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

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Titles in Search of Property: Should Fractional-Reserve Banking Come to an End?

By Carl Watner

In my article, "Free Banking and Fractional Reserves" in Issue 29 of THE VOLUNTARYIST (December 1987), I conceded that "fractional reserves do not constitute a breach of contract when and where that practice is specified" between the banker and his customer. After reading Hans-Hermann Hoppe's 1998 article on "Fiduciary Media" (Volume 1, Number 1 of THE QUARTERLY JOURNAL OF AUSTRIAN ECONOMICS, pp. 19-50, with Jorg Guido Hulsmann and Walter Block), I want to reconsider this concession. Is a voluntary fractional reserve contract between consenting parties legitimate, or should a public consensus be reached that fractional reserve banking is contrary to the general legal principles of a libertarian society? The purpose of this brief article is to examine these questions, and to consider their ramifications.

The first of Hoppe's points that I would like to review is his reference to the "tragedy of the commons." In the conclusion to footnote 6, on page 23 of Hoppe's original article, he explains that "every issue of fiduciary media - to titles in search of property - sets in motion a rush always starting with the bank and its clients, to fill these empty tickets with existing property; and in the course of this rush, invariably the firstcomers will physically enrich themselves (through the appropriation of existing quantities of property) at the expense of a corresponding impoverishment of latecomers, whose quantity of existing property is physically diminished while they have been left with a larger number of property tickets." In other words, when customers of a fractional-reserve bank make a "run on the bank", the firstcomers get the money, while the latecomers are left holding the proverbial bag with nothing in it. Or, as Murray Rothbard wrote in WHAT HAS GOVERNMENT DONE TO OUR MONEY?:

The issue of warehouse receipts for non-existent goods, identical with genuine receipts, is fraud upon those who possess claims to non-existent property. ... Which particular receipts are fraudulent can only be discovered *after* a run on the bank has occurred (since all the receipts look alike), and the latecoming claim-

ants are left high and dry. [p. 24, fn 17]

At the peak of the silver market in early 1980, the Hunt brothers and other speculators were "squeezing" the market. They did this by owning an enormous stockpile of silver bullion and owning future contracts under which they were entitled to purchase even more silver. The Hunts were "long" in the market, hoping for further price appreciation; while the "shorts," or people who had sold silver they didn't own, were hoping that the price would decline. Then they could profit from buying silver at a lower price in order to fulfill their selling contracts which were at a higher price. Every "squeeze" or attempt to "corner" the market usually involves a situation similar to the "tragedy of the commons," or one similar to a "run" on the bank. If no one sold property they didn't own, there would be considerably less danger of market speculations between the bears and the bulls. Queries: Should the sale and purchase of naked futures contracts and short stock sales be abandoned in a free market? Should speculators be able to buy and sell contracts to non-existent quantities of things which they promise to deliver in the future - or to commodities which they don't properly have title to - and then be able to satisfy these contracts by offset rather than actual physical delivery? What parallel exists between fractional-reserve banking and short sales on the stock market and commodity speculation via the futures market?

While I am not prepared to answer these questions in this article, the question of promising to buy

continued on page 3

Since, both B [the bank] as well as A [the depositor], count the same quantity of money simultaneously among their own assets, they have in effect conspired to represent themselves in their financial accounts as owning a larger quantity of money than they actually own: that is, they have become financial impostors. [pp. 26-27] ... Fractional reserve banking does not increase the quantity of existing property (money or otherwise), nor does it transfer existing property from one party to another. Rather, it involves the production and sale of an increased quantity of titles to an unchanged stock of property (gold); that is, the supply of and the demand for counterfeit money and illegitimate appropriation. [Hoppe, et. al., p. 33]

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The Plunderers

By Michael Coughlin

The other day there was a news broadcast in which a couple women wondered aloud why politicians were doing nothing to help solve the "crisis" in medical care facing people in the United States, particularly older Americans. One was practically crying when she talked about the choice her grandmother had to make between paying to heat her home or buying her prescription drugs. Washington needed to help her grandmother. It just wasn't right that Americans had to make such choices and it was long past the time government should have done something to help, she argued.

I'm sure the two women walked away from the microphone feeling proud of their efforts to help solve the medical care "crisis." They had demonstrated their concern. They were involved. They were advocates for the less fortunate in our country. They can feel proud of themselves because they care and are compassionate. And I'm convinced that many others looked at them and thought about how noble these two women were, especially the one who was so troubled by the plight of her grandmother.

But as I listened, I came away with quite another picture of the two. I didn't see compassion. I saw arrogance. I saw two women who said that they have the right to force other people to work for them.

These women, and so many others like them, hide behind "government" to steal from others. They act as though their good intentions excuse their thievery. They are part of a group of people I refer to as "plunderers." Their noble causes serve to mask the ugly nature of their actions. But noble motives cannot justify their behavior. Noble motives don't change the nature of plunder.

Every man and woman has sole claim to his or her life and every person has sole claim to his or her labor and the fruits of his or her labor. If people choose to give their lives and labor to help others, that is a choice they make and a choice they have every right to make. No one, however, has a right to take anything from another. No one has a claim on the life or property of anyone else. To believe otherwise is to

sanction theft and slavery, that is, plunder.

Slavery isn't a race issue. It isn't a class issue. It is the forcible taking of the lives and property of others. It doesn't matter who does the taking or what excuse he offers.

These women wanted the government to bare its teeth on their behalf. They wanted the tax collector and his billy club to extort money from others to hand it over to the grandmother. By hiding behind the mask of government, they can appear civilized and kind and generous while their hired politicians are taking money (taxes) from their neighbors. If they went directly to their neighbors and demanded money for their grandmother's prescriptions, everyone would recognize that a theft had occurred. But when they hide behind the mantle of politicians and tax collectors, they can pretend to be compassionate.

I wish I had been able to ask them some questions. For example:

You look like healthy, strong young women. How much money are you earning to make sure your grandmother(s) have the care and medicine they need? Why don't you and your family look after your own grandmother? Why do you want to make someone else do it for you?

Why should someone else have to pay for your grandmother's prescriptions. What right do you have to take money away from others so your grandmother won't have to dip into her own savings to pay for her medicine?

Do you or your grandmother have the right to make someone else work to support you? If you do, how and when was it that the other person became your slave?

What makes you think that calling on Washington to do something won't make the problem worse? After all, Washington has waged a multi-trillion dollar war on poverty since the 1960s and we are no closer to eliminating poverty now than we were then. Billions have been sunk into government housing programs and many of the worst crime-infested neighborhoods in our cities are in those government-sponsored housing projects. Why do you think that getting government increasingly involved in the medical industry won't drive the cost of medical care totally out of sight and eventually lead to government-mandated-and-directed rationing? And then where will your grandmother (and the rest of us) be?

Some medical costs are high. But could it be that those costs, in part, already reflect Washington's deep involvement in the medical care industry? Won't getting the government even more involved raise medical costs more dramatically, just as the cost of higher education went through the roof after Washington started footing education expenses?

You pretend to be compassionate, caring people. But your selfish, greedy natures, your disdain for your neighbor and desire for his money are all too evident to a careful observer. If you really do love your grand-

mother, then set aside part of your life and your money to take care of her. Don't demand that others shoulder your family responsibilities. She is your grandmother.

These women are not untypical of a certain segment of America. They think they have a claim to other people's lives and labor. They imagine some "need" and then demand government force people to pay for it. The size of their eyes and the perception of what they can get away with are all that set limits on their demands. A century ago nobody would have pretended that medical care was a "right" enforceable against the earnings of other people. No one would have suggested his neighbor should be forced to buy medicine for him. But America has grown fat and rich during the intervening century, and the greedy have crawled out of the woodwork to demand they get a portion of other people's pies. They don't wear the pirate's eye patch and wield his sword, but they are about the same business he was—living off the life and labor of others. They mask their behavior behind high sounding rhetoric. They pretend to be compassionate, but the truth is they show no compassion for those who are forced to pay for their pet projects. It is clear that our country's great wealth is devouring any moral sense we may have had. We have taken up the religion of ease and convenience and have cast aside personal responsibility. ...

[This article is available as a booklet. Contact Box 205, Cornucopia, WI 54827.] ☐

Titles in Search of Property: Should Fractional-Reserve Banking Come to an End?

continued from page 1

and sell property which one does not own and does not have on hand was astutely discussed by W. Stanley Jevons in his book *MONEY AND THE MECHANISM OF EXCHANGE* (New York: D. Appleton and Co., 1919). In Chapter XVII, "The Nature and Varieties of Promissory Notes," Jevons made the following observations:

He who issues a representative or promissory document, engaging to give a certain quantity of a defined commodity in return for the document when presented, may really make any one of three distinct engagements.

1. He may promise to keep a certain identical article in his possession until it is called for.
2. He may engage to have in his possession a certain amount of commodity ready to meet the promissory notes, without distinguishing between portion and portion of a similar substance.
3. The undertaking may merely be to the effect that the required commodity shall be

forthcoming when the note is presented, no covenant being made as to the quantity to be held in stock for the purpose.

Specific Deposit Warrant

The most satisfactory kind of promissory document is the first, which is represented by bills of lading, pawn-tickets, dock-warrants, or certificates which establish ownership to a definite object. ... The important point concerning such promissory notes is, that they cannot possibly be issued in excess of the goods actually deposited, unless by distinct fraud. ...

General Deposit Warrant

We pass to the case in which the issuer of a promissory document engages to keep on hand goods exactly equivalent in quantity and quality to what are specified thereon, without taking note of individual parcels. ... The difference [between a specific deposit warrant and a general one] seems to be slight, but it is really very important, as opening the way to a lax fulfillment of the contract. ...

Difference between a Special and a General Promise

He who has made a special promise to give definite parcels of goods in return for particular individual papers, cannot issue any such promissory papers without holding corresponding goods. If he does so, he will continually be liable to be convicted of fraud or default by the presentation of a particular document.

If the promises made by him, however, are only general ones, any promissory document can be met by any portion of the commodity of the proper quality, and it will be necessary to present most or all of the documents in order to disclose the default. The way is thus opened for the speculative issue of promissory notes. ...

Moreover, it now becomes possible to create a fictitious supply of a commodity, that is, to make people believe that a supply exists which does not exist. ... [emphasis added]

It might be urged, indeed, that there is a natural right belonging to all persons to make promises, if they can thereby benefit themselves. ... [But] it used to be held as a general rule of law, that any present grant or assignment of goods not in existence is without operation. Though the rule seems to be generally disregarded, there are many cases in which it might be advantageously enforced. [pp. 201-206]

Another topic related to the "natural right to make promises" regards the enforceability of voluntary slavery contracts in a free society. Should an individual be able to make a contract promising that he or she

will become a slave? What happens if the promisor willingly becomes a slave, and then changes his or her mind? Murray Rothbard in *THE ETHICS OF LIBERTY* examines these questions. He concludes that voluntary slavery contracts should be unenforceable because "there is no transfer of title" when Smith promises to abide by the wishes of Jones for the rest of his life. "Smith's control over his own body and will are *inalienable*. Since that control *cannot* be alienated, the agreement was not a valid contract, and therefore should not be enforceable. Smith's agreement was a *mere* promise, which it might be held he is morally obligated to keep, but which should not be legally obligatory." [p. 135]

[F]iduciary media represent new and additional titles to or claims on an existing and unchanged stock of property. ... They represent an additional supply of property *titles*, while the supply of *property* has remained constant. It is precisely in this sense that it can be said of fiduciary media that they are created out of thin air. They are property-less titles in search of property. This, in and of itself, constitutes fraud, ... Each issuer and buyer of a fiduciary note (a title to money uncovered by money), regardless of what he may believe, is in fact - objectively - engaged in misrepresentation for the purpose of personal gain. [Hoppe, et. al., p. 22]

Rothbard also notes that the very concept of "voluntary slavery" is a contradictory one: "for so long as a laborer remains totally subservient to his master's will voluntarily, he is not yet a slave since his submission is voluntary; whereas, if he later changed his mind and the master enforced his slavery by violence, the slavery would not then be voluntary." In short, Rothbard concludes that we are limited by "the facts of the human condition [and] by the nature of man and his world." [pp. 40-41] In his consideration of slave contracts, Rothbard takes a position very analogous to Hoppe's position on the illegality of fractional-reserve bank notes. Hoppe observes that it is the nature of reality that "two individuals cannot be the exclusive owner of one and the same thing at the same time" and that no contract or promise can invalidate this fact of nature. If a contract tries to make simultaneous ownership by two different people of the same property occur then such a contract "is objectively false and thus fraudulent." [p.22]

This is one of Hoppe's main reasons for arguing that the practice of fractional-reserve banking should be outlawed: it contradicts reality and denies the nature of things. A fractional-reserve contract "is from the outset - a priori - invalid." Hoppe bases his argument on the fact that "the theory of property must precede the treatment of contracts ... inasmuch as

contracts are constrained by property and property theory. Thus agreements regarding perpetual motion machines are invalid, ... and from the outset false and fraudulent. ... A fractional-reserve banking agreement implies no lesser an impossibility and fraud than that involved in the trade of flying elephants or squared circles. ... [T]he bank and its customers may agree to make money substitutes debts instead of warehouse receipts, but just as they may say that triangles are squares, their saying so does not make objective reality conform to their desires and agreements." [pp. 25-26] Just because some people might prefer fractional-reserve banking agreements is no reason that such contracts "are ethically permissible or socially beneficial." [p. 31] Some people prefer to confiscate the goods and services of others, but the agreements they make with their cohorts over how to share the spoils are not enforceable. No one urges that this is a restriction on their freedom to contract as they please. Similarly, Hoppe argues that "no one may operate a fractional reserve bank for the same reason that no one, in any other line of business, may engage in counterfeiting, that is, the production and sale of titles or copies to non-existing property or originals." [p. 33] To prohibit fractional-reserve banks "is not a restriction on freedom of contract in the market for banking services, but the requirement of ... [honest] money and banking." [p. 34]

Now what does it mean when someone urges that murder, or fraud, or fractional-reserve banking be outlawed or prohibited in a free society. Who should establish the prohibition? Who should define 'murder' or 'fraud' or 'fractional-reserve' banking? In statist societies, it is usually the government and government judges that answer such questions. But on the contrary, in a free society, each and every person must answer these questions. As Ayn Rand put it, "Who is the final authority ... ? Any man who cares to acquire the appropriate knowledge and to judge, at and for his own risk." Who defines what is proper usage in the English language? - not a monopolistic organization of force but rather the sanction of custom and good sense. So when Rothbard writes in "THE CASE FOR A 100 PER CENT GOLD DOLLAR" that since "fractional-reserve banking is fraudulent, then it could be outlawed not as a form of administrative government intervention in the monetary system, but rather as part of the general legal prohibition of force and fraud," [p. 119] the implication is that in a free society there must be a generally accepted legal code. In *FOR A NEW LIBERTY*, Rothbard explicitly concludes that such a code must be "consistent with libertarian principles." It is necessary

to lay down precise guidelines for the private courts. If, for example, Court A decides that all redheads are inherently evil and must be punished, it is clear that such decisions are the reverse of libertarian [principles, and] that

such a [decision] would constitute an invasion of the rights of redheads. Hence, any such decision would be *illegal* in terms of libertarian principle, and could not be upheld by the rest of society. It then becomes necessary to have a legal code which would be generally accepted, and which the courts would pledge themselves to follow. The legal code, simply, would insist on the libertarian principle of no aggression [or fraud] against person or property, define property rights in accordance with libertarian principle, set up rules of evidence (such as currently apply) in deciding who are the wrongdoers in any dispute, and set up a code of maximum punishment for any particular crime. [pp. 234 - 235] ...

[I]n the ... libertarian society, the basic legal code ... would have to be established on the basis of acknowledged libertarian principle, of nonaggression against the person or property of others; in short, on the basis of reason rather than on mere tradition, however sound its general outlines. [But inasmuch as we already have a historical] body of common law principles to draw on ... the task of ... correcting and amending the common law would be far easier than trying to construct a body of systematic legal principles *de novo* out of the thin air. [p. 239]

In an article in *REASON* defending this position, Rothbard wrote that, "In my view, the entire libertarian system includes: not only the abolition of the State, but also the general adoption of a libertarian law code. ... [I]n my view 'libertarianism' includes agreeing to a libertarian law code. If most people believe in outlawing nudism, then there is very little we can do about it; but this simply means that most people have not yet become libertarians." [May 1973, p. 24] This reasoning applies just as readily to slavery, as it does to fractional-reserve banking. In a culture where the ownership of one person by another is considered evil, slaveowners are considered inhumane and repulsive. Yet in the antebellum South, where slavery was widespread and accepted, slaveowners were an elite class. Thus, everything depends on public opinion. In a society where fractional-reserve banking is recognized for what it is: a fictitious increase in the supply of money substitutes, such a practice will be considered fraudulent and hence reprehensible. The only difference between slavery and fractional-reserve banking is that the former is now considered immoral, while the latter has been protected by the government (much as the government courts protected slavery before the Civil War).

Yet doesn't fractional-reserve banking amount to counterfeiting, and isn't counterfeiting considered impermissible, as Hoppe would put it? If fractional-

reserve banking does differ from counterfeiting, how does it differ in any essential? Both "*create money out of thin air*": one by printing fraudulent notes; the other by resorting to fractional-reserve loans. Both "extract resources from the public, from the people who have genuinely earned their money." The only difference is that counterfeiting is recognized as an outlawed practice, while fractional-reserve banking is embraced by the government and the banking establishment. [Rothbard, *THE MYSTERY OF BANKING*, p. 98]

So where does this conclusion leave us? People must be educated to understand that counterfeiting *and* fractional-reserve banking both undermine "the moral and property rights foundation that lies at the base of any free-market economy." Both distort "the economic system, and amount to stealthy and insidious robbery and expropriation of all legitimate property-owners in society." [Rothbard, *THE CASE AGAINST THE FED*, pp. 26-27] Once people are convinced of the violation of property rights that fractional-reserve banking engages in, they will disavow the practice as dishonest and fraudulent. Until that time comes, public sentiment will prevail in letting the practice flourish. Or as Abraham Lincoln is reputed to have said about slavery:

[Why do fractional reserve banks dominate the money market?] The answer is that the courts deciding these matters everywhere are *state* courts. Only if a single court possesses a territorial monopoly of jurisdiction is it possible that the dispute at hand [the legitimacy of creating fractional-reserves] could be settled once and for all. And that it has been uniformly settled in the way that it was, by permitting rather than prohibiting fractional reserve banking, follows from the interest of every court and judge *qua* state court and state judge. The owners and agents of the state recognize fully as much as the bankers the potentials of money counterfeiting as a source of income. In permitting bankers to issue fiduciary media (rather than prohibiting the practice as counterfeiting), banks are made existentially dependent upon the state. They can only operate because the state, due to its territorial monopoly of jurisdiction, shields them from counterfeiting suits; and the state does so only under the provision that banks will share with it in the extra revenue and credit derived from legalized counterfeiting. Hence, by permitting fractional reserve ... banking the state actually creates the first and preliminary form of a joint-bank-state-counterfeiting cartel under its own ultimate control. [Hoppe, et. al., p. 35]

With public sentiment nothing can fail; without it nothing can succeed. Consequently, he who molds sentiment goes deeper than he who enacts statutes or pronounces decisions.

Or as I would add: We do not require statutes or court decisions to prohibit fractional-reserve banking. We simply need to educate the public as to why fractional-reserve banking is a rights-violating practice, and then urge them to abandon patronage of fractional-reserve banks.

[Author's Addendum: After writing this article, it occurred to me that there was one other important point to be made regarding the effects of fractional-reserve banking. George Selgin, Lawrence White, and others who support the contractual right of banks to engage in fractionalizing reserves seem to be oblivious to a very basic insight of Austrian economics - namely -

that, apart from the industrial or consumption uses of gold, an increase in the supply of money confers no social benefit whatsoever. ... [A]n increase in the supply of money ... will not increase production. ... [T]he great attraction of "inflation" (an increase in the quantity of money) is *precisely* that not everyone gets the new money at once and in the same degree; instead the government and its favored recipients of purchases or subsidies are the first to receive the new money. *Their* income increases before prices have gone up; while those unfortunate members of society who receive the new money at the end of the chain ... lose because the prices of the things they buy go up before they can enjoy an increased income. [Rothbard, *THE ESSENTIAL*

VON MISES, pp. 23-24]

In short, an increase in the supply of money causes political changes in the distribution of wealth in favor of those who receive the new "fictitious" money first.

Since only the favored few receive the new money earliest, shouldn't the majority of the consuming public be in favor of abandoning the process of artificially increasing the money supply?] ▣

There Is an Alternative

By Rufus Porter

I wish to suggest an alternative to political government that is neither ... socialistic, communistic, nor utopian. It is simply voluntarism, or government by, of, and for the market place. ... [S]ince it is life that must be governed, the market place would seem to be the proper source of such government.

But, and this BUT is very important, the market place must be free and unhampered from any and all restrictions by political government or any other agencies. There are NO functions of any government, past or present, that the market place could not handle with greater efficiency and at considerable

less cost to the purchasers of its services [emphasis added]. In a free market, no one buys products, services, or commodities he does not need or want.

But all of us want and need protection from the damage of fires, from the ravages of nature, from the criminal element that is ever with us, just as we need life insurance, health and accident insurance, and all the other services that we have always, until recently, purchased in the free market, or at least from free enterprisers. We have never enjoyed a completely free market at any time in history. The government now has a near monopoly in fire protection, in disaster aid and so-called protection from the criminal element. But the government's protection is forced upon us at gun point, and we all pay and pay and pay, whether or not we need or want its "protection," which does not protect. ...

We have the staggering total of 56 million laws, edicts, and decisions in force today in America, and more lawlessness than ever before and it is on the increase. The government has proved to be a colossal failure in protecting us from crime.

Further than that, our present political government actually is the greatest criminal of all time. Now, before you go off half-cocked, let us pause and consider the characteristics of a criminal. Now, a criminal, no matter the nature of his crime, is one who initiates force against another human being. He takes your money, goods, honor, or life without your consent and uses them as if they were his own honestly-acquired property.

And what does the government do? It also initiates force against each and every one of us. It takes our money, goods, honor and, in the case of the draft, or refusal to pay taxes, our lives, with or without our consent, and uses them as though they were its honestly-acquired property. Government is no more, and certainly no less, than initiated force. Initiated force is criminal. QED?

As in the case of the so-called public schools, which are operated by the political government at gun point (the tax gun), where anyone who is opposed to such coercion as an adjunct to education is accused of being opposed to education per se, so it is with those of us who oppose the criminal ideal of political government - we are accused of being opposed to government; ...

Far from enforcing law and order, political governments throughout history have been the chief source of lawlessness, and under the protection of the laws they have enacted to "protect" the citizens.

Why must we always associate "law" with "order"? Since all but a few political laws violate the natural and moral laws, the eternal verities, we MUST obey, is it not apparent that order would be more easily maintained without political laws? Governmental, political laws have created the confusion and tyranny under which we live today. We presently have a plethora of laws, but where is the order?

We have tried compulsion and it has failed miserably for thousands of years. Why not try freedom, voluntaryism, for a change? Could things possibly be any worse under freedom than they are under governmental compulsion and robbery?

With free men trading in a free market the world over, who would there be to start wars, the greatest of all crimes? Wars are started by political governments. They are fought not to protect the people, but the governments. Is a man "protected" when he is drafted against his will and shipped off to die in some dismal swamp to satisfy the ego of some muddle-headed politician?

Voluntaryism is the only alternative, the only answer, the only solution to the woes, most of which are created by political governments, that beset mankind. Some emotional woes will always be with us. But the physical, the political, and the economical ones can be cured in the free market place. ...

[Editor's Note: These long excerpts originally appeared in the Colordao Springs GAZETTE-TELEGRAPH of January 4, 1966, p. 2C, and are reprinted here by permission of Michael Lednovich, Director of Communications, Freedom Communications, Irvine, CA by letter dated October 21, 2000. According to Bob LeFevre, Rufus Porter was a staunch supporter and friend. Porter was known as the Hard Rock Poet because he had been a real mining prospector and the author of at least two booklets of poems. He was enthusiastic about LeFevre's Freedom School and had a fairly constant presence on the editorial pages of the GAZETTE-TELEGRAPH during the 1960's.] ▢

A Few Reasons Not To Serve On Juries

continued from page 8

5. Responding to a jury summons means submitting to being held in State custody for a period of time. Once inside the courthouse, you are not allowed to leave without permission from some unelected bureaucratic "authority"; thus you have given up, hopefully temporarily, but in any case for a period unknown to you and which is totally out of your control, your personal autonomy and freedom of movement.

During this time you may be asked to fill out extremely extensive and privacy-obliterating questionnaires under penalty of perjury if the information is incorrect, and under penalty of jailing for "contempt of court" if you refuse. You, the potential juror, the allegedly vital component in this exercise of Democracy, then discover that you are, in fact, a pawn in a very undemocratic game where your own rights have largely evaporated and you will be commanded and intimidated by a lot of snotty, ignorant minor thugs, and browbeaten into genuflecting before judicial bullies.

6. Pronouncing on the guilt or innocence of another in such a statist proceeding means that you have given assent to the propriety of such a proceeding, and someone ELSE, making similar pronouncements as to your own guilt, if at any time the judicial system fixates on you. Statists often lyingly claim that you have implicitly signed a "social contract"; participating in their rigged authoritarian ceremonies allows them to point to your complicity as proof of the rightness of their rule over yet another contented citizen.

7. All of the language of the process reveals the philosophy beneath: Jury "duty", "serving". This is the mindset of the draft board and the army general, not anything in your own interest.

You won't get into any of these situations if you don't get a summons from the statists, and you won't get a summons if you don't register to vote. And you won't register to vote if you decide to quit sanctioning abuse, theft, war and control by governments who, without you, would stand revealed as autocratic tyrants.

* Following a trial in May of 1996 in which she was a juror, Laura Kriho refused to convict a person charged with possession of "paraphernalia" and diet pills. The infuriated judge, who managed to discover that she had previously expressed some opposition to the Drug War, had Laura arrested and charged with contempt of court, perjury, and obstruction of justice. The perjury charge came despite the fact that she had never even been asked about her views on this subject—the judge bellowed that she was expected to volunteer them.

Immense wrangling in Colorado courts ensued, costing this woman thousands of dollars. If a jury trial were to be held on such charges, wouldn't such a jury recognize in a single minute what might be in store for IT, if it voted to acquit? Clearly such a dilemma revealed the fundamental tyranny of this prosecution, but, making an end-run around their beloved Constitution, as usual, the Authorities decided that you're not entitled to a jury trial unless the sentence is more than six months in prison. The prosecutor then conveniently stipulated that he intended to ask for only exactly six months in prison, so the State could deny the defendant a trial by jury and thus avoid the appearance of biasing jurors through intimidation.

Though why a JUDGE wouldn't then appear to be even more partisan and biased is anybody's guess.

The only thing left to surprise this writer is why it is that I too am not charged with contempt of court for writing these lines, because I truly do have nothing but contempt for it and "its laws, its force-propped authority."

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A Few Reasons Not To Serve On Juries

By Fred Woodworth

1. Juries provide a cover of legitimacy for governments' injustices. Juries are selected and managed so that most of their members, most of the time, are fanatical believers in authoritarianism—that is, they are in unshakable agreement with the carefully fostered obsession for control and punishment. Thus their decisions are greatly biased, but in such a way that this is not obvious to most observers. Therefore the decisions may subsequently be pronounced as fair by other socially prestigious (and likewise biased or conniving) "authorities."

2. In serving on a jury you enter into a situation where you are outnumbered by persons who are, at least in part, functionally insane. They grant enormous credibility to members of the State apparatus and to witnesses who demonstrably believe in, angels, devils, "god", "worship", and, often, a vague, alleged divine basis for the power and authority of the court (and consequently its officers, and primarily the judge and the prosecuting attorneys). It is far more likely that, in the emotionalism and unfamiliarity of the situation, you will be temporarily swept into reversion to their value system, than that they will be converted to yours.

(A reasoned philosophy of freedom is usually reached only after considerable discarding of pernicious family-, church-, and school-instilled mistrust and hatred of the rights of the individual person. It

is extremely hard to eradicate every trace of such pervasive brainwashing.)

3. If you are accepted onto a jury at all, the chances are overwhelmingly in favor of its being for a case that presents no opportunity for the credible use of any libertarian principles. The trial may be concerned with murder, theft, vandalism, arson, rape, or some other actual crime, and it will be very difficult for you to argue for a verdict of Not Guilty if, in fact, you do believe the prosecution's evidence—in which case you will suddenly be in the position of collaborating with statist. Then it may well turn out, later, that the minutely-selected and judicially-approved evidence you were allowed to hear only told part of the story.

On the other hand, if you go into the process with a private resolve to acquit no matter what evidence is presented, then you will probably be unable to convince any of the other deliberators, and the sole result will be a hung jury which is of no help to the defendant, who will only have to defend himself before another court later.

4. You can be prosecuted for refusing to convict. In a case where you are the lone holdout, not only will a mistrial be declared, but intensive probing may be done into your motives. If it turns out that, at the outset, you failed to disclose any affiliation, writing, public expression or activism on behalf of opinions or principles which might have predisposed you to refuse to believe police or prosecutors, or to regard the statutes as being unjust, you can be held and prosecuted for perjury.*

continued on page 7

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