How to Deflect and Pass The Burden of Proof

I had another discussion with somebody on reddit regarding defamation. This person was responding to me after I responded to somebody else and seemed to be the champion who would take me to task. Instead what I was treated to was deflection and an attempt to pass the burden of proof all the while attempting to mirror me in my accusations of him making simple assertions instead of arguments. Let this be a lesson on how to unsuccessfully use those bad faith tactics.

Original post: John Stossel Sues Facebook Alleging Defamation Over Fact-Check Label, Seeks at Least $2 Million

total_carnage1: Libel is still a crime.

Skyler: False:
https://everything-voluntary.com/defamation-is-not-aggression-ergo-not-a-crime

However turnabout is fair play and I'm sure Facebook does believe that defamation is a crime and so this may be used against them.

vankorgan: If I started a multi million dollar campaign alleging that my competitors product was made from cat piss and arsenic wouldn't that actually hurt them?

Skyler: You need to explain how that constitutes aggression in the libertarian sense in order for it to be considered a crime in a libertarian society. Can you do that?

vankorgan: Purposely trying to ruin another person by spreading lies that cost them business?

Skyler: Asking questions are not logical arguments. Please construct for me a logical argument about how defamation is an act of aggression. I'll wait.

Grouchy_Fauci *(self-appointed champion)*: Pretend the question mark is a period and read the words again.

"Purposely trying to ruin another person by spreading lies that cost them business."

Is that clear enough for you?

Skyler: Your challenge is to construct an argument showing that spreading lies is an act of aggression, an uninvited property border trespass. If it's not an act of aggression, then it's not a crime, and may not be responded to with force in a libertarian society. See Friday on

Rothbard: https://mises.org/wire/no-one-has-right-good-reputation and Block/Pillard on Rothbard as well: https://mises.org/library/libel-slander-and-reputation-according-rothbards-theory-libertarian-law

People do not own their reputation, which only exists in the minds of other people. If I damage your reputation, I am not committing an act of aggression against you because you don't own your reputation, your reputation is not your property. The implications and fallout is totally irrelevant. Many non-aggressive actions harm other people (stealing a girlfriend, competing against a business, painting my house an ugly color), but if the harm is not the result of aggression, then it's not a crime in the libertarian sense, and may not be responded to with force (laws, government).

Grouchy_Fauci: I'm not the original person you replied to and I don't agree with your premises, but I'll go along for the sake of discussion.

> *People do not own their reputation*

Granted, but they do own their business.

> *The implications and fallout is totally irrelevant.*

No, you don't get off that easily. You can't just hand-wave this away as being irrelevant.

If your lies damage someone's business (something they own), how on earth is that not a violation of the NAP? Your counter-point about not owning your reputation doesn't apply because I'm talking about harm to the business not harm to the reputation. You'll have to come up with a different counter-argument.

Skyler: You keep asking questions as if you are making an argument. Questions aren't arguments. If you believe in "damaging" someone's business through lies (or competition, or destroying demand, or, or, or) then you must show how this is an act of aggression.

Breaking the physical property of your business is aggression. Breaking the bodies of you and your workers is aggression. Lying about your business is not. How can it be? I own my body and my mouth, and may use it as I see fit, including lying. You have zero right to control my body and my mouth, or the minds (brains) of other people.

(Lying only amounts to aggression through fraud, by taking title to someone else's property that they only relinquished because they were fooled into believing the conditions for their release were meant. Fraud is stealing, and stealing is aggression.)

Grouchy_Fauci:

> *Lying about your business is not.*

This is a naked assertion, not an argument.

> *Lying only amounts to aggression through fraud,*

Assertion, not an argument.

I don't see any actual arguments from you. I see you just asserting things as if they were true but I'm not seeing the logical reasoning behind any of it.

> *How can it be?*

Because your lies damaged someone else's business. That's how.

Edit: removed rude comment about you being obtuse

Skyler: Is this how it's going to be, you play at mirroring instead of supporting your claim that defamation is aggression?

Lying is speech. I have the right to control my mouth, not you. Or do we need to go further back and develop libertarian property rights, first? Obviously I'm making some assumptions for brevity considering this is a libertarian sub.

Your claim is that because defamation damages someone else's business, it's an act of aggression. You are defining "damages" as losing customers. Businesses do not own their customers, because slavery is invalid under libertarian property rights. Customers may patronize any business they please, for any reason. Making your business obsolete by doing what you do, but better, may also cause you to lose customers. Have I damaged your business by doing so? Is market competition an act of aggression? By *your* reasoning, it is. Absurd, obviously, and without any rational merit.

Try again.

Grouchy_Fauci:

> *your claim that defamation is aggression*

I never actually made this claim. I merely responded to your comment saying that it’s not aggression because people don’t own their reputation, and I pointed out why that counter-argument was flawed/moot.

> *Lying is speech.*

Yes and?

> *I have the right to control my mouth, not you.*

And if you tell lies about me, I have the right to hold you accountable.

> *Business do not own their customers.*

Nobody ever said they did and this is a silly response.

> *Have I damaged your business by doing so?*

Comparing fair trade and free market with defamation? Nah, terrible comparison. Yes a business could be damaged by a competitor’s legitimate business practices, but that doesn’t somehow absolve you of liability if you damage a business by lying. One doesn’t logically follow from the other.

> *By your reasoning, it is.*

Nah, you misunderstand my reasoning.

Skyler:

> *And if you tell lies about me, I have the right to hold you accountable.*

Yes, but not by force. Do everything you can, short of using force.

> *but that doesn’t somehow absolve you of liability if you damage a business by lying.*

You've yet to explain how there's any criminal liability to defamation. That ball is still in your court.

> *Nah, you misunderstand my reasoning.*

Because your reasoning isn't going as far as you think it is. You've gone to "damaged" and then equivocated that to be the result of aggression. You made a logical leap, a non sequitur. Explain how defamation is aggression. Define your terms and connect the dots.

Grouchy_Fauci: Yes, I can use force to hold you accountable. You haven't presented any argument to the contrary. You merely asserted that I couldn't use force. You have to present an actual argument dude—you don't get to just declare things like this.

And I said nothing about "criminal" liability. This is a civil issue.

I made zero leaps of logic. Your lies damaged my business, I get to hold you accountable. Period. If you won't allow yourself to be held accountable, I'm justified in using force.

If you disagree, present an actual argument to the contrary.

Skyler:

> *I get to hold you accountable. Period.*

Why and how?

> *If you won't allow yourself to be held accountable, I'm justified in using force.*

Why and how?

> *If you disagree, present an actual argument to the contrary.*

Burden of proof is still on you. You can't just make assertions and then pass it off. I'm still waiting.

Maybe you should take the time to read what the libertarian theorists who came before us had to say on it, as I've already linked to:

https://mises.org/wire/no-one-has-right-good-reputation

https://mises.org/library/libel-slander-and-reputation-according-rothbards-theory-libertarian-law

Grouchy_Fauci:

> *Why*

Because you damaged my business through your lies

> *How*

Civil suit.

> *Why*

Because I'm entitled to recover damages caused by your lies.

> *Burden of proof is still on you.*

No, you're the one who first made the claim that you can't use force—the burden is on you to back up your claims. You can't just assert things and demand everyone else provide logical arguments proving your assertions wrong. That's not how this works.

I'm not talking about anyone's reputation, as I made clear before. I'm talking tangible damages to a business caused by lies. There's no Libertarian principle you can point to as some magical get-out-of-jail-free card here.

Skyler: You refuse to explain and you refuse to understand. Bad faith. I guess we're done.

Grouchy_Fauci:

> *You refuse to explain*

I literally just answered the questions you asked. How is that not explaining?

> *Bad faith.*

Sure buddy.

> *I guess we're done.*

Did you ever really begin? You never presented a single logical argument to back up your position. Not one. It's assertions all the way down with you.

Skyler:

You must have missed my first link, as well as the links from other libertarian theorists, all making the argument the defamation is not criminal (and if it's not criminal, then it may not be responded to with force). Here they are again:

https://everything-voluntary.com/defamation-is-not-aggression-ergo-not-a-crime

https://mises.org/library/libel-slander-and-reputation-according-rothbards-theory-libertarian-law

https://mises.org/wire/no-one-has-right-good-reputation

Grouchy_Fauci: These links are irrelevant to the question at hand. This is about defamation causing damage to one's business, not one's reputation.

Care to try again?

Skyler: If you read the links you'd see why they aren't irrelevant. Many things "damage" a business as I've already explained above, but aren't aggression. The result is the same. If the cause is not aggression, and in the case of defamation its not, as the argument goes, then you may not respond with force. Duh. Do your homework. I've provided the arguments, and you're choosing to ignore them. More bad faith.

This person will likely continue to deflect and ignore what's right in front of them, and that's fine I suppose, a lot of people choose to play that game instead of educating themselves and having a good faith conversation. But I don't have to continue banging my head against the wall for their shits and giggles.