

Private Property Authority versus State Jurisdiction

I just had the following conversation in the EVC Telegram group with a new member. It seemingly went all over the place, but I thought it was a good example of responding to common challenges leveled at voluntaryists and anarchists regarding state authority and private property. Enjoy!

Karma: Taxes are voluntary

Skyler: Reasoning?

Karma: You can choose not to pay them

Skyler: That means that paying taxes is *volitional*, not voluntary. Voluntary would mean that the state does not threaten you on penalty of not paying them.

Karma: If your boss threatens you on penalty if you don't "pay" your surplus to him isn't that involuntary too?

Skyler: I've never once had a boss demand that I pay him my "surplus" whatever that is. Anyway, the relationship you have with your boss is very different than the relationship you have with the state. You are assuming the state and its legal codes have any jurisdiction over you or me or anyone. Do you have any evidence that that's true?

Karma: They take it without your consent. If government didn't ask you to pay taxes and it takes them right from your paycheck then you would feel better? You agree to work for the boss and you agree to work for the state. Because you can choose not to.

Skyler: Who takes what without my consent? If I owe my boss money, that's a matter of *explicit contract* between the boss and me.

Karma: The same with the state

Skyler: I don't work for the state. You seem to be confusing consent with submission. Here's a really good essay on the difference:

<https://everything-voluntary.com/tacit-submission>

Karma: Also you can not pay taxes also inside the state

Skyler: You are assuming what you have so far either refused or failed to prove: that the state and its legal codes has jurisdiction over anyone. Do you have any evidence that they do? Yes we all have the *volition* to pay or not pay taxes. It would be a mistake in reasoning

to confuse this with taxes being voluntary.

Karma: When you proof the same about private property

Skylar: Are you conceding defeat? Property owners don't claim jurisdiction over other people or *their* property.

Karma: I will choose the same answer as you. The state doesn't make you pay taxes in other state's property

Skylar: I'm happy to defend my claims about property owners but whether or not I do has no bearing on your burden of proof of your claims of state jurisdiction. You understand that, right? Why don't you tell me what the state claims in regards to its taxing authority, and then tell me what evidence it relies on to prove their claims are true.

Karma: Understand that if private property is legit, state is too

Skylar: Because you say so?

Karma: State is a private property where they can charge rent on you

Skylar: Do you have any evidence that that's true? To my knowledge every state in history that currently exists and has existed in the past originated in the conquest of other people and their property. If you have any evidence to the contrary I'm happy to consider it.

Karma: Whatever it wants, the same as a landlord can choose the rent of it's Tennant. Every property did the same. You have proof of private property being contractually accepted by all society?

Skylar: Landlords don't unilaterally choose the rent of its tenants. It's a matter of explicit mutual contract. States did not originate, nor are they maintained as a matter of explicit mutual contract. I'm sure some owners did obtain their property in an illicit way, but that doesn't mean that every property owner obtained there property in an illicit way. ("You have proof of private property being contractually accepted by all society?") I don't believe that's a necessary qualification for private property. Here's what I think.

Karma: Show the proof of the licit way of those licit private properties

Skylar: You continue to attempt to pass the burden of proof. I won't let you do it. Support your claim of state jurisdiction or admit that your claim is without any merit, is *arbitrary*.

Karma: You choose to stay knowing the price, you can read it how much taxes you have to pay depending what you do.

Skylar: “have to pay” is assuming jurisdiction. Rather than assume jurisdiction why don’t you provide me the evidence you rely on to prove that any state has any jurisdiction over anybody.

Karma: State is private property, use that

Skylar: Define “state”.

Karma: I’d you don’t live in its property it doesn’t make you pay taxes

Skylar: “Have to” is shorthand for “have an obligation to” in this context. You’re claiming an obligation, which means you’re claiming jurisdiction. Do you have any evidence of jurisdiction or not?

Karma: It is the same for private property, if go in, you pay. The same does the state. The same as private property

Skylar: A property owner can prove jurisdiction over their property using the evidence of their original appropriation or contract. The fact that they did not take it from anybody else is evidence that they have a superior claim to it. Private property originates in original appropriation or contract, while states and the territory they claim jurisdiction over originates in the conquest of other people and those people’s private property.

Karma: (“Define ‘state’.”) Monopoly on violence over a determined territory

Skylar: Determined in what way?

Karma: I mean a certain limited territory

Skylar: Where is this territory defined and who defined it?

Karma: (“A property owner can prove jurisdiction over their property”) I’m sure they can’t. You don’t have all the historic owners until the original.

Skylar: You’re welcome to enter into a property dispute with a current property owner and provide evidence of having superior claim. If you can do so I’m sure you’ll get a judgment in your favor, at least you would in my libertarian court.

Karma: And I’m sure many of them were illegitimate

Skylar: We have to start somewhere. So unless you can prove a superior claim to a particular parcel, we have to presume that its current owner is its rightful owner.

Karma: Then I can say the same about the state. We have to presume the owner is legitimate but not with the state. You inverted the proof.

Skylar: We presume the current owner is the rightful owner because they possess the title to said property. I didn't say that we presume the current *occupant* as the rightful owner. If the property comes under dispute and the current owner can't prove title, then their claim is that much worse for it. When the state attacks you, it's your property (your body, your money, all of that which can be taken or leined by the state) that comes under dispute and the state must prove a superior claim to it than you. That challenge begins with its jurisdiction to impose its legal codes on you. Have you found the evidence that the state and its legal codes have jurisdiction over anyone, yet? Facts and evidence are what is required by due process, not arbitrary opinions or circular reasoning. See: <https://everything-voluntary.com/a-primer-on-challenging-jurisdiction>

Karma: The state has also a piece of paper.

Skylar: The difference is the property owner's title was obtained by either original appropriation or contract, and it was recorded and insured by a title company. The state did not originate in either original appropriation or contract. It originated in *conquest*. Conquest is not a valid standard for rightful or legitimate ownership.

Karma: Then have to show the proof or just assume it. I don't get it.

Skylar: If you dispute the ownership of my house on my land I have facts and evidence to prove that I purchased it from the previous owner.

Karma: What if the previous power was conquered. Do you have the entire list of owners?

Skylar: Yes. I am the 3rd owner. My title is insured, so if somebody else can prove a superior claim to my land and my house, then I'm covered in the event that I must return it to them or pay them off.

Karma: It's all state's property, you just have use rights

Skylar: Do you have any evidence that this is true or are you just making arbitrary claims?

Karma: It's what the state says.

Skylar: Exactly. *Arbitrary*. Which makes the state no different than any other criminal organization or street thug demanding your property, or else!

Karma: Then don't says it's your house. You are using State pieces of paper

Skylar: It's my house by virtue of my having superior claim to it using objective facts and evidence of title ownership.

Karma: Not even yourself believe it lmao

Skyler: What in the hell are you even talking about? I don't believe I'm the rightful owner of my house? *Wut?!* You're grasping, bud.

Karma: So I can sue you by some sort of private justice right?

Skyler: Sue me for what? Owning my house?

Karma: If I have a Proof of superior claim. You need some justice system

Skyler: Yes if you can prove you have a superior claim to my property then you would take me to court to get a judgment against me and my property. The state forces us to use their justice system today but that wouldn't be true in a free society.

Karma: You being the exact 3rd owner. Let me question that one a lot.

Skyler: The house was built in 1946 on virgin land and purchased from the developer by the first owner. The second owner purchased it in 2004, and I purchased it in 2005.

Karma: Even if that case was true many properties don't have the entire list

Skyler: Which is why you buy title insurance when you purchase a home in the event that something is amiss.

Karma: Why would the court say the truth or be fair?

Skyler: State courts don't necessarily respect due process or fairness, particularly when the dispute involves the state itself. I've challenged the state in court over its jurisdiction and was threatened with contempt, for example.

Karma: But why would the private justice be different

Skyler: I would hope that private justice would also respect and demand due process. I would not want to patronize a dispute adjudicator that did not respect due process.

Karma: And why would you want to respect due process

Skyler: Due process protects fairness, the presumption of innocence, and a standard for evidence. Due process protects against arbitrariness.

Karma: Why would people want that?

Skyler: Should I be allowed to make claims against you and take your property arbitrarily? You can't see the value in due process?

Karma: I can lie and people too.

Skyler: And I would consider you a terrible person and a threat to me and my property for doing so. By all means do whatever you want, but at some point you're going to have to face the consequences for being a terrible person and a threat to other people.

Karma: But you can lie too. Why would you say the truth

Skyler: Seems to me like you're asking why anybody would choose to be a good person who tries to be honest and deal with other people fairly and respectfully. Is that what you're asking?

Karma: Yes. Why trust the system, the state can also say it wants to be fair and etc

Skyler: The state can say whatever it wants. Anybody can say whatever they want. But if you're going to make claims against me and demand I give you my property, I'm going to challenge you on the facts of your claim.

Karma: But why would you be fair and accept the truth in case you lose?

Skyler: I treat people fairly and respectfully because I want them to treat me fairly and respectfully.

Karma: The state can say the same

Skyler: What people say, and what people do are often at odds. I'll judge the state by its actions, which so far have been horrendous.

Karma: Many places have been invaded conquered, stolen many times

Skyler: Yes. So? I've already indicated as such, but we must start somewhere. If someone can prove a superior claim to a particular parcel then it should either be returned to them or they should be paid reparations for it.

Karma: So if I have stolen land and I don't say it I get to have it

Skyler: If you can prove it with facts and evidence that you are actually the rightful owner, then you should either get it or get reparations for it.

Karma: Or what if I know some land is stolen but it wasn't mine

Skyler: Then convince the rightful owner that they have a good case for a lawsuit.

Karma: He died.

Skyler: Unless he has children or descendants then there's nothing to dispute.

Karma: Uhh so I can genocide nice

Skyler: Umm, right. This conversation seems to be going off the rails. I suppose that's the next step after grasping for straws.

Karma: If someone kills an entire population and let no descendants alive, no one else has better rights. I, only know he committed genocide. What can I do with his property.

Skyler: If somebody obtained their property as a matter of conquest and theft, then they have no valid claim to it. Anyone else is at liberty to take it from them.

Karma: By 2nd conquest?

Skyler: Criminals have no valid complaint against being the subject of someone else's crimes. Live by the sword, die by the sword.

Karma: Nice so neofeudalism

Skyler: *Huh?!*

Karma: The feudal lord has no right to his lands so anyone can challenge him right

Skyler: Right. Challenge away.

Karma: Okey..so... I can use violence right? To be sure

Skyler: Using violence to take back what's been stolen from you may be foolish, but it would not be unjustified.

Karma: Not from me, from others that died and all their descendants too. That was the case

Skyler: Then using violence to take out the genocidal maniac would not be unjustified. I would consider it a heroic and virtuous act.

Karma: Nice, thx

The conversation continued in some other directions, but that's enough for now. I think I established the difference between the authority of private ownership and what the state claims the right to do to other people and their property. It's not analogous in any way.