

Notice:

This issue of the *Frontiersman* contains contact information that is out-of-date. For current contact information, [click here](#).



Frontiersman

The Truth Is Within You
April 2000

Failure of Proof

Sam Aurelius Milam III

A month or so ago, I was watching a news magazine on the television and saw a segment about a man who had been convicted of raping and killing a woman. After his imprisonment, various of his friends and supporters proved, using DNA testing, that the sperm removed from the woman wasn't his sperm. They claimed that the testing proved his innocence, and demanded his release. The judge interviewed on the segment disagreed. She stated that the failure to link the defendant to the sperm doesn't prove the defendant's innocence. At first, I was annoyed. However, after I thought about it for a while I realized that the judge is correct.

It takes me back to my days in the public schools. Believe it or not, a lot of what they taught back then was correct. One thing that we studied was the scientific method. We learned, among other things, that the existence of a thing can be proven by observation of the thing, but the existence of a thing cannot be disproven by a failure to observe the thing. A similar consideration enters into the proof of guilt or innocence.

If the DNA testing conducted in the case mentioned above had proven that the sperm taken from the woman was the defendant's sperm, then that would have been strong, although not necessarily convincing, evidence that he had raped her.¹ When the DNA testing proved that it wasn't the defendant's sperm, it failed to prove that he wasn't involved in the crime. Maybe he wasn't the only rapist, and the

investigators just happened to get sperm from the other one, but not from the defendant. Maybe the defendant wore a condom and the other rapist didn't. Maybe nobody raped her. Maybe the defendant killed her for some other reason while she was on her way home from a tryst. The sperm could then be that of her secret lover, but not that of her killer, the defendant. As with the scientific method, the failure to observe a link between the defendant and the woman fails to disprove the existence of a link. That failure highlights the profound importance of the presumption of innocence. That is, a presumption of innocence doesn't require proof. A proof of innocence obviously does. Since it can be impossible to prove innocence, it is therefore unreasonable to require such proof.

As I've said before (see [The Right Stuff, But Not Enough Of It](#), *Frontiersman*, March 1998), every defendant should always insist absolutely on a presumption of innocence, and refuse to attempt to prove his innocence, regardless of his actual guilt or innocence. The failure of defendants and their advocates to comprehend that truth has fostered the attitude that any defendant who refuses to "cooperate" must be trying to hide something. However, the presumption of innocence isn't supposed to be a tool for use only by guilty defendants who want to hide something. It's supposed to be a universal protection for all defendants that will prevent the conviction of those who were unable to accomplish the impossible — prove innocence. That's also why the prosecution must bear the burden of proof of guilt. Guilt can be proven. Innocence probably can't. The understanding of that principle has deteriorated to such an extent that I doubt if a fair trial is even possible today. I know that every trial of which I've been aware has been tainted by the failure of everyone involved to behave as though the defendant were presumed innocent. Indeed, the trial process has deteriorated so far that the words fair trial have probably become a contradiction in terms. ¶

¹ Why strong but not necessarily convincing? Because there might be other explanations for the presence of the defendant's sperm in the woman. For example, what if he had sperm on deposit at a sperm bank? Maybe somebody stole it and used it to frame him. That particular scenario does, if nothing else, provide a motive for the murder. It also suggests that DNA evidence isn't as irrefutable as its advocates like to claim, and that further investigation might be necessary.

Caesar, God, and the Unholy Demise of Money

Sam Aurelius Milam III

The scribes and the chief priests tried to lay hands on him at that very hour, but they feared the people; for they perceived that he had told this parable against them. So they watched him, and sent spies, who pretended to be sincere, that they might take hold of what he said, so as to deliver him up to the authority and jurisdiction of the governor. They asked him, "Teacher, we know that you speak and teach rightly, and show no partiality, but truly teach the way of God. Is it lawful for us to give tribute to Caesar, or not?" But he perceived their craftiness, and said to them, "Show me a coin. Whose likeness and inscription has it?" They said, "Caesar's." He said to them, "Then render to Caesar the things that are Caesar's, and to God the things that are God's." And they were not able in the presence of the people to catch him by what he said; but marveling at his answer they were silent. —Luke 20:19-26

Revised Standard Version

The famous passage quoted above, if it is to be believed, suggests that some things have remained the same from that time until now. The "scribes and chief priests" continue to fear the people, deception remains one of their weapons, they still try to lure people into the authority and jurisdiction of the governor, and people still don't understand money.

I've heard people erroneously claim, just as Jesus appears to have done, that the money isn't ours. It is owned, those people claim, by the U.S. government, by the Federal Reserve System, or by some other such institution. We merely possess it temporarily. However, that idea is fundamentally flawed.

When I work to produce something, I own the thing that I produced. I own it because I produced it. It is mine. Whether I sell it by prior agreement at the instant of production, as in an office or a factory, or sell it later, as in my own business, the thing that I produce is mine until I sell it. When I sell it, I expect to own whatever I'm paid for it. If I don't, then I haven't sold it at all, but instead have given it away for nothing. If I don't own what I'm paid for my labor, then why should I work? I'm giving away my labor and I'm not acquiring anything in return.

When I buy something, I must pay for it with money that I own. If I don't own the money, then I'm not buying something. I'm stealing it. In that case, why not sneak into my neighbor's house, take what money I need, and use it for my purchase? Either behavior is equally proper. Either way, I'm buying something with money that isn't mine.

It's obvious that for a market economy to make any sense at all, it must be possible for people to own money. The idea (where it is advocated) that people cannot own the money results, at least in part, from confusion caused by the fact that there isn't much money available to own. There hasn't been for a long time. Money is a real, tangible, physical thing.² It can be physically possessed and personally controlled, thereby proving ownership. Today, it has been largely replaced by any of several intangible abstractions, which are deceptively called money, and which resist either possession or personal control.

If I work today, I will probably not be paid in money. I'll probably be paid with an intangible abstraction. That's also what I'm encouraged to use when I buy something — an intangible abstraction. One result of the abstraction-based economy is that people don't own a lot of what they think they own. I can provide two interesting examples. You don't own your house. You can prove it for yourself. Just stop paying the rent (property tax). The real owner (county government) will evict you from its house. You don't own your car. You can prove it for yourself. Just stop paying the rent (registration fee). The real owner (county government) will repossess its car. How did it happen that you don't own those things, and that the government apparently does? I believe that at least part of the reason is that you paid for them with something that wasn't yours. You bought them with the government's "money". That's who owns them.

You also don't own what you're paid for your labor. That is demonstrated empirically by the fact that the government can take whatever it wants from your pay without being guilty of theft. If you owned what you're paid, then taxation would be theft. Is it any wonder that there isn't any respect for a person's property? If no-

² See my essay [Money](#). It's available upon request.

body owns it anyway, then why respect it?

Is money the root of all evil? I don't think so. I think it's far more likely that the demise of money was the root of all evil. The demise of money corrupted everything that it touched, and it touched everything. It appears that the "scribes and chief priests" are still deceiving us. They've converted our money into intangible abstractions and told us that it's money. They've used the abstractions as weapons to deliver us up to the authority and jurisdiction of the "governor". All the while, they've been telling us that we are free and wealthy, and we foolishly believed them.

If we want to end the deception and retrieve our liberty, then first we must end our ignorance. As a good beginning, I think that it would be very educational if we were to try to reinvent money. ¶

Danforth's Folly Revisited

Sam Aurelius Milam III

In September of 1999, John Danforth was appointed as a Special Counsel to resolve, once and for all, the Branch Davidian Massacre. In my article [Danforth's Folly](#), October 1999, I predicted that his investigation would be worthless. It would be nice if I'm wrong, but so far the massacre remains unresolved, the perpetrators remain at large, and justice remains a fantasy. As I've said before, when the peaceful pursuit of justice becomes irrelevant, then the violent pursuit of justice becomes inevitable. Eventually, it even starts to seem desirable.

Now, as another Waco anniversary slides past and the murderers remain at large, I wonder if the various homicidal maniacs who reside within the U.S. government have pondered their options. I'd suggest that they certainly shouldn't put their children in federal buildings any more. Maybe they didn't know any better before the Oklahoma City bombing, but they do now. If they continue to do it anyway, then it will be clear that they're trying to use the children as shields. I expect that the children will be ineffective in that capacity. If there's another attack, then I'm sure that the bureaucrats will shamelessly and tearfully use the dead children as another propaganda bonanza to advance the cause of repression, just like they've done every time that children have been killed — by anyone except government agents. ¶

Patently Unacceptable

Sam Aurelius Milam III

The new practice of obtaining patents on human genes is ludicrous. If a corporation "owns" a gene, then must people get permission from the corporation before they can conceive a child that includes a patented gene? Do they have to pay royalties on the child? If the child has a patented gene that influences musical talent, does the corporation get to decide whether or not the child can become a musician?

The fact is that a corporation cannot own either genes or any rights to them. It can patent a process, but not the gene itself. The sorry practice of granting patents on genes should be terminated immediately, and all previously issued patents should be rescinded. ¶

Letters to the Editor

Sam,

I especially enjoyed your March issue. Your "[Cyber Attack](#)" makes an interesting and even plausible speculation. Knowing how regulators think, it's probably only a matter of time before they begin shackling internet use in some way. "[A Worse Bigotry](#)" expresses concisely a belief I've held for a long time, but never put into words. "[Watching Big Brother](#)" is the first mention of these creepy events, I've seen.

Thanks, —Steve; Fremont, California

(Update from John Webster)

Today the judge ruled on a major motion of my legal case. I was hoping that my having to register as a "Sex Offender" would give me the opportunity to get a trial. Unfortunately, the judge made a ruling that we all thought he couldn't make. He has decided that I am a special case; that Magen's Law doesn't apply to me. He ruled that I no longer have to register AND that I won't have my plea bargain vacated.

The [Mercury News article](#)³ (March 25, 2000) talks about my attempts to get a trial and my running for office. The reporter read the article to me over the phone. Generally he shows me in a fair light, he does gloss over my accusations of police altering evidence (police "enhanced" the evidence tapes). They did list my Web-Page....

Needless to say, drop that ad of mine till it looks like I will get a trial again.

—John Webster

³ <http://www.sjmercury.com/premium/local/docs/sex25a.htm>



Nation in Distress

WAGO



Buck Hunter Shoots Off His Mouth

Dear Buck

Have you read Homer's great epics?
—Professor of Literature

Dear Professor of Literature

I saw the TV versions. I thought his trip to Duff Gardens was the best one.

Acknowledgments

- My thanks to [The Affiliate](http://www.the-grand-barn.com/), <http://www.the-grand-barn.com/>, of Vankleek Hill, Ontario for regularly printing reviews of the *Frontiersman*.
 - My thanks to Shirley, of Urbana, Illinois, Sir John the Generous, <http://www.jwebster.com/>, and Sir Donald the Elusive for their contributions.
- editor

Frontiersman

Cancellations — If you don't want to keep receiving this newsletter, print REFUSED, RETURN TO SENDER above your name and address, cross out your name and address, and return the newsletter. When I receive it, I'll terminate your subscription. You may also cancel by letter, e-mail, carrier pigeon, or any other method that gets the message to me.

Back Issues — Back issues or extra copies of this newsletter are available upon request.

Reprint Policy — Permission is hereby granted to reproduce this newsletter in its entirety or to reproduce material from it, provided that the reproduction is accurate and that proper credit is given. Please note that I do not have the authority to give permission to reprint material that I have reprinted from other publications. For that permission, you must go to the original source. I would appreciate receiving a courtesy copy of any document or publication in which you reprint my material.

Men Can Be Proud Because...

Source Unknown — forwarded by Warren, of Pocatello, Idaho

- We know stuff about tanks.
- A five day trip requires only one suitcase.
- We can open all our own jars.
- We can go to the bathroom without a support group.
- We don't have to learn to spell a new last name.
- We can leave a motel bed unmade.
- We can kill our own food.
- We get extra credit for the slightest act of thoughtfulness.
- Wedding plans take care of themselves.
- If someone forgets to invite us to something, he can still be our friend.

Submissions — I solicit letters, articles, and cartoons for the newsletter, but I don't pay for them. Short items are more likely to be printed. I suggest that letters and articles be shorter than 500 words, but that's flexible depending on space available and the content of the piece. I give credit for all items printed unless the author specifies otherwise.

Payment — This newsletter isn't for sale. If you care to make a voluntary contribution, you may do so. The continued existence of the newsletter will depend, in part, on such contributions. I accept cash and U.S. postage stamps. I will accept checks or money orders only by prior arrangement. I don't accept anything that will smell bad by the time it arrives or anything that requires me to provide ID or a signature to receive it. In case anybody is curious, I also accept gold, silver, platinum, etc. I'm sure you get the idea.

—Sam Aurelius Milam III, editor