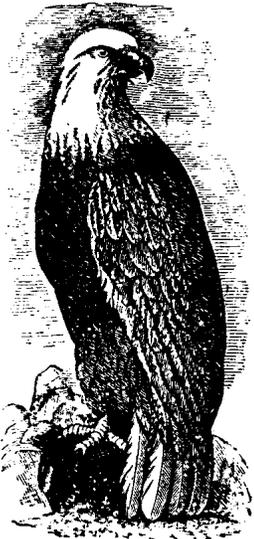


Notice:

This issue of the *Frontiersman* contains contact information that is out-of-date.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



Frontiersman

Facing the truth, however great the cost.
January 2002

Criminal Procedure

Sam Aurelius Milam III

Do you think that we have the freedom to speak, write, assemble, or associate? If so, then I suggest a careful reading of 18 USC Sec. 2385. Under its provisions, if I print, publish, edit, issue, circulate, sell, distribute, or publicly display any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, (this newsletter, for example) or attempt to do so with the intent to cause the overthrow or destruction of any such government, then I can be imprisoned. If you try to help me — organize or help or attempt to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence, or become a member of, or affiliate with, any such society, group, or assembly of persons, knowing the purposes thereof, you can be imprisoned. Thus, we have the freedom to speak, write, assemble, or associate only so long as it doesn't offend or threaten the U.S. government. So much for our freedoms.

You might think that naming the use of force as a precondition to imprisonment makes the punishment reasonable. Think again. An important feature of Sec. 2385 is the definitions. In the final paragraph, *organizes* and *organize* are explained with regard to the meaning intended in the U.S. Code. Force isn't so explained. Thus, we're left to our own resources to determine the intended meanings of force. It's

important to notice, in this regard, that force is contradistinguished from violence. That is, at every mention, each is individually prohibited. Thus, within the U.S. Code, force doesn't equal violence. What, then, is force?

force.... *n.*.... **3.a.** Intellectual power or vigor, especially as conveyed in writing or speech. **b.** Moral strength. **c.** A capacity for affecting the mind or behavior.... **4.a.** A body of persons or other resources organized or available for a certain purpose.... **b.** A person or group capable of influential action **5.a.** Military strength. **b.** The entire military strength, as of a nation. **c.** Units of a nation's military personnel, especially those deployed into combat.... **6. Law.** Legal validity.... *tr.v.*.... **1.** To compel through pressure or necessity.... **2.b.** To move or effect against resistance or inertia.... **c.** To inflict or impose relentlessly....

—from the American Heritage Dictionary of the English Language

Those don't seem like the sorts of things that ought to be a crime. Yet other meanings of the word, such as those that deal with force as a concept in physics, mechanics, or baseball, are inapplicable. Still other meanings, in both the American Heritage Dictionary of the English Language and in Black's Law Dictionary, define force in terms of violence. Those

meanings aren't the intended meanings in the U.S. Code. Otherwise force would not have been contradistinguished from violence by being separately mentioned. Still other meanings of force are given in terms of coercion. Yet if this narrow interpretation was intended, then coercion specifically and not force generally would be prohibited. Furthermore, [Bouvier's Law Dictionary](#) instructs us that in a law or contract words must be taken, if possible, in their comprehensive and common sense. Therefore, in 18 USC Sec. 2385, force might be construed to include "intellectual power or vigor, especially as

Help me defend liberty.

- Make and distribute extra copies of the *Frontiersman*.
- Publicize Pharos:
<http://www.ida.net/users/pharos/>
- Shop at Moonlight Sales:
http://www.ida.net/users/pharos/Moonlight_Sales/Moonlight_Sales.html
- Send cash contributions (no checks, please) to *Frontiersman*, 479 E. 700 N., Firth, Idaho 83236.
- Seek liberty in your own life.

conveyed in writing or speech”, “moral strength”, “a capacity for affecting the mind or behavior”, or even “legal validity”. Such characteristics might be punishable. This unlikely assertion is confirmed by the behavior of the U.S. government. For example, a Moslem cleric, Sheik Omar Abdel Rahman, was condemned to life in prison for plotting to destroy various buildings, bridges, and tunnels. He didn’t do it. He merely planned it. He was not, himself, charged with actual violence. Instead, he was guilty of “intellectual power” and “influential action”, that is, guilty of “force”.

Another peculiar feature emerges when we examine the concept of *overthrow*.

overthrow ... 2. To bring about the downfall or destruction of, especially by force or concerted action....

—from The American Heritage Dictionary
of the English Language

Thus, an overthrow need not even be the result of force, but only of concerted action. The Constitutional Convention that created the present U.S. Constitution might qualify as an example. It was a concerted action, and it ended the previous government. Any such assembly might easily be maligned by the authorities as an attempt to overthrow the government. Delegates could be imprisoned. Even an attempt to amend a state constitution might be punishable under the U.S. Code.

Certain assemblies, groups, or societies are prohibited by 18 USC Sec. 2385. For your con-

sideration, here are some more definitions.

assembly ... 2. A group of persons gathered together for a common reason, as for a legislative, religious, educational, or social purpose....

group 3. A number of individuals or things considered together because of similarities: *a small group of supporters across the country*....

society 2. An organization or association of persons engaged in a common profession, activity, or interest: *a folklore society; a society of bird watchers*....

—from the American Heritage Dictionary
of the English Language

In other words, 18 USC Sec. 2385 might be applied very broadly, depending upon the agenda of those in power. With a little “terrorism” as an excuse, the most innocuous of people or institutions might be punished.

A government should tolerate any change the people care to discuss. If it’s a crime to advocate the overthrow of a government, then that is a sufficient reason to overthrow that government. Today, the freedoms of assembly, association, and speech are conditional before an arrogant presumption of inviolable government. We’re not permitted to oppose the government, but only to plead for a bigger share of its largess.

All over the country, the U.S. government is punishing people for publishing some forbidden material, funding some forbidden activity, or joining some forbidden group. Liberty is in peril and we all have a choice to make. We can submit or we can resist. The U.S. government isn’t going to allow neutrality as an option. ☛

18 USC Sec. 2385

Advocating overthrow of Government

Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or

Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or

Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or

violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons, knowing the purposes thereof —

Shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

If two or more persons conspire to commit any offense named in this section, each shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

As used in this section, the terms “organizes” and “organize”, with respect to any society, group, or assembly of persons, include the recruiting of new members, the forming of new units, and the re-grouping or expansion of existing clubs, classes, and other units of such society, group, or assembly of persons. ∞

Excerpt from *Brutality Smearred in Peanut Butter; Why America Must Stop the War Now*

Arundhati Roy, Tuesday October 23, 2001, *The Guardian*

...When he announced the air strikes, President George Bush said: "We're a peaceful nation." America's favourite ambassador, Tony Blair, (who also holds the portfolio of prime minister of the UK), echoed him: "We're a peaceful people..."

Speaking at the FBI headquarters a few days later, President Bush said: "This is our calling. This is the calling of the United States of America. The most free nation in the world. A nation built on fundamental values that reject hate, reject violence, rejects murderers and rejects evil. We will not tire."

Here is a list of the countries that America has been at war with — and bombed — since the second world war: China (1945-46, 1950-53), Korea (1950-53), Guatemala (1954, 1967-69), Indonesia (1958), Cuba (1959-60), the Belgian Congo (1964), Peru (1965), Laos (1964-73), Vietnam (1961-73), Cambodia (1969-70), Grenada (1983), Libya (1986), El Salvador (1980s), Nicaragua (1980s), Panama (1989), Iraq (1991-99), Bosnia (1995), Sudan (1998), Yugoslavia (1999). And now Afghanistan.

Certainly it does not tire — this, the most free nation in the world.

What freedoms does it uphold? Within its borders, the freedoms of speech, religion,

thought; of artistic expression, food habits, sexual preferences (well, to some extent) and many other exemplary, wonderful things.

Outside its borders, the freedom to dominate, humiliate and subjugate — usually in the service of America's real religion, the "free market". So when the US government christens a war "Operation Infinite Justice", or "Operation Enduring Freedom", we in the third world feel more than a tremor of fear.

Because we know that Infinite Justice for some means Infinite Injustice for others. And Enduring Freedom for some means Enduring Subjugation for others.

The International Coalition Against Terror is largely a cabal of the richest countries in the world. Between them, they manufacture and sell almost all of the world's weapons, they possess the largest stockpile of weapons of mass destruction — chemical, biological and nuclear. They have fought the most wars, account for most of the genocide, subjection, ethnic cleansing and human rights violations in modern history, and have sponsored, armed and financed untold numbers of dictators and despots. Between them, they have worshipped, almost deified, the cult of violence and war. For all its appalling sins, the Taliban just isn't in the same league.... ∞

Stray thoughts

Sam Aurelius Milam III

- Lately, the airport thugs have greatly escalated the kinds of items that they confiscate (steal) from passengers. My understanding is that most of it goes to the dump. Why don't they set up some tables near the arrival gates, and put the stuff there? Then, arriving passen-

gers who had their stuff confiscated (stolen) where they departed could select some replacement items where they arrive.

- Let's not call the recent nonsense in Afghanistan a war. It wasn't a war. It was target practice, a chance for U.S. government thugs to test weapons systems on live targets, under safe conditions. 🦅

Letter to the Editor

Your lead article, [Liberty Lost](#), is good except you seem to have forgotten the most important of your own guiding principles. A right cannot be given. To give someone a right is, in fact, the giving of a privilege. The individual must exercise any rights he hopes to retain. Thus, if the individual is unable or unwilling to exercise a right, it ceases to be a right. Therefore: people must have the right to be presumed innocent should be written, "People must be presumed innocent."

In court, the preponderance of evidence is all that concerns a judge and most jurors. In most cases a person will be convicted if he is not able to prove his innocence. The prosecution is funded by the government and is well able to accumulate enough evidence to prove anything they want. As

you have found out for yourself, there is no stopping the government when they wish to gather information from any source, including blood and tissue samples. The right to not testify against yourself does not seem to include nonverbal evidence.

Regarding [United Nations Agenda 21](#), by John Tisdale, John does not seem to realize that the United States of America has been fascist since World War Two. He should read your article [War of Words](#) in your December 1994 issue.

The control of resources is the leverage that will get compliance out of even the most resistant person. In this, the control of water is the second most effective way to gain control of people. How long can you survive without water?

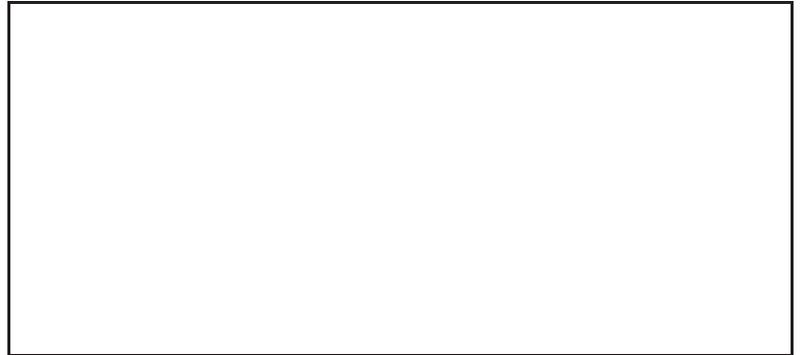
—Sir James the Bold



Nation in Distress

fascism.... 1. Fascism. 2. any system of government in which property is privately owned, but all industry and business is regulated by a strong national government. *n.*

—Thorndike Century Senior Dictionary
1941



Buck Hunter Shoots Off His Mouth

Dear Buck

What do you think of Bizet? —Opera Lover

Dear Opera Lover

That's one of them fancy French toilets, right? I saw one once on Crocodile Dundee, but I've never, well, you know.

Acknowledgments

- My thanks to *The Thought*, of Glendale, Arizona and to *The Affiliate*, of Vankleek Hill, Ontario for printing reviews of the *Frontiersman*.
- My thanks to Lady Helen the Gracious, Lady Shirley the Benevolent, Sir James the Bold, [Sir John the Generous](#), Sir Donald the Elusive, and Terry, of San Leandro, California for their assistance.

—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 sources. 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.

Math Test For Today's Gang Members

(In order to make the learning process more effective, material should be written to more closely fit the experiences of today's youth. In that vein, here are some math questions designed for today's gang members.)

Original source unknown. Forwarded by Sir John the Generous.

- Rufus is pimping for three girls. If the price is \$65 for each trick, how many tricks will each girl have to turn so Rufus can pay for his \$800-per-day crack habit?
- Willie gets \$200 for stealing a BMW, \$50 for a Chevy, and \$100 for a 4X4. If he has stolen 2 BMWs, 3 4X4s, how many Chevies will he have to steal to make \$800?
- If a spray can covers 22 square feet and the average letter is 3 square feet, how many letters can a tagger spray with 3 cans of paint?

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