Goodlaw (New Venture Concept)

Summary

Goodlaw is a new kind of voluntary legal system that individuals and organizations can use in parallel with a government legal system, much like using Fedex instead of the Post Office for deliveries. People can join the Goodlaw Network, use Goodlaw smart-contracts based on the Goodlaw legal code, and rely on Goodlaw judges (private arbitrators) for fair decisions as oracles to the smart-contracts.

The Foundation

The goals and logic of this project only make sense to those who come from a specific foundation of Knowledge and Ethics. The project deals with humans. When humans are involved it is impossible to "isolate a variable" as required for proper Inductive reasoning, so it is necessary to use Deductive reasoning or what Ludwig von Mises termed "Praxeology". This is a specific approach to Knowledge (epistemology). At the same time, the project relies on Deontological ethics based on Natural Law and rejects the Consequentialist notion that an otherwise evil deed to one or more people can be "good" if the predicted results benefit other people to a sufficient degree. Unfortunately, the vast majority of people have been trained to understand all social disciplines like History, Economics, and Law from an Inductive-Consequentialist perspective and not from a Deductive-Deontological perspective.

For example, an Inductive-Consequentialist will say "World War II got the US out of the Great Depression (inductive), and dropping the bombs on Hiroshima & Nagasaki saved 1 million people by killing 200,000 (consequentialist), so engaging in war can be for the greater good." A Deductive-Deontologist will say "Destroying lives and capital cannot produce prosperity (deductive), and killing 200,000 is mass-murder regardless of what you predict the benefits to others might be (deontologist)".

This doesn't mean that Inductive-Consequentialists cannot benefit from this project, it only means that they will have trouble understanding why you would want to do it in the first place.

The Worthy Purpose

The worthy purpose of Goodlaw is to create a legal system "for the rest of us" that is far easier, more just, and completely voluntary.

Using the phrase "for the rest of us" that Steve Jobs of Apple popularized is intentional. The "user experience" of government law is terrible, and this is not because law has characteristics or goals that make it necessarily so. For the same reason people prefer the experience of the Apple Store to that of the DMV, many people will prefer the experience of private, voluntary law to government, coercive law. More than that, people DESERVE to have a better option.

The Basics

Goodlaw is a legal system of simple prohibitions against theft, fraud, and aggressive force within a network of people in which the consequences of violation are limited to financial restitution and/or expulsion from the network. Although this means a lack of violence-based enforcement like jail or actions coerced by the threat of jail, it does not mean a lack of enforcement.

One way of describing Goodlaw is insurance-based smart-contract law. To enter a contract, a participant must fund the contract to pay any consequences of violating the terms. Because most people won't want to tie up their capital for events with a tiny chance of occurring, the vast majority of contracts will be funded by insurance.

The adjudication of disputes happens with panels of human judges who have special privileges as "oracles" to the smart-contracts that connect to insurance financial accounts (crypto wallets). A participant in a contract pays an insurance company a premium to be insured, and if that person is convicted of violating a contract, restitution is automatically paid from the insurer's account to the victim of the violation.

The advantages of being in the network and contracting with others in the network is a robust incentive never to violate a contract or enter into a contract in which violation is in any way likely.

What about Criminal Law?

Talking about business contracts between people or organizations is one thing, but what about criminal law? In a voluntary legal network there is no such thing as "public property". All property is owned either by individuals like a homeowner or groups of people like an HOA. Therefore, every property can have an "access contract" for anyone who comes onto the property. This access contract outlines financial consequences for each type of theft, fraud, or aggressive force, and individuals will purchase insurance bonds (surety insurance) much like many cleaning services do today. Although this could be like different traffic laws when crossing state lines (can you turn right on a red light?), it is more likely that spontaneous standardization will occur because most people WANT other people to access their property on occasion and will lower various barriers to do so. In one option, the network itself could have this access contract standardized, and then membership would require insurance to join.

The Judges

In order to properly function, the human judges in the Goodlaw Network must come from a Deductive-Deontological foundation. This is necessary to prevent things like a judge deciding that an innocent person should be convicted "for the greater good" (consequentialist) or because of a commonly held inductive logical error. The initial set of judges will be approved based on philosophy and experience, but over time the network will have approval and disapproval mechanisms for engaging or dismissing judges.

The Entry Point

Although the potential benefits of voluntary law are enormous, government law is already coercively paid for and functions even if slow, unjust, and complicated. Who has enough pain to actively consider an alternative? It turns out that small service businesses do. For example, small IT service companies in the US pitch their customers on taking complexity out of their lives and then hand them a 30 page unintelligible contract to sign. There are ways to improve contracts under US laws, but there are even greater ways to improve them by redesigning the law itself. This could be one possible entry point, although it is up to the team to validate and find others.

The Law Itself

So what might a new kind of voluntary law look like? One thing to consider is where law originates in the first place. Law was not always considered something people created in "legislation" but rather something natural like gravity that was to be "discovered" by judges. English Common Law developed around this idea of discovery, and the substance and procedure there is a robust starting point that has been codified by Professor Tom Bell in ULEX, his universal legal system. Taking the learnings there and defining new mechanisms to improve the user experience (justice, simplicity, ease, etc.) is the key task of Goodlaw.

The Sequence

So how does this new legal system become real? It will likely follow three main phases:

Phase 1) Some type of simple contract on Redesigned Voluntary Law

Phase 2) Property Access Contracts on Voluntary Law (Criminal Law)

Phase 3) Every Other Kind of Contract on Voluntary Law

Next Steps

Although the core assumptions and structure for Goodlaw are robust, there is a lot of work in the details to make it as compelling and financially viable as possible for all participants. For example, the mechanism for enabling all of the participants in contract insurance and surety insurance has not yet been worked out or iterated. It is theoretically easily possible, but actual adoption depends on getting the different parts working in a way that takes a lot of effort to unlock. The founding team has a great deal of work to do but a potential future that is unmatched in the potential to improve the human experience for billions of people.