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# *Frontiersman*

*January 1996*

## Dangerous Drugs

by Sam Aurelius Milam III

On December 2, 1995, I waited at the pharmacy counter of Long's Drugs (3074 Story Road, San Jose, California 95127), while a friend transacted some business. He and the lady behind the counter were discussing Arm-a-Vial®, a product consisting of 0.9% sodium chloride (salt) and 99.1% sterile water, for inhalation. The thing that got my attention was when the lady assured my friend that the product is available only by prescription. Wait a minute, I interrupted, you mean I need a prescription to get salt water? You do to get this kind, she said. But there are several hundred million cubic miles of salt water just over those mountains, I said, waving my arm vaguely toward the Pacific. But that isn't pure, she said. You mean, I asked, it's alright for me to get all I want of the bad stuff but I need a prescription to get the good kind? That isn't my problem, she said. But, I asked, if I go home and dump table salt into a bottle of distilled water, will I be arrested for possession of a controlled substance? She shrugged her lovely shoulders.

I don't know which is more dangerous, the FDA or the nitwits behind the counter who eagerly enforce its decrees. I do know, however, that with salt water as a controlled substance, the do-gooders who regulate our lives have defined entirely new boundaries of arrogance and intrusion. I also know that these arrogant people are far more dangerous than the controlled substances from which they pretend to protect us.

## What Is Liberty?

from *The Law* (June, 1850), by Frederic Bastiat

"Actually, what is the political struggle that we witness? It is the instinctive struggle of all people toward liberty. And what is this liberty, whose very name makes the heart beat faster and shakes the world? Is it not the union of all liberties—liberty of conscience, of education, of association, of the press, of travel, of labor, of trade? In short, is not liberty the freedom of every person to make full use of his faculties, so long as he does not harm other persons while doing so? Is not liberty the destruction of all despotism—including, of course, legal despotism? Finally, is not liberty the restricting of the law only to its rational sphere of organizing the right of the individual to lawful self-defense; of punishing injustice?

"It must be admitted that the tendency of the human race toward liberty is largely thwarted, especially in France. This is greatly due to a fatal desire—learned from the teachings of antiquity—that our writers on public affairs have in common: They desire to set themselves above mankind in order to arrange, organize, and regulate it according to their fancy." ∞

*Almost 150 years, and nothing has changed. —editor*

## She Says....

by Sam Aurelius Milam III

Have you noticed on the news how a disputed child is "rescued" by its mother but "abducted" by its father? More feminist brainwashing and hypocrisy….

## Now Available Upon Request

Frontiersman Index, 1994
Frontiersman Index, 1995
A Frontiersman Review: Feminism 1994
A Frontiersman Review: Feminism 1995

## Suggestion

by Sam Aurelius Milam III

When you receive junk mail containing a reply card that doesn't require a signature, fill out the name and address portion of the card with the name and address of your county tax collector and mail the reply card. Don't include the title *tax collector*, just the name and address. This will direct future junk mail to the tax collector. Every time the company sending the junk mail sells its mailing list to another company the effect will be multiplied. Even if the junk mail causes only a minor nuisance for the tax collector, that's a step in the right direction, and who knows — maybe the tax collector will have to hire an extra Kelly Girl just to dispose of all that junk mail. If we're persistent, the tax collector might receive so much junk mail that the functioning of the office will be impaired. It might not work, but the effort involves little cost and no risk, so why not try it?

## The Final Frontier

by Sam Aurelius Milam III

The road to freedom isn't smooth or straight.
It's lined with lures, and traps, and tempting bait.
To follow it can be a rugged fate,
But that's the way that leads to freedom's gate.

You contemplate the freedom that you lack.
You count the risk, and chills run down your back.
Pursuit of freedom risks a fierce attack.
There's no free train to ride on freedom's track.

There freedom lies, across the last frontier.
There danger lurks, and hazards linger near.
Security's a stranger there, that's clear,
But freedom's there, across the fear frontier.

Fear is a good companion, warning you of danger, keeping you from stupidity, but he is a poor master. Keep him with you, but rule him.

—from *Wartide*, by John Barnes

# Protecting the Freedom to Obey

by Sam Aurelius Milam III

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. —the First Amendment, U.S. Constitution, Proposed September 25, 1789, Ratified December 15, 1791

The very first thing the U.S. Constitution needed after enactment was to be fixed. This necessity ought to have made people wonder if the document was worth keeping. However, instead of starting over or maybe just sticking with the Articles of Confederation, they tried to fix the flawed Constitution. That "fix" was the so-called Bill of Rights. For the most part, this band-aid only made things worse. In fact, it brings to mind that old adage about pouring good money after bad. Most of the first ten amendments have problems. Here's an analysis of the First Amendment, step one in the conversion of our rights into privileges.

## First Amendment, First Flaw

The first flaw in the First Amendment ought to have been obvious. This flaw is that the amendment restricts **only** the law-making powers of the Congress. Other Congressional powers which might exist[1], powers of the other branches of the federal government, and powers of state and local governments are not restricted by the First Amendment.

This may not seem important. Yet, consider the current state of religious practice. When confronted by the word *religion,* most people think of churches and generally believe them to be free from government control. In fact, this is far from true. In spite of Christ's admonition that "No man can serve two masters",[2] most churches are incorporated. This places them squarely under the authority of government. Rather than Divine Judgment, they're subject to applicable tax laws and audits. Incorporated or not, they must comply with building codes, zoning codes, fire regulations, sanitary codes, and other regulations. The government even regulates the maximum size of congregations that are permitted within a building. These laws and regulations all operate respecting establishments of religion and regulate in one way or another the free exercise thereof. They avoid violating the First Amendment because they are not laws made by the Congress, but regulations issued by executive agencies, or laws made by other bodies besides the Congress. This deficiency is a good example of the danger of inadequate scope in a bill of rights.

[1] See my essay, *The Constitution, The Government, and The Doctrine of Social Contract*. I'll provide a copy upon request.

[2] Sorry ladies, he said *man*. I suppose he wasn't a feminist.

## An Establishment of Religion

The *Establishment of Religion* provision of the First Amendment has also been limited in another sense. There is, as it happens, a more general meaning of *religion*. The construction of this provision should encompass that meaning. It therefore seems reasonable to presume that the provision ought to prevent the Congress from passing any law respecting any cause, principle, or system of beliefs to which any one holds with ardor and faith. Yet, many practices which satisfy this definition have been prohibited. Consider polygamy among Mormons and the ceremonial use of peyote by natives of this continent. The ardor and faith of so-called cults and survivalist groups clearly satisfy the definition.

> **religion…. 4:** a cause, principle, or system of beliefs held to with ardor and faith…. —Webster's Ninth New Collegiate Dictionary

> …. Words are to be taken, if possible, in their comprehensive and common sense…. —from the article *Contracts* in Bouvier's Law Dictionary

Repression of religion today is due not entirely to deficiencies of the provision but also to a failure of the people to insist upon its legitimate scope.

## Freedom of Speech and of the Press

In spite of the First Amendment, there are limitations of the freedoms of speech and of the press. A good example is with regard to sedition. Any movement tending toward certain unspecified "commotions", even though lacking any overt act, is punishable.[3] Meetings, speeches, or publications which attempt to disturb the tranquillity of the state are punishable. Since the First Amendment should have protected the people from the state, and not the other way around, the very concept of sedition is repugnant to the proper meaning of this provision of the First Amendment. That the concept of sedition endures in spite of the amendment is due to the failure of the people to insist upon the inviolability of the amendment.

> **sedition**…. Communication or agreement which has as its objective the stirring up of treason or certain lesser commotions, or the defammation (sic) of the government. Sedition is advocating, or with knowledge of its contents knowingly publishing, selling or distributing any document which advocates, or, with knowledge of its purpose, knowingly becoming a member of any organization which advocates the overthrow or reformation of the existing form of government of this state by violence or unlawful means. An insurrectionary movement tending towards treason, but wanting an overt act; attempts made by meetings or speeches, or by publications, to disturb the tranquillity of the state…. —from Black's Law Dictionary

People usually get the kind of government they deserve.

[3] See the article *Criminal Procedure* on page 1 of the *Frontiersman* for March, 1995. I'll provide a copy upon request.

— continued on page 3 —

Assembly

There are problems with the language of the *Freedom of Assembly* provision of the First Amendment. A contract must be understood according to what it says, and not according to what somebody believes the writer meant to say. If the language of this provision is analyzed according to the punctuation as written, that language becomes:

> **Language**….The letter, or grammatical import, of a document or instrument, as distinguished from its spirit; as 'the language of a statute.'….
> —from Black's Law Dictionary

- Congress shall make no law respecting an establishment of religion.
- [Congress shall make no law] prohibiting the free exercise of an establishment of religion.
- [Congress shall make no law] abridging the freedom of speech.
- [Congress shall make no law] abridging the freedom of the press.
- [Congress shall make no law] _____ the right of the people peaceably to assemble.
- [Congress shall make no law] _____ the right of the people to petition the Government for a redress of grievances.

In the fifth and sixth provisions, the language is incomplete. The writers used one word in the first provision, a different word in the second provision, and a third word in the third and fourth provisions. No one knows what word they might have intended for the fifth and sixth provisions. Perhaps they intended to say, "[Congress shall make no law] abridging the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." However, the grammar is equally valid as, "[Congress shall make no law] securing the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." Lacking proper language, no enforceable interpretation of these provisions is possible.

> …. The intention of the parties is the pole-star of construction; but their intention must be found expressed in the contract and be consistent with rules of law. The court will not make a new contract for the parties….
> —from Bouvier's article *Contracts*

> **Assembly, unlawful.** The congregating of people which results in antisocial behavior of the group….
> —from Black's Law Dictionary

Although the First Amendment makes no enforceable statement regarding a right to assemble, the generally accepted myth is that it does. Briefly addressing this myth as though it were fact, the First Amendment doesn't acknowledge a right to assemble, but only a right to peaceably assemble. This might seem at first like a reasonable restriction. However, consider a peaceable assembly to which the government objects. If this peaceable assembly is "disrupted", then it isn't a peaceable assembly anymore. After that, it has no protection. This restriction on assemblies is a gold-plated invitation to the government to deploy agents provocateurs.

Any meeting that attempts to disturb the tranquility of the state (sedition) lacks First Amendment protection. Any assembly which results in "antisocial" behavior of the group is deemed an unlawful assembly.

In fact, people ought to have the right to use any method whatsoever to reform or overthrow government. If they are limited to legal (that is, government approved) methods, then they are limited to methods that can be defined, regulated and controlled by the government that they are trying to reform or overthrow. Any such attempted restriction of the people is, in and of itself, a sufficient reason to overthrow the government.

The "right" of assembly will today allow nothing more than a few unobtrusive individuals carrying inoffensive signs and being careful not to block the sidewalk. Otherwise a permit is required. The requirement of permits confirms that this provision provides no protection whatsoever for a right to assemble. A right can be regulated by custom, but never by statute. By allowing only peaceable assemblies the provision grants a veto power over them. The result is to establish a privilege to assemble by permit only.

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In Loco Parentis

The First Amendment doesn't protect rights. It converts them into privileges to be dispensed by government. The loss inherent in this process is only part of the larger loss that has been suffered by Americans. In this regard, Americans must decide what kind of relationship they wish to have with their government. If they choose a childlike reliance upon their government to satisfy all their needs, then they cannot hope to control that government. This is inherent in the parent/child relationship. They can also expect the government to demand obedience and enforce discipline. They can fear that it might become abusive. If, instead, they choose to be adults, then they must not expect the government to solve each problem and to determine each dispute. An adult must make his own decisions, solve his own problems, and correct his own mistakes. He is no longer bound to obey his parents. He has the burden of responsibility. With it he has the power to disobey. If Americans are to be adults, then they must exercise this power. If they can't, then the American Dream is truly at risk.

When I was a child, I spake as a child, I understood as a child, I thought as a child: but when I became a man, I put away childish things. —1 Corinthians 13:11

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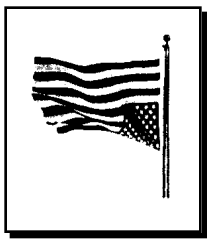

Nation in Distress

The Truth Is Within You.

## New Element Discovered

(Author Unknown — Contributed by Nancy Milam)

The heaviest element known to science was recently discovered by physicists at Turgid University. The element, tentatively named Administratium, has no protons or electrons and thus has an atomic number of 0. However, it does have 1 neutron, 125 assistant neutrons, 75 vice-neutrons, and 111 assistant vice-neutrons. This gives it an atomic mass of 312. These 312 particles are held together in a nucleus by a force that involves the continuous exchange of particles called morons.

Since it has no electrons, Administratium is inert. However, it can be detected chemically as it impedes every reaction it comes into contact with. According to the discoverers, a minute amount of Administratium caused one reaction to take over 4 days to complete when it would normally occur in less than a second.

Administratium has a normal half-life of approximately 3 years, at which time it does not actually decay, but instead undergoes a reorganization in which assistant neutrons, vice-neutrons, and assistant vice-neutrons exchange places. Some studies have shown that the atomic mass actually increases after each reorganization.

Research at other laboratories indicates that Administratium occurs naturally in the atmosphere. It tends to condense and concentrate at certain points such as government agencies, big business, schools, and universities.

Scientists point out that Administratium is known to be toxic at any level of concentration and can easily destroy any productive reactions where it is allowed to accumulate. Attempts are being made to determine how Administratium can be controlled to prevent irreversible damage, but results to date are not promising.

Dear Sam

I've been wanting to write you ever since I got my Nov. Frontiersman to say how much I agree with your article "Inside Track." I wish you could have known my grandmother; she was always looking for "cui bono?" (who benefits? in case you've forgotten Latin). "Parasites" was good too. I'm saving them, and if you could see my place — swamped (I think that's the right word) with papers. So I hope you consider it a compliment to join the crowd. —Shirley; Urbana, Illinois

## Buck Hunter Shoots Off His Mouth

Dear Buck
What do you think about all this graffiti?
—Worried Parent

Dear Worried Parent
I'm afraid that it might be "the Writing On the Wall".

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