
The Voluntaryist

Whole Number 30

"If one takes care of the means, the end will take care of itself."

February 1988

"If This Be Treason, Make The Most Of It!"

By Carl Watner

Why is it that legislation defining the crimes of treason and sedition soon follows in the wake of the establishment of every nation-state? The answer is reasonably simple: At the heart of the question of these crimes lies the legitimacy of the State and the claims it can make upon the loyalty of its citizens. Treason has always been considered one of the most heinous crimes. Punishment has usually been capital and has at times been marked by quartering and burning at the stake.

The crime of treason is generally treated as a betrayal of allegiance - the duty and obligation of the citizen toward his State. In the laws of the Roman empire and in early British law, treason encompassed imagining or planning the death of the king, his family, or his officials; levying war against the sovereign; adhering to the king's enemies in the realm; or giving them aid and comfort in the realm or elsewhere. In the United States, which is one of the few countries to have defined treason in its Constitution, treason is confined to two specific types of action: challenging the power of the nation by armed insurrection and aiding its enemies during wartime.

Sedition is a loose concept that includes "everything whether by word, deed, or writing," which might disturb "the tranquility of the State," and lead to its subversion. In England and the United States, during the 18th Century, sedition meant any hostile criticism of the government, which the authorities might choose to prosecute. If treason could not be alleged, then people might be imprisoned for sedition, i.e., "disloyal" speeches and writings. This occurred in the United States in 1798, at the time of the Civil War, and again during World War I.

Treason and sedition are twin-edged swords because they are found only in a statist context. Since every State arises out of conquest and domination, there inevitably arises a conflict between existing States and those striving to assert their independence. For example, all who advocated American independence from Great Britain in 1776, could have been prosecuted and convicted as traitors. Had the revolution been a failure, undoubtedly they would have been tried for treason under British law. Since they were successful in establishing a new State, they went on to write laws against any actions they deemed hostile to **their** new State. At the Nuremberg trials after World War II, the Nazi leaders were tried and held personally responsible for the crime of war, membership in certain criminal organizations, and for participation in the planning of aggression and domination. Yet had any of these Nazis refused to obey superior orders - on the basis that they owed a higher duty to humanity, which is what the prosecutors at Nuremberg claimed - they could have been tried for treasonous behavior in Germany during the war. As Thomas Jefferson put it, "The unsuccessful strugglers against tyranny have been the chief martyrs of treason laws in all countries."

All of this leads me to ask: Is voluntaryism treasonous? Are voluntaryists guilty of treason and/or sedition? Is THE VOLUNTARYIST a seditious publication?

Undoubtedly the answers to these questions are "Yes," particularly if treason and sedition are viewed in their broadest scope. Although treason in the United States requires overt action (levying war or in adhering to the enemy) against the State - actions which

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To All Patriots and Constitutionalists: Some Critical Considerations on the United States Constitution

By Carl Watner

The Constitution is one of the most revered symbols of the United States. Over the years, it has taken on all the trappings of sovereignty, commanding the loyalty of almost every American. The Constitution is "America's uncrowned king," because "(i)t is above party, a common object of veneration, a living symbol of national unity."

We should examine the Constitution closely, since it has such a pervasive influence over our lives. Does it meet the requirements of commonly accepted legal principles and reason, or do we judge it by a double standard? Did the Constitution have a legal birth, or did it unlawfully encroach on the Articles of Confederation? In other words, is the Constitution constitutional, and does it have any inherent authority?

Did the Constitution Originate in a Constitutional Manner?

Constitutional conventions are characteristically an American institution and had their origins during the American Revolution, when individual state conventions were convened. In 1787, the Congress of the Articles of Confederation, called for a new convention in Philadelphia for the "sole and express purpose of **revising** the Articles." (emphasis added) The forty-two delegates, who gathered there, ignored their instructions, instead creating an entirely new framework of government - the Constitution. Regardless of their justification, the members of the convention had no authority to do anything but revise the Articles of Confederation. In violating their "commission," they committed a serious breach of trust.

In setting out the instructions for ratification of the new constitution, the convention also exceeded the power it had been delegated. It sanctioned a ratification process which looked to specially elected conventions, rather than being dependent upon Congress and the existing state legislatures. The new constitution was to supercede the Articles of Confederation, after it had been approved by conventions of 9 out of the 13 states. The procedure for amending the Articles of Confederation provided that amendments be originated in Congress and approved by all 13 state legislatures. The fact that the Articles were still the fundamental law was simply ignored by the members of the Constitutional Convention. There is no question that they resorted to an illegal process to create a new government.

Many questionable legal maneuvers were employed during the struggle for ratification of the Constitution. In Pennsylvania, the call for a convention was adopted without a quorum. In South Carolina, the anti-federalists tried to block the call for a convention, on the grounds that the Philadelphia convention had exceeded its lawful authority. Patrick Henry, in Virginia, launched a critical attack on the Constitution and alleged that the delegates in Philadelphia were engaged in a criminal conspiracy.

In many states, ratification was achieved by narrow margins, but nowhere was the new constitution put to a popular vote. Women, Negroes and Indians did not vote for convention delegates in any of

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Editor: Carl Watner

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From the Editor:

The Noose Tightens Another Notch

The WALL ST. JOURNAL reported on May 7, 1987 (p. 33) that the new federal immigration law, coming into effect on July 1, mandates that "anyone wanting a job in the U.S. will have to show proof of citizenship or legal residency, or else attest to plan to file for legal residency." While it will be some time before the new law is enforced, employers may be subject to fines up to \$10,000 or six months imprisonment for violation of the law.

During late July, the Immigration and Naturalization Service sent out their HANDBOOK FOR EMPLOYERS: "Instructions for Completing Form I-9, Employment Eligibility Verification Form." According to the Immigration Commissioner, "The new law seeks to preserve jobs for those who are legally entitled to them: American citizens and aliens who are authorized to work in our country." (front cover) The law is said to represent "a step forward in the effort to secure our nation's borders." (p. 1)

There is no question that this law represents another notch in the noose. Your employer is not only required to have you establish your identity, but he is also required to have you present some document to show that you are eligible for employment in the United States.

It seems to me that the law breaks new ground in that it refers to those who are "legally entitled" to a job. What can this possibly mean? Is anyone ever "entitled" to a job if a prospective employer doesn't wish to hire him or her? This sounds similar to a "right" to a job. "At whose expense?"

What about securing our borders? Who are they to be secured from and why? We are not only securing our borders from those without, but securing our borders for those within.

Such regulations only lead in one direction: towards total political control over the people and property of the United States.

In line with voluntaryist thinking, we oppose the new immigration/employment law and urge non-compliance.

We Don't Need to Say It: He Already Has!

"After working for years toward improvements to Miami's municipally operated Orange Bowl, where the Dolphins had played since 1966, (Joe) Robbie decided to bypass the bureaucratic morass and build his own \$100 million coliseum with private funds. *This stadium is a monument to a free, competitive enterprise system and shows that anything government can do, we can do better,*' Robbie says. *'People working together can accomplish anything they set their minds to.'*"

(from INSIGHT, September 21, 1987, p. 8)

EMPLOYMENT ELIGIBILITY VERIFICATION (Form I-9)

1. EMPLOYEE INFORMATION AND VERIFICATION: (To be completed and signed by employee.)

Name (Print or Type: Last	First	Middle	Birth Name
Address (Street Name and Number)		City	State
Date of Birth (Month Day Year)		Social Security Number	

I attest, under penalty of perjury, that I am (check a box):

- ☐ 1. A citizen or national of the United States.
☐ 2. An alien lawfully admitted for permanent residence (Alien Number A).
☐ 3. An alien authorized by the Immigration and Naturalization Service to work in the United States (Alien Number A or Admission Number) expiration of employment authorization, if any: _____

I attest, under penalty of perjury, the documents that I have presented as evidence of identity and employment eligibility are genuine and relate to me. I am aware that federal law provides for imprisonment and/or fine for any false statements or use of false documents in connection with this certificate.

Signature: _____ Date (Month Day Year): _____

PREPARED BY: (To be completed if prepared by person other than the employee.) (Date of completion: _____)

I attest that the above was prepared by me at the request of the named individual and is based on my observation of which I have, where applicable:

Signature	Name (Print or Type)
Address (Street Name and Number)	City
State	Zip Code

2. EMPLOYER REVIEW AND VERIFICATION: (To be completed and signed by employer.)

Instructions: Examine one document from List A and check the appropriate box. OR Examine one document from List B and one from List C and check the appropriate boxes. Provide the Document Identification Number and Expiration Date for the document checked.

List A Documents that Establish Identity and Employment Eligibility	List B Documents that Establish Identity	List C Documents that Establish Employment Eligibility
<input type="checkbox"/> 1. United States Passport. <input type="checkbox"/> 2. Certificate of United States Citizenship. <input type="checkbox"/> 3. Certificate of Naturalization. <input type="checkbox"/> 4. Unexpired foreign passport with attached Employment Authorization. <input type="checkbox"/> 5. Alien Registration Card with photograph.	<input type="checkbox"/> 1. A State-issued driver's license or a State-issued I.D. card with a photograph and information, including name, sex, date of birth, height, weight and color of eyes (Specify State: _____). <input type="checkbox"/> 2. U.S. Military Card. <input type="checkbox"/> 3. Other (Specify document and issuing authority): _____ <input type="checkbox"/> 4. Other (Specify document and issuing authority): _____	<input type="checkbox"/> 1. Original Social Security Number Card (other than a card stating it is not valid for employment). <input type="checkbox"/> 2. A birth certificate issued by State, county, or municipal authority, bearing a seal or other certification. <input type="checkbox"/> 3. A copy of INS Employment Authorization Specific form: _____
Document Identification: _____ Expiration Date (if any): _____	Document Identification: _____ Expiration Date (if any): _____	Document Identification: _____ Expiration Date (if any): _____

CERTIFICATION: I attest, under penalty of perjury, that I have examined the documents presented by the above individual, that they appear to be genuine, and to relate to the individual named, and that the individual, to the best of my knowledge, is eligible to work in the United States.

Signature: _____ Name (Print or Type): _____ Title: _____
Employer's Name: _____ Address: _____ Date: _____

Form I-9 (05-07-87)
OMB No. 1151-0046

U.S. Department of Justice
Immigration and Naturalization Service

Another step on the road to collectivism.

My 1988 New Year's Resolution

Bob LeFevre's biography has been completed for nearly two years. Unfortunately, I have not been able to interest a commercial publisher in it. Therefore, my plan is to self-publish, hopefully with the assistance of readers and subscribers of this newsletter.

I have a commitment for \$1500 in matching funds toward publishing the manuscript. Typesetting and printing budgets for several hundred books total \$3000. I need to raise another \$1500 to publish the book. That is where you, dear reader, come in.

If you are interested in preserving and spreading LeFevre's ideas, then please make your checks payable to the "LeFevre Book Fund" and mail them to The Voluntaryist, Box 1275, Gramling, S.C. 29348.

The names of all contributors will be published in THE VOLUNTARYIST. Those who send \$25.00 or more will receive a complimentary copy of the book. (If sufficient monies cannot be raised, your contribution will be returned.)

Potpourri From The Editor's Desk

1. "From LUCIFER'S LEXICON"

Limited government, n., Limited robbery, limited slavery, limited murder.

Police, n., Bandits in uniform.

(Definitions by L. A. Rollins in a \$5.95 postpaid book available from Loompanics, Box 1197, Pt. Townsend, Wash. 98368)

2. "Ludicrous Account of English Taxes," A Lesson from McGuffey's READER (Lesson 59 by Brougham, from the ECLECTIC FOURTH READER, 1838)

"The school boy whips his taxed top - the beardless youth manages his taxed horse, with a taxed bridle on a taxed road. The dying Englishman, pouring his medicine which has paid seven per cent, into a spoon that has paid fifteen per cent - flings himself back upon his chintz bed which has paid twenty-two per cent - makes his will on an eight pound stamp, and expires in the arms of an apothecary, who has paid a license of an hundred pounds for the privilege of putting him to death.

His whole property is then immediately taxed from two to ten per cent. Besides the probate, large fees are demanded for burying him in the chancel. His virtues are handed down to posterity on taxed marble, and he is then gathered to his fathers - to be taxed no more.

In addition to all this, the habit of dealing with large sums of money will make the government avaricious and profuse. The system itself will infallibly generate the base vermin of spies and informers, and a still more pestilent race of political tools and retainers of the meanest and most odious description, while the prodigious patronage, which the collecting of this splendid revenue will throw in to the hand of the government, will invest it with so vast an influence, and hold out such means and temptations to corruption, as all the virtue and public spirit, even of republicans, will be unable to resist."

(Can you imagine such a lesson appearing in any contemporary textbook?)

3. "'Sweet' intervention"

The price of unrefined sugar on the world market this past year has hovered around 7 cents per pound. The United States government mandates a support price of 18 cents a pound for the domestic market. You can see how consumers are paying around 11 cents a pound too much for every pound of sugar purchased in this country.

4. "Spark of Genius"

At a recent large gathering I noted how people came in all different sizes and shapes and how they hold a wide variety of beliefs. Thank goodness for such individuality! It is an encouraging reason in support of the State's inability to totally subdue us.

5. "Fundamental Investment Advice"

"The underlying fundamental is that our country is based on government fiat paper money. Precious metals are a store of value. They should be systematically accumulated during income producing years and liquidated as required during retirement years. The promises of our government are worth the paper they are printed on." (Conrad Braun in the July 1987, GOLD STANDARD NEWS, 1805 Grand Avenue, Kansas City, Mo. 64108)

6. "A Constitutional amendment cannot impose temperance, prudence, and self-reliance on people who prefer self-indulgence, folly, and dependence."

"No political regulation, law, or amendment can impose integrity on people who prefer profuseness, dependence, and debt. The American people may have to learn anew that society cannot long continue to live beyond its means." (Hans Sennholz, THE FREEMAN, August 1987, p. 294)

7. "You can't tell which way the train went by looking at the track!"

Clarence Gibbs, a voluntaryist sympathizer, has contributed the following sayings:

Experience is the hardest teacher. It gives you the test first and the lesson afterwards.

The juice isn't worth the squeeze.

You can't go broke taking a profit (unless the government interferes).

You can't anymore borrow yourself out of debt, than you can drink yourself sober.

8. "LAWS OF THE JUNGLE"

Allen Thornton, the author of a recent book by this title, sets out to "show a few thoughts of an anarchist, a few laws of the jungle." Thornton's meandering style provides interesting reading.

Although not specifically anti-political, there is one very poignant

remark about contemporary politics:

The two party system is a shell game with two shells and no pea under either of them. The Democrats are symbolized by a donkey and the Republicans are symbolized by an elephant. But the two parties are a jackal and a vulture fighting over a corpse.

Thornton also points out (analogous to my "Meeting Practical Objections to the Free Market," in No. 20 of THE VOLUNTARYIST) that if "democracy provides Program A and the people would not buy Program A in anarchy, then we have a failure of democracy to supply the people what they really want." However, since anarchy will provide the people everything they want and are willing to pay for, we really don't need a political government. There is no justification for political government, whichever way you argue.

(Available through Mermaid Press, Box 183, Vermilion, Ohio 44089, \$4.95 postpaid, paperback).

Voluntaryist Research Topics

From time to time, your editor comes across subjects which, to his way of thinking, merit more attention from a voluntaryist perspective. In some cases, he simply does not have the time to research them; in other cases, the materials are not at hand.

It is hoped that readers' curiosity might be aroused. Send available information or reference citations to the editor, but even more than that, write an article yourself and submit it to THE VOLUNTARYIST.

1. Before World War II, leaders of the National Academy of Sciences had been "adamant in their refusal to ask for federal funds." This statement is made on page 42 of Don Price's AMERICA'S UNWRITTEN CONSTITUTION (Baton Rouge: La. State University Press, 1983). Who were these leaders and why did they change their position?

2. According to Vine Deloria, during World War I, the "Government stepped in, (and) sold the Indians' cattle for wartime needs." We ought to ascertain if this is another case of government expropriation. See NEW YORK TIMES MAGAZINE, March 8, 1970, p. 48. This citation came from a documentary history of Indian resistance, titled LET ME BE A FREE MAN, Jane B. Katz (ed.), Minneapolis: Lerner Publications, 1975, pp. 140 and 181.

3. During World War II, 10,110,103 men were inducted into the Army, but only 2,670,000 were trained for actual ground combat. Of these, a very large number, believed to be as high as a million men, soon managed to escape combat by such devices as bad-conduct discharges, or self-inflicted wounds, or by being excused by psychiatrists for some form of mental insufficiency. A "section eight" discharge was one "without honor, for the good of the war effort." This information is taken from William Bradford Huie's THE EXECUTION OF PRIVATE SLOVAK (New York: Duel, Sloan and Pearce, 1954, p. 11). (Slovak was the only man in modern times to be executed for desertion from the U. S. Army.)

There must have been thousands of hill-billies and back country men that were drafted during World War II. Were they already indoctrinated enough to accept the legitimacy of the United States government? Did they resist the authority of the U. S. Government, and if so, how? Was the "section 8 discharge" the Army's way of coping with their passive or active resistance to authority?

4. Years ago, I found the following quote by Robert Louis Stevenson: "You cannot run away from weakness; you must sometime fight it out or perish; and if that be so, why not now and where you stand?" Are there any Stevenson scholars out there that can furnish us with the full citation for this quote?

Was Aesop A Voluntaryist?

Many of us are probably familiar with the FABLES, written by Aesop (620-560 B.C.), the Greek slave. It has been years since I read them; but recently a subscriber to THE VOLUNTARYIST suggested that I look at some of them. The following are two taken from the Joseph Jacobs edition of THE FABLES OF AESOP, first published in 1894, and reprinted by Schocken Books (New York: 1966).

Make up your own mind: Was Aesop a voluntaryist? One hint: When a selection of the FABLES was translated into Chinese in 1840, they became favorite reading with government officials, until a high dignitary said, "This is clearly directed against us, and ordered Aesop to be included in the Chinese INDEX EPURGATORIUS."

The Frogs Desiring A King

The Frogs were living as happy as could be in a marshy swamp that just suited them; they went splashing about caring for nobody and nobody troubling with them. But some of them thought that this was not right, that they should have a king and a proper constitution, so they determined to send up a petition to Jove to give them what they wanted. "Mighty Jove," they cried, "send unto us a king that will rule over us and keep us in order." Jove laughed at their croaking, and threw down into the swamp a huge Log, which came down - kerplash - into the swamp. The Frogs were frightened out of their lives by the commotion made in their midst, and all rushed to the bank to look at the horrible monster; but after a time, seeing that it did not move, one or two of the boldest of them ventured out towards the Log, and even dared to touch it; still it did not move. Then the greatest hero of the Frogs jumped upon the Log and commenced dancing up and down upon it, thereupon all the Frogs came down and did the same; and for some time the Frogs went about their business every day without taking the slightest notice of their new King Log lying in their midst. But this did not suit them, so they sent another petition to Jove, and said to him: "We want a real king; one that will really rule over us." Now this made Jove angry, so he sent among them a big Stork that soon set to work gobbling them all up. Then the Frogs repented when too late.

"Better no rule than cruel rule."

The Dog And The Wolf

A gaunt wolf was almost dead with hunger when he happened to meet a House-dog who was passing by. "Ah, Cousin," said the Dog, "I knew how it would be; your irregular life will soon be the ruin of you. Why do you not work steadily as I do, and get your food regularly given to you?"

"I would have no objection," said the Wolf, "if I could only get a place."

"I will easily arrange that for you," said the Dog; "come with me to my master and you shall share my work."

So the Wolf and the Dog went towards the town together. On the way there the Wolf noticed that the hair on a certain part of the Dog's neck was very much worn away, so he asked him how that had come about.

"Oh, it is nothing," said the Dog. "That is only the place where the collar is put on at night to keep me chained up; it chafes a bit, but one soon gets used to it."

"Is that all?" said the Wolf. "Then goodbye to you, Master Dog."
"Better starve free than to be a fat slave."

A Free Market In Kidneys?

By Walter Block

According to recent reports, the black market value of a kidney which can be transplanted is some \$13,000-which translates to roughly seven times its weight in gold. This is a dramatic figure,

and behind it lies a tale of untold human suffering.

There are thousands of people who desperately need kidney transplants. Paradoxically, there are other thousands of people who die each year, taking healthy kidneys to the grave, who have had no financial incentive to bequeath these organs to those in need. Why, it may be asked, cannot potential donors be given a pecuniary reward for doing the right thing? That is, what precludes a businessman from purchasing the future rights to kidneys from potential donors, and then selling these kidneys to those who need transplants?

The problem is, it is illegal to harness marketplace incentives in order to encourage kidney donors. In the United States, the National Organ Transplantation Act (1984) prohibits the sale of organs for transplantation.

Instead, we resort to all sorts of inefficient stratagems. Celebrities exhort us, in the event we suffer an untimely death, to make a posthumous gift of these organs. Medical schools coach their students on the best techniques for approaching next of kin; the difficulty is that they must ask permission at the precise time when it is least likely to be given-upon the sudden loss of a loved one.

These tactics have been to little avail. While potential recipients languish on painful dialysis machines, the public hasn't signed cards in sufficient numbers giving permission for automatic posthumous donor status. Things have come to such a pass that in Canada there are plans being bruited about which would allow the government to seize the kidneys of accident victims unless they have signed cards denying such permission.

The free enterprise system, were it allowed to operate, might save the lives of thousands of kidney disease patients. A legalized marketplace would offer strong financial incentives for donors. Would you sign a card donating your kidney after death for \$13,000, right now, in hard cash? There are very few people who would turn up their noses at such an offer. And if sufficient supplies were still not forthcoming at this level, prices would rise even farther until all demand was satisfied. Given free enterprise incentives, there would be no shortage of kidneys.

This, after all, is the same process we rely on to provide the other necessities of life: food, clothing and shelter. We do not wait for voluntary donations of these vitally important goods and services.

There is no doubt that those presently responsible for preventing a free market in kidneys act with the noblest of motives. To them, legalizing the purchase and sale of human organs would be degrading. Far better, from their viewpoint, that people donate their bodily parts for free so that thousands of kidney disease sufferers might live normal lives. However, no matter how benevolent the intentions of the prohibitionists, it cannot be denied that the effect of their actions has been to render it less likely that those in need will be served.

It is time to put aside our archaic and prejudicial opposition to the marketplace, so that we can relieve the suffering and, in many cases, lift the death sentence we have inadvertently placed on our fellow citizens.

(Editor's Note: This article appeared in the August 1987 FREEMAN. For further readings on this topic see Thomas C. Grey, THE LEGAL ENFORCEMENT OF MORALITY, New York: Alfred A. Knopf, 1983.)

What To Do When The FBI Comes

By The National Lawyers' Guild

Given the current trend towards "unleashing" the FBI, it is important that draft resisters, draft counselors and anti-draft activists be aware of the FBI's methods and understand their rights when confronted by the FBI.

Several common misconceptions cause people to succumb to the interrogation techniques of the FBI. There is no legal obligation to cooperate with them. You will not gain any advantage by cooperating, even if the agents suggest or promise that you will, since the FBI will normally lie about this. They will lie to get you to talk, and if you do talk, they will lie about what you said. You cannot outwit them, and cannot either mislead them with false infor-

mation or extract valuable information from them.

One common FBI method is to approach the target or victim directly. If one day you respond to a knock at your door to find two FBI agents there (they work in pairs), follow one simple rule: NEVER talk to the FBI. There is no law or regulation that requires you to do so, yet the prestige and power of the organization is such that many people have the mistaken idea that there is such an obligation.

Never believe you can outwit the agents. They are highly skilled, highly trained and utterly without senses of humor. They may only pretend to want information about you; their real purpose may be to extract information about friends, family members or neighbors.

For example, an agent asks you, "Did your brother register for the draft?" You answer, "I think he did, at least we talked about it last July." Several things have happened in this exchange. First, you have told them, or confirmed, that you have a brother. Second, you have made two statements about your brother: that he was supposed to register and that he knew when he was supposed to register. You have given them information which, fitted together with other information, may make a prosecution more likely. Third, you have begun a conversation with them, which makes it easier for them to keep you talking.

Or your father answers the door. The FBI agent says, "We want to talk to you about your son's failure to register." Father replies, "Dammit, I told him last summer he should have registered." He has given the FBI in one sentence a vital bit of information: that the alleged nonregistrant had knowledge of the registration program. Proving knowledge is one of the requirements of a successful prosecution.

If the agents offer to let an alleged nonregistrant register late, the response should be, "I am going to talk to my lawyer. Go away." If you want to register, your lawyer can set it up. Most important, though, is that any conversation which has gone this far with the FBI is a conversation that should have never happened.

There is a real danger in having any conversation with the FBI. Statements such as "I told him not to register," or any kind of statement that can be construed as "counseling, aiding and abetting" nonregistration gives agents both information and leverage. They could use the statement to threaten a parent, counselor or friend into helping with their investigation. "You've made a statement that is indictable..."

A common ploy of the FBI agents is to say, "If you have nothing to hide, then you certainly should not be afraid to talk to us," or, more bluntly, "What are you afraid of?" You may think that you would not be susceptible to such an obvious tactic, but when you are confronted by two hostile agents, in the early morning hours, and you are all alone, your reaction may be quite different-unless you have prepared yourself in advance to be absolutely non-cooperative.

Sometimes the agents will seem friendly. This is simply another interrogation tactic: an FBI agent is about as friendly as a cobra. But the device is apt to work if you are not prepared for it. It is very difficult to be abrupt or discourteous to someone who seems to be friendly. But remember, the agent's approach is calculating, and designed to injure you or some third party.

Agents will sometimes be threatening, or pretend to have information, or both. The approach may be something like this. "We have information that you were involved with John Doe in connection with that recent bombing." Answer: "I wasn't even in San Diego then." In this example, here is what you have told them.

(1) That a bombing really did take place. They may not have known this-it could have been a sewer gas explosion.

(2) That John Doe was involved, or at least that you believe he was.

(3) That you probably know John Doe.

(4) That you know enough about the bombing to know it happened in San Diego-the agents didn't say so, you did.

(5) That you know when it occurred.

(6) That you were not in San Diego at the time. If this last is true, it may in itself be useful information: if it is false, then two things follow: first, an inference can be drawn that you are trying to hide some involvement and second, you have made a false and possibly criminal statement to a federal officer. So with one simple response you have given a great deal of information to the FBI which can be put together with their information from other sources.

FBI agents know how to arouse your curiosity or fear; they may try to make you believe that, if you talk to them, you will be able to get information from them. Remember that they are highly skilled at this business, and you are not. The information they give you will be insignificant. It may be information that you or others already possess, or they may want you and the others to know that the agents possess it. It may simply be made up entirely, to lure you into thinking that you can get more information from them. It is not the FBI's interest to give you information unless doing so serves a compelling FBI purpose.

The "Mutt and Jeff" routine, in which one agent is threatening, and the other sympathetic, is an old police interrogation tactic sometimes used by the FBI. It should be easy to spot, once you have been forewarned.

Some of the more common harassment techniques used by the FBI are these: the agents will pretend they are looking for you, and will approach friends, family, neighbors or fellow employees, asking about you. News of the visit gets back to you, and you become more and more paranoid. You may even register for the draft, or assume a lower profile in your anti-draft activities, which is the point of the exercise, obviously. They aren't looking for you-they already know where you are. They merely want to harass you. Agents can be expected to routinely approach your boss, or school or university administrators. A favorite tactic is to pull you off the job or out of class, then interview you in full view of others.

Now, what should you actually do when the FBI comes around? (Don't assume that just because you are not involved in illegal activity, they will not visit you.) Also, don't assume that present-day agents are still sinister, grim young men in suits, sincere ties and carefully polished shoes. Some of them now wear casual clothes, some may have beards and long hair. Some are Black or from other minorities, and some are women.

First of all, don't try to outfox them. No matter what you say to them, you have given them some kind of information. You have opened a dialogue with them, which makes it psychologically more difficult to break it off.

The best response is normally to close and lock the door in their faces, but this is very difficult for most people to do. Usually the next best thing is to say, "My lawyer told me not to talk to the FBI." This accomplishes several things. It tells them that you have consulted a lawyer (maybe you really have). It shifts the responsibility for your silence to the lawyer, who is not present. It lessens your feelings of guilt about not cooperating-after all, the lawyer told you to do this. It may raise Miranda issues, at least in the minds of the agents. The U.S. Supreme Court in *Miranda v. Arizona* held that unless a suspect is first advised of certain constitutional rights, including the right to have a lawyer present during questioning, a suspect's statements cannot be used against him or her in any criminal case. This may cause the agents to back off.

It is fairly common for an FBI agent to call on the phone or leave a message asking you to meet the agent or come to the FBI field office. In most cases, it is important that you seek legal advice. A lawyer can intercede and perhaps find out the purpose of the request. The lawyer can also accompany you to the interview, if you decide to appear. If the lawyer tells you, "If you haven't done anything wrong, why not talk to the FBI," find another lawyer.

Constitution - continued from page 1

the states. White male suffrage was generally restricted to those who held land, or property of a certain value. The question of ratification was greeted with apathy and indifference by many. It is quite likely that the Constitution would have been rejected if it had been submitted to a referendum vote of the people. Its adoption was clearly pushed by the politically powerful and men of wealth. "Probably not more than three percent of the male population actually balloted upon the choice of delegates to the various state conventions." Clearly the new constitution was adopted by an unrepresentative process.

On General Principles of Law and Reason, Is the Constitution Constitutional?

Even before the passage of the English Statute of Frauds in 1677, it was a generally accepted legal principle that a contract could not

be enforced unless it was put in writing and signed and delivered by the parties. Who signed the U.S. Constitution and to whom was it delivered? Thirty-nine (out of several million Americans) men signed the document, but not in a manner that made them personally responsible. Today's judges, who profess to derive their authority from the Constitution, would spurn any other written document which did not contain all the signatures of the parties bound to the agreement. On what grounds can it be asserted that the people of the thirteen North American states ever obliged themselves to obey the Constitution?

Did those who voted for the convention delegates bind themselves to accept the Constitution? The anti-federalists opposed the Constitution and could not be said to be honor bound to accept it, even though they voted for delegates to the ratifying conventions. Their opposition was widely known. No delegate held a power of attorney from anyone who voted for him. By what authority could a delegate legally speak for anyone but himself?

Furthermore, to whom does the Constitution legally apply today? Few people consented to the Constitution in any meaningful way. Those persons, even if they gave their formal consent, are dead. If the Constitution was **their** contract, it died with them. "They had no natural power or right to make it obligatory upon their children" or posterity.

Is the Constitution Constitutional?

History and logic provide evidence for the conclusion that the Constitution is unconstitutional. It did not legally supercede the Articles of Confederation. How can a document the adoption of which violated the laws of due process purport to be the foundation of our government? Time does not heal violations of "due process." Furthermore, the Constitution was neither signed nor delivered, and its obligation, if it ever had any, attaches to no one now. The Constitution was an illegal usurper at the time of its inception. The government which it spawned has been an ongoing criminal conspiracy that has used the document to legitimize its activities.

Since the Constitution is Unconstitutional, What Do We Do?

There are two essential things each one of us can do. One is positive, the other, negative. First, we must assume self-government and take on the responsibility of caring for ourselves, and our own. If each of us can fill the prescription for the good life, we probably don't need a constitution anyhow. And if we can't, a constitution won't do us much good. A society is only as healthy as the individuals who compose it. Our emphasis must be on creating strong-willed, self-governing, principled individuals.

Second, we must not sanction the Constitution in any way. Voting, holding political office, a government job, or pledging allegiance to the Constitution, all sanction the system. We should avoid using tax-supported services to the greatest extent possible. If circumstances make it difficult not to use such services (roads, post office, government money), we should speak out and make it plain that we call for an end to such services.

In a sense, our first mission - of providing for ourselves - encompasses the second directive of not sanctioning the government. If we concentrate on becoming better people and building stronger families, we will, of necessity, avoid relying on government. Depending on the government diminishes our self-respect and self-responsibility.

Constitutions are signs of mental laziness. The surest sanctuary of freedom for a people is not in constitutions or bills of rights, but rather in the minds of the people and in their attitudes towards those who encroach on their rights. Many nations have been tyrannized by governments that ruled according to constitutions (Nazi Germany and Soviet Russia). If people reject the legitimacy of those who would trample on their rights, they are on the road to being safe and free. If they do not reject such attempts, no constitution in the world will save them from tyranny.

It is clear that Americans should stop supporting the Constitution. Today's controversies surrounding the Constitution are directly traceable to the fact that it is a cover for an illegitimate government. Isn't it time to reject the Constitution and all forms of political government? Isn't it time each one of us assumed self-government over the only person we can rightly govern - our own

selves?

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Treason - continued from page 1

voluntaryists and THE VOLUNTARYIST are clearly not guilty of - we are definitely guilty of attempting (through education and other peaceful, non-violent means) to weaken the power of statism in this country and every other country in the world. It is in this sense that we are treasonous and seditious: we oppose not only specific states, (such as the United States) but the very concept of the nation-state itself. Without the State there would be no compulsory institution to betray. One is not accused of treason when one quits Ford Motor Co. and goes to work for General Motors. But it is generally considered treasonous to renounce one's citizenship (as when one attempts to become a naturalized citizen of a country that your country is at war with) because allegiance to the State was historically deemed perpetual and immutable.

Since voluntaryists look upon the State as a criminal institution, we believe that we owe it no allegiance. Since we view the U.S. Constitution, as "a covenant with death, an agreement with hell," as William Lloyd Garrison put it, we accept no duty to uphold it or abide by it. Since the State is a thief we owe it no respect. The State is an invasive institution **per se**, that claims sovereign jurisdiction over a given geographical area and which derives its support from compulsory levies, known as taxation. The invasive trait of the State "persists regardless of **who** occupies positions of power in the State or **what** their individual purposes may be." This insight leads us to view the State and its minions as a criminal gang engaged in a common criminal enterprise - namely, the attempt to dominate, oppress, coercively monopolize, despoil, and rule over **all** the people and property in a given geographic area.

It is important to understand that although we owe the Constitution or the United States no duty, voluntaryists are not criminals, like those who hold State power. The touchstone for our own personal behavior is the Stoic conception of freedom as self-control. We ask others to act by the rule of proprietary justice, i.e., the recognition of each person's self-ownership of his or her self and their legitimate property rights. We urge people to defy all forms of statism (what others would label "democratic" we would label tyranny; for all forms of statism are inherently tyrannical). However, urging them to defy tyranny does not imply that they necessarily break all laws. If the State directs us to do something opposed to our reason, then we defy the State. If the State tells us to do what our reason tells us to do anyhow, then there is clearly no need for the State. We respect reason and natural laws, not the Constitution and the political laws published by Congress.

The pages of THE VOLUNTARYIST have been filled with accusations of State criminality (and its historical proof) since our very first issue. This writer has suffered at the hands of State employees, and probably every reader has surrendered at least part of his or her earnings to these "authorities." We have posted an "International Crime Bulletin" (see Issue 22, November 1986) asserting that the State and statists have committed the most dastardly crimes in the history of mankind. In this century alone, various States worldwide have been responsible for murdering over 155 million people. We have recognized that war and taxes are the health of the State; that both activities are functions of States - that without States no such activities on so wide a scale could ever occur. We accuse all States of these crimes and advocate withdrawal of the cooperation and tacit consent on which State power ultimately depends.

Let us therefore join in with Patrick Henry: "'Caesar had his Brutus, Charles the First his Cromwell,... If **this** be treason, make the most of it.'"

Letter to the Editor

I enjoyed John Pugsley's "The Case Against T-Bills and Other Thoughts On Theft," (October 1987) especially the passage on the nature of citizenship. I confess, thanks to my government education, I didn't know one could relinquish one's citizenship until I saw the question on the form I filled out when I bought my first handgun.

You said many things I still hope to get around to in "We're All Inside Traders," and the only thing I'd like to add is that it would be humorous -- if it weren't so damn dangerous -- to watch business people, having long ago backed down and accepted enslavement by their "anti-materialist" beneficiaries, insisting, and then attempting to prove, that they do their jobs out of ignorance. Do you want someone who ignores reality handling your money?

As for Wilson's "Moral Riddle": first, since he's facing the current moral dilemma, we may assume that Conchis has acted morally up to this point, i.e., that he did not assist the Nazis in rounding up the 300 townsmen through the use -- or threat -- of force. That being the case he has no further part to play in whatever transpires between the 300 men and their executioners since each and every one of the 300 had the opportunity to act to maintain his freedom or die in the attempt. The same applies if they have yet to be captured.

Since the 300 are effectively "out of the picture," this leaves Conchis with the choice of killing the three innocent men, or refusing to do so. If he chooses to kill the three -- acting to preserve his own life -- he becomes a mere inanimate tool of the agent responsible for compelling the choice. There's plenty of historical evidence that, having defaulted to that amoral role, he'll be employed over and over again in similar circumstances -- faced the following day, or week, or month, with killing more innocents -- until, in the end, accruing no personal blame, the entire population of the town has, nonetheless, been destroyed.

If he refuses to kill the three -- and simultaneously removes his usefulness to the Nazis' evil ends -- in all likelihood he becomes number 301 with the same fighting chance the rest possess. At least, under these circumstances, he faces killing or being killed by the proper parties who must now perform their evil deeds with their own hands.

Your own reference to a LeFevrian solution is distasteful to me in only one respect. It's a passive choice simply to commit suicide by someone else's hand. My own choice would be to refuse and at least attempt to "take an honor guard to hell" with me.

In closing, Fred makes two arguments with which I disagree. The first is the myth that there are "degrees of force." People communicate with one another in two ways, through reason -- language, both written and spoken, the exchange of money, and other "valuable consideration" -- and through force. When a man chooses to use force (or threat of force) as his means of communication he has made a qualitative choice, and the degree to which he intends to use it is both unknown -- and irrelevant -- to his intended victim. For instance, a man -- who possesses greater upper body strength than a woman -- may intend merely to give me a black eye to communicate his wish for my compliance. Be that as it may, I consider myself under no obligation to assume that he'll go no further. He has chosen the level of discourse, and, precisely as with verbal confrontations, the superior application of force is most likely to win.

The second is Fred's rejection of heroism. In my view, heroes are people who, having examined both the risks and rewards associated with any act -- no matter how significant it may seem to anyone else -- choose to do that which they perceive as being moral. I can find nothing to object to and nothing I would reject in that manner of facing the world. I don't insist that the people around me be heroes, but I've had a remarkable opportunity to become associated with people of that caliber through the Covenant of Unanimous Consent and I'm glad they're out there and that I can call many of them my friends. They are whatever future exists for humanity.

Regards,
Cathy L.Z. Smith
Signatory to the Covenant
of Unanimous Consent

P.S. Before this letter was sent, L. Neil Smith made the following comments:

Wilson's riddle, like all "lifeboat cases," is a paradigm deliberately constructed to exclude the faculty of reason, and, therefore, any considerations of morality. Under such constrained circumstances, about the only choice left is one of aesthetics (which, Rand to the contrary, are essentially random and culturally determined). This means that one answer is as good as another, but it seems to me most aesthetic to turn whatever weapon you're handed on the guy who handed it to you -- whatever the consequences. The alternatives offend my dignity.

(Editor's Note: Cathy is editor of APALogia. Information about her publication and the Covenant of Unanimous Consent may be had from 111 E. Drake, Suite 7032, Fort Collins, Colo. 80525.)

A Vignette From History: Rose Wilder Lane

(Editor's Note: One of the "grande dames" of modern libertarianism was Rose Wilder Lane (1886-1968). The following excerpt is taken from pages 34-37 of William T. Anderson's LAURA'S ROSE--THE STORY OF ROSE WILDER LANE, available from Anderson Publications, Box 423, Davison, Mi. 48423, \$4.25 PPD.)

THE DISCOVERY OF FREEDOM brought Rose no wealth - she returned the advanced royalty check - and hardly fame, but it was an enormous accomplishment; something intangible. "You started the modern literature of freedom in 1942 ..." someone wrote Rose once, and it was true. Gradually, precious copies of DISCOVERY circulated and whole lives were changed and new thinking and ideas poured into minds entrenched by New Deal policies and politics. Rose Wilder Lane became the "grande dame" of what became known as the philosophy of Libertarianism, or Individualism.

Rose was thrilled by the book's accomplishment. But she saw it as merely a start. Day after day, she studied and wrote and corresponded - following up every last lead to introduce others to her way of thinking. Her huge correspondence, which shared ideas, sharpened and honed her own understandings, was monumental. Meanwhile, as World War II heightened, so did what Rose termed "regimentation" of human lives.

How she hated red-tape, government snooping, and boring things like ration books! Asking as she said, "some pert, snippy official" for permission to live was more than Rose would tolerate. And so on her three acres she raised great quantities of food to preserve (and even give away), to avoid a ration-book. She cut her expenses to the bone; the only writing she did was the editing of the National Economic Council's REVIEW OF BOOKS for \$60 per month - that let her escape from income tax. And she positively refused to be social secured - that, she thought, had led to Germany's downfall. "Did I ever tell you," she wrote Jasper Crane, "about the one, enraged, determined to get me into 'social security' who shouted at me, 'I am a PUBLIC SERVANT, I have no time to listen to YOU; you will do as I say or ELSE!?' They are really funny sometimes..."

In 1943, something occurred which Rose found less than funny. On a post card she responded unfavorably to an informal radio poll asking listeners' opinions of social security. Somehow, the card was intercepted in the mails - it never did reach New York City - and because Rose had likened social security to "national socialism" (Naziism), the FBI dispatched investigators to her quiet Danbury home. Rose was appalled and indignant when a zestful young trooper dared to question her Americanism. When she demanded to know just what the State Police had to do with "any opinion an American wants to express," the trooper informed her that what she thought and said added up to "subversive activity." Later on, recounting the event in a pamphlet she wrote for the National Economic Council, Rose recounted her reaction:

A furious American rose to her full height. "You do not like my attitude? I am an American citizen. I hire you. And you have the insolence to question my attitude? What is this-the Gestapo?" I'm against all this so-called social security - I'm subversive as hell.

The incident was reported over the radio and over all the presswires. Rose succeeded in creating a national beehive, quite innocently, and publicly she warned all Americans to be vigilant of their rights. She asked: "Is there censorship within the American borders? If so, who is the censor? Who is obstructing the delivery of American mail? Precisely what is happening?"

By 1944, Rose was so distressed with what she saw as "regimentation" by New Deal and wartime tactics that she took another drastic step. She announced that she was "taking to the storm cellar until the Roosevelt administration blows over." She gave up her New York apartment, she ceased all writing so that not a tax dollar of hers would contribute to New Deal policies. And as an example to her readers, she revealed how very well one could live off the produce of even a small acreage like hers.

"I stopped writing fiction because I don't want to contribute to the New Deal," Rose explained when the news broke and reporters came swarming to question why the celebrated Mrs. Lane was retiring. "Income tax was the last straw," she said. "I don't see why I should work to support the Writer's War Board, the OWI and such New Deal piffle while men are dying and there's work to be done at home." "They've tried price fixing since before the big flood and it's never worked," Rose went on. "The only effect is that it cuts down production and encourages black markets." When reporters queried just how Rose intended to survive, she led them down to her cellar. There, on the shelves 800 jars of canned produce glowed like gems. "That's genuine social security," Rose beamed. She also explained that she had bought an interest in a cow, a pig, and fortunately-her pioneer instincts served her well- she had a great quantity of flour stocked when rationing had set in.

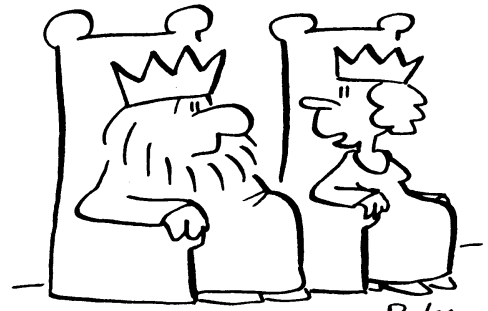
Setting herself up as an example, Rose told readers that "the thing to do if you believe practices are wrong is to resist them. The American people did it with Prohibition. The colonists did it when King George III tried to overtax them. The New Deal is going back to King George's economy and scarcity. We've got to resist. I feel very, very hard times are coming, but I also feel the people will pull through. I'm not pessimistic about that."

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