

Fraud is Violence Against Property

The following conversation on force and fraud followed this question to r/AskLibertarians, "Does the NAP include non-physical harms?", 5 months ago. Enjoy!

mrhymer: No except bullying if imminent threats of imminent harm. Fraud is really the only non-violent violation of the NAP. You are not going to be spared or saved from other people being mean.

Skyler: Fraud is violence against property because it's the physical removal (force) of property without meeting the conditions for consent to do so.

mrhymer: It's also failing to deliver a promised service. So fraud is a separate category from force.

Skyler: Only if you've kept their property under consideration. Breaking promises is not fraud, and not a crime.

mrhymer: I don't like word tricks. You are "silence is violence" rigging fraud to contain force. Stop it. You can trick people out of their money without violence. With violence is robbery. Without violence is fraud.

Skyler: The moment you lay your hands on their property you are engaged in force. When you fail to get proper consent for taking their property by force, you're committing aggression. See Kinsella:

<https://mises.org/wire/problem-fraud-fraud-threat-and-contract-breach-types-aggression>

It has nothing to do with what people say about "silence is violence," which is obviously absurd. There're no word tricks here.

mrhymer:

The moment you lay your hands on their property you are engaged in force. When you fail to get proper consent for taking their property by force, you're committing aggression.

It's not force when they hand their property to you consensually. It's fraud when you do not deliver on the contract.

Skyler: You don't have their consent if you haven't met the conditions of their consent.

You're acting in bad faith and in deceit, and when you physically take possession of property that you don't actually have consent to take you are engaged in aggression. See me: <https://everything-voluntary.com/consent-under-deceit-or-why-fraud-is-aggression>

mrhymer: You are hung up on the NAP and the NAP has to be violence so you have to twist things to get there. Free yourself and switch to the individual rights perspective. People hold their rights innately and you can violate rights by force or fraud. Simple – No twisting.

Skyler: You get hung up when you try to define fraud without aggression. Can't be done in any meaningful way, that would concern libertarian political (ie. the legitimate/justified use of force) philosophy.

mrhymer: I have two distinct words "force" and "fraud." They each mean different things. You however have the same two words to distinguish distinct things are actually all just force. Whose hung up?

Skyler: You. If you can't define fraud as aggression then it's not something that you can respond to with force. Only initiatory force (aggression) can be retaliated to with force under libertarian ethics.

mrhymer: You just said what I accused you of. You have to twist everything to the initiation of force to justify it to the NAP. The NAP is simply a denial of natural rights because they are associated with God and Ayn Rand. Rights are more robust and make more sense than the NAP. You hold rights innately because of the law of identity. The NAP is just a construct. A resolution not to act made from whole cloth by men. Resolutions are broken by men all the time.

Skyler: You can't identify aggression without first identifying property rights in the scarce resource in question. A necessary corollary of property rights is the non-aggression principle. In other words, all rights are property rights, and property rights necessarily entails the non-aggression principle, and vice versa. And all property rights are a social construct for the purpose of reducing conflict over scarce resources. Try again.

mrhymer: You have a right to life. Life is not property because you cannot sell it. You have a right to movement that is not property. You have a right to pursue happiness that is not property. You have a right of association that is not property. I could go on but that would just be cruel.

Skyler: Define "right to life" and justify your claim that anyone has a "right to life" please.

mrhymer: I have defeated you in this argument. You simply ignore "You have a right to movement that is not property. You have a right to pursue happiness that is not

property. You have a right of association that is not property. I could go on but that would just be cruel.” and demand proof for one of the items you were defeated with. That’s sad.

Here is your justification.

The source of man’s rights is not divine law or congressional law, but the law of identity. A is A—and Man is Man. Rights are conditions of existence required by man’s nature for his proper survival. If man is to live on earth, it is right for him to use his mind, it is right to act on his own free judgment, it is right to work for his values and to keep the product of his work. If life on earth is his purpose, he has a right to live as a rational being: nature forbids him the irrational. Any group, any gang, any nation that attempts to negate man’s rights, is wrong, which means: is evil, which means: is anti-life.

If you want to go more fundamental there is this:

There is only one fundamental alternative in the universe: existence or non-existence—and it pertains to a single class of entities: to living organisms. The existence of inanimate matter is unconditional, the existence of life is not: it depends on a specific course of action. Matter is indestructible, it changes its forms, but it cannot cease to exist. It is only a living organism that faces a constant alternative: the issue of life or death. Life is a process of self-sustaining and self-generated action. If an organism fails in that action, it dies; its chemical elements remain, but its life goes out of existence. It is only the concept of “Life” that makes the concept of “Value” possible. It is only to a living entity that things can be good or evil.

Skyler:

You have a right to movement that is not property. You have a right to pursue happiness that is not property. You have a right of association that is not property. I could go on but that would just be cruel.

Movement by a scarce (rivalrous) body, ie. property. Pursuing happiness by a scarce body, ie. property. Association by a scarce body with other consenting scarce bodies, ie. property. All rights are property rights, property rights concern exclusive control over scarce resource, exclusive control limits the actions of other people over scarce resources, ie. property. It’s all property rights over scarce resources. Nothing to do with “law of identity” or any of that and everything to do with a person’s and a society’s *desire to*

reduce conflict over scarce (rivalrous) resources. If a person or society does not desire to reduce conflict over scarce resources, then they are technical problem, like a raging tiger who doesn't respect property rights, and may be dealt with accordingly.

After that he disappeared. "Law of identity" doesn't prove anything, other than A is A. It doesn't prove "rights" to anything. Really, nothing does, since rights, or more precisely, *property rights* are a mental and social construct meant to serve an interpersonally valued purpose, which is the reduction of conflict over rivalrous resources. Either you respect property rights from original appropriation (and contract), or you're an aggressive latecomer who isn't owed civilized society.