

Abolish Slavery!

Part VI

Some varieties of slavery permeate American life today and go completely unrecognized — even by the staunchest libertarians. Take, for example, one flagrant case which, as far as I know, has never been attacked by even the most consistent individualist: *compulsory jury duty*.

Jury work may or may not be a noble task, but the vitally important point about this work is that it is conducted under slave conditions; for, though the term of slavery may be short, compulsory jury duty is slavery, nonetheless. Men are routed off their jobs and herded, under pain of prison, to the courts, where they must sit or do actual jury service for several weeks, at pay approximating that of an Asian coolie. What is this if not slavery, if not involuntary servitude?

Defenders of the compulsory jury system claim that juries should constitute a cross-section of the community, and that this would not occur if jury service were voluntary. In the first place, juries are never cross-sections of the community; they are invariably hand-picked by “preferred” occupations and income levels. It is rare, for example, to see an unemployed laborer on a jury even though he is precisely the sort of person who might be willing to serve, even at today’s miniscule levels of pay.

But the important point is not that juries are invariably hand-picked and discriminatory; the important point is that jury service is involuntary

servitude. Precisely *because* jury work is so important to the lives and properties of the people, it is vital to have people on juries who come there willingly and voluntarily. And it is vital, too, to pay them enough so that they would be willing to perform this service.

If its defenders are right, and the jury system cannot survive on a voluntary basis, then so much the worse for the jury system. Any institution that cannot survive based on freedom of labor is clearly not worth surviving.

If we are to draft juries for slave wages, why not draft our judges as well? Or draft lawyers in general? Lawyers, however, are exempt from compulsory jury slavery, and hence our law-makers, who are largely lawyers, tend to look benignly on this draft system.