

How to Avoid Civil War: Decentralization, Nullification, Secession



[Ryan McMaken](#)

It's becoming more and more apparent that the United States will not be going back to "business as usual" after Donald Trump leaves office, and it is easy to imagine that the anti-Trump parties will use their return to power as an opportunity to settle scores against the hated rubes and "deplorables" who dared attempt to oppose their betters in Washington, DC, California, and New York.

Certainly, this ongoing conflict will manifest itself in the culture war through further attacks on people who take religious faith seriously, and on those who hold any social views unpopular among degreed people from major urban centers. The First Amendment will be imperiled like never before with both religious freedom and freedom of speech denounced as vehicles of "hate." Certainly, the Second Amendment will hang by a thread.

But even more dangerous will be the deep state's return to a vaunted position of nearly untrammelled power and obeisance from elected officials in the civilian government. The FBI and CIA will go to even greater lengths to ensure the voters are never again "allowed" to elect anyone who doesn't receive the explicit imprimatur of the American intelligence "community." The Fourth Amendment will be banished forever so that the NSA and its friends can spy on every American with impunity. The FBI and CIA will more freely combine the use of surveillance and media leaks to destroy adversaries.

Anyone who objects to the deep state's wars on either Americans or on foreigners will be denounced as stooges of foreign powers.

These scenarios may seem overly dramatic, but the extremity of the situation is suggested by the fact that Trump — who is only a very *mild* opponent of the status quo — has received such hysterical opposition. After all, Trump has not dismantled the welfare state. He has not slashed — or even failed to increase — the military budget. His fights with the deep state are largely based on minor issues.

His sins lie merely in his lack of enthusiasm for the center-left's current drive toward ever more vicious identity politics. And, of course, he has been insufficiently gung ho about starting more wars, expanding NATO, and generally pushing the Russians toward World War III.

For even these minor deviations, we are told, he must be destroyed.

So, we can venture a guess as to what the agenda will look like once Trump is out of the way. It looks to be neither mild nor measured.

If the effort at preventing any future Trumps succeeds, it will signal essentially the final victory over so-called "Red State" America.

And then what?

In that situation, half the country may regard itself as conquered, powerless, and unheard.

That's a recipe for civil war.

The Need for Separation

So long as most Americans labor under the authoritarian notion that the United States is "one nation, indivisible" there will be no answer to the problem of one powerful region (or party) wielding unchallenged power over a hapless minority.

Many conservatives naïvely claim that the Constitution and the "rule of law" will protect minorities in this situation. But their theories only hold water if the people making and interpreting the laws subscribe to an ideology which respects local autonomy and freedom for worldviews in conflict with the ruling class. That is increasingly not the ideology of the majority, let alone the majority of powerful judges and politicians.

Thus, for those who can manage to leave behind the flag-waving propaganda of their youths, it is increasingly evident that the only way to avoid a violent conflict over control of the national government is breaking the United States up into smaller pieces. Or at least decentralizing power sufficiently to allow for meaningful autonomy beyond the reach of federal power.

As [I've noted in the past](#), this notion has long been gaining steam in Europe, where referendums on greater local autonomy are growing more frequent.

And conservatives are increasingly seeing the writing on the wall. Among the more insightful of these has been Angelo Codevilla. In 2017, Codevilla, writing in the *Claremont Review of Books*, [laid out a blueprint](#) for local opposition to federal power and noted:

Texas passed a law that, in effect, closes down most of its abortion clinics. The U.S. Supreme Court struck it down. What if Texas closed them nonetheless? Send the Army to point guns at Texas rangers to open them? What would the federal government do if North Dakota declared itself a "Sanctuary for the Unborn" and simply banned abortion? For that matter, what is the federal government doing about the fact that, for practical purposes, its laws concerning marijuana are being ignored in Colorado and California? Utah objects to the boundaries of national monuments created by decree within its borders. What if the state ignored those boundaries? Prayer in schools? What could bureaucrats in Washington, D.C., do if any number of states decided that what the federal courts have to say about such things is bad?

Now that identity politics have replaced the politics of persuasion and blended into the art of war, statesmen should try to preserve what peace remains through mutual forbearance toward jurisdictions that ignore or act contrary to federal laws, regulations, or court orders. Blue states and red states deal differently with some matters of health, education, welfare, and police. It does no good to insist that all do all things uniformly.

And by 2019, the need for separation was becoming more urgent. Last week Codevilla [continued](#) in this line of thinking:

[A]fter the 2020 elections ordinary Americans will have to deal with the same dreadful question we faced in 2016: How do we secure and perhaps restore our fast-diminishing freedom to live as Americans? And while we may wish for help from Trump, we have to look to ourselves and to other leaders for how we may counter the ruling class's manifold assaults now, and especially in the long term...

The logical recourse is to conserve what can be conserved, and for it to be done by, of, and for those who wish to conserve it. However much force of what kind may be required to accomplish that, the objective has to be conservation of the people and ways that wish to be conserved.

That means some kind of separation.

... [T]he natural, least stressful course of events is for all sides to tolerate the others going their own ways. The ruling class has not been shy about using the powers of the state and local governments it controls to do things at variance with national policy, effectively nullifying national laws. And they get away with it.

For example, the Trump Administration has not sent federal troops to enforce national marijuana laws in Colorado and California, nor has it punished persons and governments who have defied national laws on immigration. There is no reason why the conservative states, counties, and localities should not enforce their own view of the good.

Not even President Alexandria Ocasio-Cortez would order troops to shoot to re-open abortion clinics were Missouri or North Dakota, or any city, to shut them down. As Francis Buckley argues in [American Secession: The Looming Breakup of the United States](#), some kind of separation is inevitable, and the options regarding it are many.

It is notable that Codevilla's strategy is not marked by grandiose gestures of independence or a yearning to re-create the glorious military victories of the days of yore. Such were the mistakes of the Confederates in the mid-nineteenth century.

Interestingly, Codevilla's more sensible approach shares quite a bit in common with the strategies recommended by Hans-Hermann Hoppe in his essay "What Must Be Done." The idea is to assert local control and refuse cooperation with federal policymakers. But with restraint. Hoppe [writes](#):

It would appear to be prudent ... to avoid a direct confrontation with the central government and not openly denounce its authority or even abjure the realm. Rather, it seems advisable to engage in a policy of passive resistance and non-cooperation. One simply stops to help in the enforcement in each and every federal law. One assumes the following attitude: "Such are your rules, and you enforce them. I cannot hinder you, but I will not help you either, as my only obligation is to my local constituents."

Consistently applied, no cooperation, no assistance whatsoever on any level, the central government's power would be severely diminished or even evaporate. And in light of the general public opinion, it would appear highly unlikely that the federal government would dare to occupy a territory whose inhabitants did nothing else than trying to mind their own business. Waco, a teeny group of freaks, is one thing. But to occupy, or to wipe out a significantly large group of normal, accomplished, upstanding citizens is quite another, and quite a more difficult thing.

Some will be unable to break out of the mindset that the United States must forever be governed by a singular national policy. They will insist any attempt at decentralization of this sort must necessarily result in violence.

Writing at *The American Conservative*, Michael Vlahos, for example, [appears unconvinced](#) that violence can be avoided. But even he concedes the violence is unlikely to take the form of mass bloodshed as seen in the 1860s:

Our antique civil wars were not bound to formal rules, yet somehow they held to well-etched bounds of expectation. American society today has very different norms and expectations for civil conflict, which certainly will constrain how we fight the next battle.

Today's America no longer embraces a national landscape of an industrial-lockstep battlefield (think Gettysburg, D-Day). Our next civil war — as social media so eloquently reminds us — will enact its violence on a battle campus of equal pain, if less blood.

Many devotees of perpetual federal supremacy, of course, won't admit even this. Any attempt at decentralization, nullification, or secession is said to be invalid because "that was decided by the Civil War." There is no doubt, of course, that the Civil War settled the matter for a generation or two. But to claim any war "settled things" *forever*, is clearly nonsense.

It is true, however, that if the idea of a legally, culturally, and politically unified United States wins the day, Americans may be looking toward a future of ever greater political repression marked by increasingly common episodes of bloodshed. This is simply the logical outcome of any system where it is assumed the ruling party has a right and a duty to force the ways of the one group upon another. That is the endgame of a unified America.

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