might be permanently based on coercion rather than consent after the forcible marketization of priceless goods or elements of humanness.<sup>8</sup> In addition to any potential “traditional weapons like economic sanctions, anti-money laundering regulations, and banking restrictions” (Lin, 2016: 1380) and “digital weapons like distributed denial-of-service attacks, data manipulation hacks, and destructive intrusions” (ibid.), “the financial weapons of war” (ibid.: 1378) or acts of war targeted against the victims might include essentially every possession and

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<sup>8</sup> This is, of course, quite different from saying that soldiers or anyone else receiving a salary from the “war-police-accumulation” nexus (Neocleous, 2013: 9) would necessarily be in the best position to analyze overt and covert means of contemporary warfare. Formal or de facto alliance with a military superpower, for instance, may well be one of the surest ways to purge universities of social scientific competence and integrity as excessively relevant and accurate analysis may become off-limits and be replaced by alliance-friendly propaganda or communication and non-communication strategies.

transaction that involves some non-consensually appropriated and marketized priceless goods.

## 5. Economic Discourse as War Propaganda

After non-consensual marketization of priceless goods or elements of humanness has taken place – if not also marketization which could in theory be consensual but unlikely to be so under the prevailing economic structures – any potential appeals to an “economy” or “economics” as a distinct field of autonomous normative significance may amount to little more than self-serving discursive propaganda strategies adopted by the relatively more powerful, unscrupulous or wicked against others as a part of full spectrum warfare conducted through all available means. Foa Torres (2016: 85), for instance, has described “capitalist revolution” as “radical change in policies and institutions and legal forms that lacks an emancipatory orientation and, on the contrary, promotes the consolidation and deepening of its repetition and reproduction”. Part of such a revolution may involve the state renouncing the right to monetize its debts by issuing money to finance social policies, which subordinates state authority to the power of financial agents and contributes to the reduction of law into a “technical element” or “juridical technique” within capitalist relations of accumulation (ibid.: 94, 95, 97). Although the monetary system, for instance, may be an inherently social or political creation, there may be nothing inherently normative or political about pointing out potential structural biases. On the contrary, the burden of proof for showing that the monetary system, markets or the economic or political system in general should structurally favor specific actors or to a certain extent predetermined proportion of economic actors rather than constitute a structurally neutral playing field for all (see e.g. Auvinen, 2008 and Auvinen, 2010: 59-84 for a theory of socially neutral money) is on the side of those who might advocate structurally rigged markets or permanent economic segregation based on relative power positions rather than absolute actual or potential economic productivity.

A requirement for holders of real assets to incur interest-bearing debt to third parties merely to be able to engage in monetized market exchange significantly alters the nature and the incentive structures involved in such exchange (Auvinen, 2010). Whenever money is issued into circulation against interest-bearing debt, the monetary space as a whole is close to insolvency at any given point in time and the debt is effectively unrepayable.<sup>9</sup> The aim is not the equal and universal “protection of the capitalist property of the means of production, but the *securitization* of transnational corporate power and the deterritorialized extraction of all types of resources” (Foa

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<sup>9</sup> Unrepayable is not, of course, the same as undefaultable. Dimitriu (2014: 119), for instance, argues that “many debtor countries are morally entitled to default on a big portion of their sovereign debts” without going further into detail on, for instance, why a society as a whole might agree to become indebted merely to gain access to domestic monetary means of exchange and why such debt should in any case be repaid to the maximum feasible extent – but never completely as long as money is issued into circulation against interest-bearing debt – by returning the society’s entire money supply to the issuers when all that was borrowed was an accounting system to facilitate monetized market exchange rather than, for instance, capital. As the issuers of interest-bearing money-creating debt are surely aware of, the entire prevailing monetary system – as opposed to merely some specific subset of debt relations within such a system – might be seen as a product of “governments with corrupt aims” to “enrich themselves, oppress the population, benefit friends and allies, or nationalize private debt” (ibid.: 137), thus potentially justifying default as a part of monetary reform.

Torres, 2016: 95-96, original emphasis). Extraction of resources through, for instance, transnational corporate power or interest payments required merely to keep money in circulation structurally violates some property rights in order to facilitate unearned, non-efficiency-based capital accumulation. Under such circumstances any potential suggestions that transfers of ownership taking place under structurally unrepayable debt burdens constitute voluntary or uncoerced economic exchange might perhaps more accurately be described as, for instance, war propaganda or substantively vacuous or nonsensical output of “puppet”<sup>10</sup> (Bagdadi, 2013: 557) institutions rather than legitimate economic discourse.

In the case of non-consensually expropriated and marketized priceless goods or elements of humanness such a conclusion may be even more evident. One might expect the task of the law – if feasible even in theory (Auvinen, 2016) – to involve contesting the “*repression of the political foundation of law*” or the “*legality of capitalist terrorism*” (Foa Torres, 2016: 97-99, original emphasis), whereby capitalist markets aim to occupy all spheres of life while the law might be reduced into a mere “technical element” or “juridical technique” to promote such objectives. According to Masur and Posner (2016: 89):

“Cost-benefit analysis is a decision procedure that requires the decision-maker to estimate both the benefits and the costs of a regulation in monetary terms. If a regulator chooses not to monetize all the benefits or all the costs, it is not doing cost-benefit analysis. If it is not doing cost-benefit analysis, what is it doing?”

Such a logic may raise profound questions on the “external defensibility of a political community” involving practices which “appear to be tolerable for other communities and their members” (Koller, 2009: 315). A jurisdiction which might, for instance, formally or effectively allow all technological development under trade or national security-related secrecy unless explicitly forbidden by the relevant regulators based on monetary cost-benefit analysis is virtually certain to facilitate blatant and long-standing violations of the inalienable human rights of its own citizens as well as

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<sup>10</sup> The comment has been attributed to Hugo Chávez – the deceased former president of Venezuela – describing the actions of the Inter-American Commission for Human Rights. The choices of the most suitable Emmanuel Goldstein – “the Enemy of the People... the renegade and backslider... condemned to death... the primal traitor, the earliest defiler of the Party's purity... [out of whose teaching] all treacheries, acts of sabotage, heresies, deviations, sprang directly” (Orwell, 1949) – at any given point in time by some US-based commentators – if not also by most academics in a global US-dominated academia – may well be “emblematic of the United States’s *Nineteen Eighty-Four* syndrome” involving “military dictatorships kept in power by fear induced by ‘perpetual war,’ debasement of language (doublespeak), and constant rewriting of history” (Annas, 2009: 39, footnote omitted). Whenever the allegation is, for instance, that someone “instituted the rule of law, purported to follow it, but in reality, bypassed the rule of law, and acted beyond it in an effort to achieve his purposes” (Bagdadi, 2013: 557), there might well be a non-negligible number of potentially equally good or better fits to the description as Venezuela under Chávez, in some cases potentially significantly closer to home than what many sufficiently powerful commentators might be comfortable to admit in politically correct or allegedly polite communication without perhaps first “upsub antefiling” directly to the “Thought Police” – in other words, without first “submit[ting the] draft to higher authority before filing” (Orwell, 1949) the relevant reports or making potentially heretical material widely available – to see whether they survive the “Ministry of Love’s” (ibid.) instant feedback alive or with intact brains or untouched hearts. For one potential example which may be far from “unique” (Paust, 2008: 546), see Paust, 2008.

foreign nationals. Relatively extreme and difficult-to-quantify potential costs have sometimes been quoted even in the case of potentially less serious offences. Steve Jobs, for instance, reportedly stated that “I will spend my last dying breath if I need to, and I will spend every penny of Apple’s \$40 billion in the bank, to right this wrong. I’m going to destroy Android because it’s a stolen product. I’m willing to go thermonuclear war on this” (Lowensohn, 2012, quoted in Manta and Wagner, 2015, 343).

If one is to avoid potentially annihilating the economic substance of markets – or thermonuclear war, for that matter – the non-consensual implementation of technologies which facilitate the forcible appropriation and marketization of priceless goods or elements of humanness or other potentially market-annihilating technologies must be prevented. In the case of jurisdictions which have no credible institutional mechanisms in place to prevent the non-consensual implementation of technologies with potentially catastrophic humanity-wide implications – and which in some cases have a long history of human rights violations through, for instance, non-consensual radiation exposure or mind-control (Auvinen, 2017) – any and all ostensibly or allegedly economic discourse may constitute little more than war propaganda that might be targeted at both domestic and foreign audiences. If regulators are performing monetary cost-benefit analysis based on, for instance, the expected cost of preventing the victims of blatant human rights violations from starting a thermonuclear war after creating potentially ample justification, if not necessity, for precisely such type of an outcome rather than the cost of compensating the victims by potentially granting them ownership of that part of the universe which might be in the jurisdiction’s or the perpetrators’ possession, there are no regulators – only different factions of the military or the “war-police-accumulation” nexus (Neocleous, 2013: 9). Policing is not “highly political” (Lawrence, 2010: 115). Either the police upholds the law in cases involving serious crimes or human rights violations rather than participates in such activities itself or the police is criminal – at least a co-opted accomplice, if not the main perpetrator – not political. Similarly, either non-citizens’ human rights are respected globally or the offending jurisdiction is engaging in aggression or war, not politics. “[T]he traditional rule that there is no liability for omissions” (Chamberlain, 2016: 993) may render the police, regulators, armies or some other potentially relevant types of public authorities irrelevant at best, if not in all cases complicit, co-opted or corrupt accomplices or perpetrators of crimes or human rights violations which are committed in the absence of, for instance, effective, equal and universal law enforcement or regulatory oversight. While derecognition of the jurisdiction’s potential claims to legitimate sovereignty might constitute a part of a legal or the least illegal solution (Auvinen, 2016), the law might have had to prevent the non-consensual implementation of the relevant technologies in the first place in order to avoid the degeneration of ostensibly economic discourse into mere war propaganda.

## **6. An Obituary for Markets in a War Zone Command Economy? A Failure of Law Rather than Economics?**

Once the law has failed to prevent non-consensual marketization, there may be nothing that could be done to restore economic or legal logic in the markets or the society in general. Any potential “accelerated formation of customary international law” through “General Assembly Resolutions and judgments of international

tribunals” in order to “respond to rapidly evolving developments by producing rules in a timely and adequate manner” (Scharf, 2014: 305, 306, 341), for instance, may well be irremediably late whenever the aim is to respond to rather than to anticipate, pre-empt<sup>11</sup> or prevent developments with significant and potentially permanent implications. The tendency towards “maximum exploitation of the working class” (Morales Domínguez, 2008: 126) or “exploitation of the workers in a form never before experimented” (ibid.: 114) may no longer be limited to willing workers and “in any case always be about salaried work” (ibid.: 120). It is quite possible for “maximum exploitation” to involve non-consensual appropriation and marketization of priceless goods or elements of humanness without any form of compensation for the victims and for “relaunching of militarism as a mechanism of accelerating the aggregate demand” (ibid.: 116) to involve, for instance, ongoing selective covert military assault in order to force the victims to increase their protective expenditures or to induce them to produce more economically useful and expropriable cognitive output without compensation. To the extent markets might ever have existed in the

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<sup>11</sup> Anticipatory self-defense has been defined as “the use of armed coercion by a state to halt an imminent act of armed coercion by another state (or non-state actor operating from that other state)” (Murphy, 2005: 703, quoted in Dunlap, 2013: 325) while pre-emptive self-defense has been defined as “the use of armed coercion by a state to prevent another state (or non-state actor) from pursuing a particular course of action that is not yet directly threatening, but which, if permitted to continue, could result at some future point in an act of armed coercion against the first state” (Murphy, 2005: 704, quoted in Dunlap, 2013: 325). One might expect one of the main objectives of domestic law to involve pre-emptive defense of the individual subjects of law rather than attempting to remedy the irremediable or compensate for the uncompensatable after in many cases deliberately refusing to bring the law and its enforcement mechanisms up-to-date with not only entirely foreseeable, but in many cases already long-standing actual social, societal, technological or cultural developments. Such pre-emptive action might be expected to focus on defending the substantive rights of the individual subjects of law rather than specific legal procedures in order to minimize the “*unprotecting and disempowering potential*” (Sanchez-Mejia, 2015: 202, original emphasis) of the established practices of criminal justice or some other potentially relevant procedures which may conflict with the attainment of maximum protection for substantive rights.

Resilience – “the capacity of a system, enterprise, or a person to maintain its core purpose and integrity in the face of dramatically changed circumstances” (Zolli and Healy, 2012, quoted in Thierer, 2013: 359) – and adaptation – “learning to live with technological risks ‘through trial-and-error experimentation, experience, coping mechanisms, and social norms,’ which ‘often begin with, or evolve out of, resiliency-based efforts’ [Thierer, 2012]” (Thierer, 2013: 359) – may often be essentially synonymous to violent nihilism rather than conceptually feasible or practically viable regulatory approaches. It is precisely the “core purpose and integrity” which must be protected by pre-emptive prohibition or regulation rather than essentially forcing them to be abandoned or become extinct through deliberate transgressions or transformations which have the intent or effect of exterminating non-nihilist, non-relativist or essentialist purpose and integrity. Terms such as resilience, adaptation or risk may often be used in a normative, dogmatic or religious sense by advocates of artificially created interdependence, evolution, “emergence”, transformation or nihilism even in cases where it might be abundantly clear that no good faith trial, experimentation or learning is involved in such efforts but only obvious, entirely foreseeable and inevitable error, illegality and destruction. One of the aims of some of the resilience, adaptation or risk discourse may be to make the world or some other potentially relevant entity less resilient and adaptable to genuine rather than artificially created risks by eliminating essentialist worldviews which may have positive survival value in the case of genuine environmental changes – such as Christianity. Any potential suggestions that prudent, pre-emptive, law-enforcing regulatory policy might simply amount to “[f]ear-based reasoning and tactics” or “appeals to fear” which “are used to convince citizens that threats to individual or social well-being may be avoided only if specific steps are taken” (Thierer, 2013: 385, 311) – in other words, to convince citizens that threats to individual or social well-being may be avoided by taking specific non-nihilist steps rather than by wholeheartedly embracing nihilism – might be conceptually not entirely dissimilar to suggesting that any potential refusals to convert to genuine Christianity might simply be due to unfounded fears.

sense of providing open ranges for voluntary transactions among self-owning individuals with no external or hidden structures affecting value setting, price formation or counterparty selection for transactions, any potential rumors about their death might well be less than greatly exaggerated. Any potential extinction of markets operating according to rules-based normative economic logic may have been caused by failures of the law to define and enforce the appropriate preconditions for markets rather than the absence of potentially viable forms of economic logic.

Suppose, for instance, that one day you realize that you and your family are living in a war zone. You and other people around you are under continuous violent attack, but you cannot identify or document the precise types of weapons systems which might be used at any given point in time or, at the minimum, point out the location of any given type of an autonomous weapons system or the identity of the individuals who might have designed, implemented or be operating any specific weapons systems at any given point in time. All positions of authority in the war-torn society – if not all permanent salaried positions – might be occupied by individuals who deny the existence of the ongoing war. Whenever you point out the existence of the ongoing war, you may be violently attacked by the military police or other individuals from any conceivable side in the war – including individuals who might be in a legal or formal sense fighting under the same flag with you but who are clearly not on your side.

How many individuals would regard the aforementioned situation as primarily legal in nature – a situation where each and every individual under attack could reasonably be expected to collect sufficient information on highly complex weapons systems and their actual usage against any specific targets at any given point in time and prosecute each and every perpetrator as allegedly the only available remedy to the ongoing assault? Would the situation not be more likely to be referred to as war? Would it not be more likely that any potential demands to resort to any specific actual or alleged interpretations of the “rule of law” as the only available remedy would be dismissed as mere war propaganda? A non-negligible number of individuals might well be expected to undertake self-defense by, for instance, killing or executing each and every power-wielder until the remaining ones – if any – would, at the minimum, recognize that there indeed is an ongoing war and present all information they have on the nature of the weapons systems used and the enemy. In case the frontlines of the conflict are seen in evolutionary terms, the relevant objectives might involve, for instance, gradually killing or executing the remaining members of the world’s most powerful families or bloodlines until the relevant information would be provided and remedial action taken.

It is quite possible that such killings or executions could be undertaken without any perceived responsibility to justify such actions to the targets. While the first power-wielders who might be killed or executed might well continue to feign ignorance, it is quite possible that some of the last ones – once they would realize that they are facing a more certain death through individuals who might in some cases in a legal or formal sense be fighting under the same flag rather than being killed by the enemy – would present some highly relevant information on, for instance, non-consensual mind-reading, -modeling, -influencing or -control or remote torture or assassination technologies in an attempt to save their lives even without ever being given any hint on why precisely they are being killed or executed. It is not inconceivable that this is

precisely what a non-negligible number of independent and autonomous individuals would consider to be both legal and morally just. Any potential attempts to claim otherwise might – potentially not entirely without merit – be dismissed as mere war propaganda or battle strategies in the context of an ongoing violent conflict.

To the extent markets or the law have ever existed, what would be left of them in the aforementioned situation? Would it not be intellectually dishonest not to point out that markets might be dead and have been replaced by essentially a wartime command economy? Would the failures that might have led to such a situation, however, not be at least to some extent attributable to law rather than the possibility of markets per se: the failure to legally define and enforce markets and the distinction between marketized and non-marketized goods sufficiently effectively to allow warfare through all available means to be at least partly transformed into economically motivated and intelligible voluntary market exchange? While technologically less advanced or relatively more “[i]nefficient nations” may indeed be “always conquered sooner or later” (Orwell, 1949), it may be quite unnecessary to deliberately promote such outcomes by, for instance, autonomously implementing some of the conquering, enslaving or governing technologies before the enemy might do so or to convert an external aggression also into a civil war by, among other things, remaining silent about the ongoing external conquest or persecuting the messengers through something that might be perhaps not entirely dissimilar to a local Vichy government collaborating with the conquerors.<sup>12</sup>

## 7. Conclusion

According to Eggertsson (2006: 13), “Social science has not developed a comprehensive theory of social systems; rather we have accumulated bits of useful insights, often without explicitly knowing in what circumstances the insights apply.” Yet there may be few realistic alternatives to developing precisely such a comprehensive theory in order to ensure the appropriate functionality of at least some social sub-systems in some circumstances. Markets, for instance, may become devoid of rules-based normative economic rationale or self-annihilate in the absence of adequate specification and actual enforcement of all conceivable value systems or motives which may induce an individual to refuse to marketize any specific product or element of humanness at any price – even when the entire universe might be offered in exchange for the good or element of humanness in question. Without an adequate specification and actual enforcement of the requisite legal framework for markets, any potential “bits” of “accumulated insights” on the rules-based normative economic rationale for markets may not be useful or relevant in any real world circumstances. It is the economic perception of fines, penalties or other forms of potential legal consequences as prices to buy commodified non-compliance with the

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<sup>12</sup> The French government that was collaborating with the occupying Nazis during World War II was located in Vichy. In some jurisdictions or language areas sparkling mineral water might commonly be referred to as “Vichy” and the majority of the water available or actually sold in the local supermarkets may be of this type rather than natural mineral water. One may hope that the powers that be in such areas do not take their potential, proverbial or de facto positions or roles as Vichy governments that collaborate with the occupier overly literally – for instance, using or facilitating the use of sparkling mineral water as one of the potential transmission mechanisms for controlled environmental exposure to toxins or for the creation of bodily symptoms or damage targeted against overly incorruptible individuals.

law which must be changed to a social perception in order to render law relevant and markets possible. It may well be up to the potential successes or failures of law to determine whether any potential comprehensive theories of social systems are substantively significant or mere propaganda exercises in the ongoing covert or overt social – if not in all cases also military – warfare.

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