

How the State Has Usurped the Administration of Justice

The state has coercively usurped the important societal function of administering justice, or rather, the righting of wrongs. Even so, those who have been damaged may still sue for redress in state courts dedicated to ruling on tort claims. These sorts of cases are typically titled something like, “John Doe vs. Jack Mayweather”. John Doe has suffered damages to some degree by Jack Mayweather, he alleges, and so John appeals to the state to hear his case, decide impartially, and then use its power to enforce its decision.

Sometimes these “civil suits” involve many plaintiffs, and at a certain number, they take on the moniker of a “class action”. Companies and other institutions are usually the defendants, being accused of some wrongdoing, in class action cases. Whether large or small, civil suits are an attempt to seek justice by those who believe they have been made the victims of injustice. In a free society, one without a central authority monopolizing the administration of justice, all grievance redress would be torts, or civil suits.

In an unfree society, one with a central authority monopolizing the administration of justice, there are two types of suits: tort and criminal. Torts, as already explained, are civil suits, titled, “Party A vs. Party B”. Crimes, on the other hand, are always of the nature of being a violation of a law, or statute, and are categorized by degrees, eg. a felony, a misdemeanor, *et cetera*. The plaintiff in criminal suits are always named, “The State”, so a typical title of a criminal suit would be something like, “The State vs. Jack Mayweather”. What is always primarily alleged is the violation of a statute. The statute may be a prohibition of driving a certain speed, parking a vehicle in a certain spot, possessing a certain item, or hurting another person. In every case, what the defendant is being accused of is the violation of a rule.

Being accused of violating someone’s rules begs the question: what does that rule have to with the defendant? The non-responsive answer to this question given by people who call themselves “government” is something along the lines of, “You did what the law says you shouldn’t within the territorial jurisdiction of the law.” This answer is nonresponsive because it merely repeats the claim that the defendant violated the law. When pressed by being asked what evidence these people are relying on to support their claim that the law applies just because of the defendants physical location, they will again offer a non-responsive answer to the effect of, “The law is the law, and it applies to everyone!”

What soon becomes obvious to the honest seeker of truth is that these claims of jurisdiction are totally without factual merit. They are the arbitrary opinion of people who wish to profit at others’ expense. When the allegation involves only the disregard or disobeying of a law against nonviolent action (ie. a liberty), this reality is easier to swallow. However, when the allegation involves not only the violation of a law, but also an injured

party, this reality is a bitter pill.

The issue at the heart of some people accusing other people of violating their rules is due process. The attempt to pass off arbitrary opinion as concrete fact in order to demonstrate guilt is a gregious violation of a defendant's right to be treated fairly, to be presumed innocent, and to have facts and evidence prove his guilt. Instead, plaintiffs are claiming their rules apply, and because they apply, the prohibited activity resulted in a valid and justifiable claim by the plaintiff to take possession of the life, liberty, or property of the defendant.

In every "The State vs." suit, the defendant is being accused of violating an applicable law. Everything else is secondary, and in every case the injured party is "The State", not the actual victim(s) of a violent crime. The grievance being redressed is not that which is being held by the true victim(s) of a violent crime, but that of "The State" having its rules disobeyed.

And what is the result of a conviction in such a criminal suit brought by "The State"? The defendant is charged, must pay some fine to which "the State" will profit, and/or lose his freedom by being forcefully kidnapped and thrown in prison, of which his life expenses are paid not by "the State", but by everybody else, including the original victim(s). As should be obvious, this is the creation of more injustice and the prevention of justice on behalf of those who were wronged.

Every "The State vs." criminal suit amounts to the violation of due process, the prevention of justice sought by victim(s), and the increase of injustice throughout society in which the particular group of people calling themselves "government" operate. It matters not what the charge is, whether or not it involves a violent act. In every instance, "The State" is coercively usurping the administration of justice for its own gain. It's high time society recognizes this fact, and refuses to tolerate it.