

The South Carolina LIBERTARIAN

VOL. V SPRING 1985 NO. I



OFFICIAL NEWSLETTER OF THE SOUTH CAROLINA LIBERTARIAN PARTY

ACTIVITY DATES

APRIL 1 - Midlands Area Libertarians will meet at the Richland County Library (1400 Sumter St.) at 7:00 pm. Guest speaker will be John Wrisley (retired TV news announcer), who will speak on the 16th Amendment and world monetary policy. Plans will be finalized for TAX PROTEST DAY.

APRIL 14 - Executive Committee Meeting at Quincy's near the Charleston Highway in West Columbia. Lunch at 2:00 with the meeting at 3.

APRIL 15 - TAX PROTEST DAY.

JUNE 23 - Executive Committee Meeting (location not yet known). Delegates will be chosen to go to the National Convention in Phoenix, Arizona, in August. All SCLP members who are interested should attend this meeting.

JULY 4 - The SCLP will participate in the Freedom Weekend Aloft in Greenville and sponsor a bike race in Darlington. More details later.

SEPTEMBER (date to be announced) - The 10th Anniversary of the South Carolina Libertarian Party.

**STOP THE ARMS RACE
NOT THE HUMAN RACE**

FUNDRAISING CHAIRPERSON APPOINTED

At the Feb. 24 Executive Committee meeting, Michael Blum, who, along with his wife Rebecca Dominguez, is a professional advertiser, was appointed chair of the SCLP Fundraising Committee.

TAX AWARENESS DAY ORGANIZED

On April 15, the SCLP will be passing out brochures concerning the Federal Income Tax at Post Offices accross the state. Enclosed, you will find a copy of this brochure as prepared by the SCLP Education Committee. If you would like to participate in this project please contact your county chairperson or Ms Cynthia Edwards Sullivan at 798-7659.

THE STATE OF THE UNION; A RESPONSE TO PAST FAILURES

In addressing the Congress of the United States, the President has again glossed over the problems facing the nation with the answers of one who is favorable to a Free Enterprise System. However, it is unfortunate that the Congress and the President say one thing and then continue doing the opposite: increasing the size and power of the federal government.

In response to Mr Reagan's assessment of the State of the Union, the South Carolina Libertarian Party would like to offer another perspective.

We see three basic areas of concern: The Economy, Foreign Policy, and Civil Liberties.

While economic activity has increased in recent years, the Libertarian objective is to create a Free Market. The effects of regulations imposed on the economy

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COMMENTS

ZONING: ILLUSION OF PROTECTION

by Mary Lou Seymour

The right to own land and control the use of it is one of Americans' greatest freedoms, and one most often taken for granted. If a dictator ever wanted to take control, the easiest way would be to take control of the land **away** from the property owners, and vest control in the government.

Never in America? The basic mechanism for land control is already in place. Land use regulations, such as zoning, have been in widespread use in this country for many years. The big push by government to control land use through zoning came in the 1950's. As usual, our government used the 'carrot and stick' approach: billions of Federal dollars became available to states, counties, and cities making the most attractive carrot. The stick was that no money would flow unless the local governments adopted land use regulations, such as zoning regulations and development standards, to provide for 'orderly growth'.

But who can be against 'orderly growth'? Who wants factories built next to residential neighborhoods? What homeowner in an affluent suburb wouldn't be grateful to exchange his/her right to control their property for the guarantee that the empty lot across the street wouldn't become a trailer park, or worse, a gas station? Particularly since it is 'for the public good', as all land use regulations must purport to be, to be held constitutional. Zoning, therefore, must be in the public interest, and would 'protect' the property owner from undesirable neighbors, thus preserving property value.

There are several problems with

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ARKANSAS ACTIVIST JAILED ON PRINCIPLE

After two years of eluding federal agents, Paul Jacobs was arrested by the FBI several weeks ago for his refusal to register for the Draft.

"I refuse to register ... the draft is absolute state control over the individual ... it is slavery and I will not assist the government in its attempt to take away my freedom," said Paul.

Jacob and 600,000 other men have refused to register, thus devastating the 'legitimacy' of the government's registration program.

Paul Jacob is the Chairperson of the Arkansas Libertarian Party.

Those interested in helping Jacob fight the system are invited to contribute to:

The Paul Jacob Defense Fund
c/o Arkansas Libertarian Party
P.O. Box 15724, Little Rock
Arkansas 72231

Question Authority

The South Carolina LIBERTARIAN is published by the South Carolina Libertarian Party and is meant to reflect the Libertarian Movement in the state. All signed articles are the opinion of the author and are not necessarily the opinions of the state party. Ad rates are available upon request. Please send all correspondence to the Editor at Post Office Box 1415, Aiken, South Carolina 29802.

EDITOR - John B. Heaton

STATE OF THE UNION

-continued-

fall unevenly on the business community. High taxes are still punishing productive working people. Excessive government spending is wasting money and promoting inflation and high interest rates. We call for the separation of economy and government. Just as we demand that there be no intervention in our personal lives and our mental and spiritual activities, so, too, do we insist that there be no intervention in the economic sector.

America's traditional foreign policy from George Washington's time has been not to interfere with the affairs of other countries. Libertarians want to return to this foreign policy. We support the defense of this country, but we oppose subsidizing foreign policy. We support the defense of this country, but we oppose subsidizing foreign interests. Billions of dollars from the defense and foreign aid budgets are spent supporting foreign governments and industries that compete with our own. Libertarians believe that the United States does not have any obligations to solve other nations' problems. While we condemn acts of violence perpetrated by any government on its citizenry, we believe that the best ideal for a truly equitable foreign policy is one of free trade with all nations and entangling alliances with none.

Civil liberties have never been taken very seriously by the Democrats or Republicans. Libertarians maintain that there should be no interference by force with the right of men and women to live their own lives in their own way, as long as they respect the same rights of others.

Libertarians believe that if these principles are applied across the board, not only will a vast weight of oppression be lifted from the everyday lives of millions of Americans, but, in addition, we will be on the way to building the most

HELP US CELEBRATE: TAX PROTEST DAY

A Message From the Education Chair

Every year, freedom-lovers across the nation celebrate Tax Protest Day, and 1985 is no exception. On April 15th, South Carolina Libertarians will hand out flyers at post offices across the state in order to publicize our oppressive taxation. This is our most important annual outreach effort, and it usually receives publicity and media coverage.

Since April 15th is the time of year when taxpayers are the most angry at the government, this is the best time for Libertarians to tell South Carolinians about the harmful effects of taxation. Despite what the politicians have said about tax 'cuts', most persons are paying more total taxes now than they were four years ago. Many persons, aware that their taxes haven't been cut, take a fatalistic attitude and believe that high taxes are inevitable. The Libertarian Party must convince these persons that there IS an alternative.

Your help is urgently needed in order to make this year's TAX PROTEST DAY a successful one. The road to Liberty is long and rocky, but we'll never get there if we do not keep trudging along. The Education Committee has printed thousands of flyers, and many volunteers are needed to help hand out these flyers on April 15th. If you can help, please call one of the local contact persons listed on page 8.

Please help us fight for YOUR freedom!

David Morris



ZONING -continued-

this theory, espoused by people bearing titles like 'city planner'. In fact, government zoning affords no *real* protection whatsoever. How many times have you seen outraged property owners attend zoning hearings, demanding that this apartment complex or that office building **not** be built in their neighborhood, only to have the powers that be change the zoning to accommodate the apartment complex or office building developer? Right now in Atlanta, land is being re-zoned at an alarming rate, office buildings springing up in once 'protected' suburbs, and this same pattern is occurring all over the country.

All that zoning and other land use regulations do is to take the power to control your land away from you and give it to the government. Of course, the can't constitutionally control your land **directly**, so a 'middle man' group of citizens, known as a Planning Commission or Zoning Board is set up, presumably to insure that the zoning change is 'in the public interest'. Tremendous monetary and political pressure can then be exerted on this 'citizens group', with generally predictable results. (Of course, there are exceptions, truly public spirited individuals do serve on these Boards, but they are in the minority and don't usually last long after they find out what is going on.)

The best way to guarantee that you have control over your own land is through deed restrictions and covenants between you and your neighbors. Of course, these documents must be drawn up legally and not have any unconstitutional elements, as recent events in Houston, Texas, have shown, but they do provide far more real protection than government land use regulations, and keep your individual right to control your land intact.

Your Awesome Power as a Juror

by Jan Chapman

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If South Carolina citizens knew of the powers that jurors possess, instead of shirking jury duty, most of them would gladly serve.

When citizens serve on a jury, they have the power to decide the law as well as the facts. If they think the law is unjust, if they think the law is used incorrectly, or if they think the judge isn't giving the defendant a chance to present a good defense, jurors have the power to vote "not guilty" regardless of the judge's instructions.

For example, if a juror thinks the Blue Laws are unjust, the juror can find the defendant in that type of case "not guilty", even if the evidence proves beyond any doubt that the defendant sold the unauthorized item on Sunday.

Before the Civil War, there was a famous court case, the Dred Scott decision, about a fugitive slave. The courts said he had to be returned to his owner like any other property. This judgement was unpopular with northern juries, and they wouldn't convict others being prosecuted under similar laws. The government saw that this could get out of hand, if citizens wouldn't convict under the ever increasing laws. The juries could veto political schemes. The authorities wanted control, and they only wanted juries to decide the breaking of the law, not the law itself.

This question was debated back and forth. Then in 1895 (*Sparf v. U.S.*, 156 U.S. 51 (1895)), the U.S. Supreme Court ruled that juries do have the power to ignore a judge's instructions on the law, but they shouldn't be aware of it. It seems very strange that citizens have a power they aren't supposed to be aware of!

This power is referred to as **JURY NULLIFICATION**. It exists in civil as well as criminal cases, and it is particularly important in South Carolina, because judges are elected by the state legislature instead of being elected by the people.

When serving on juries, citizens have more power than the President, Congress, and the U.S. Supreme Court combined. When they serve on a grand jury, they have the power to investigate and indict all public servants (including judges and prosecutors) who violate the U.S. Constitution and the S.C. Constitution.

Why aren't people aware of their sovereign power as jurors? It's because nobody has told them, and government officials don't want them to know. Jury nullification isn't taught in government schools. The term isn't in your encyclopedia or dictionary, and it isn't mentioned in law schools or legal references. This is an example of George Orwell's 1984 fictional "Newspeak": the concept doesn't exist if the phrase is banned.

Remember these important facts the next time you are called for jury duty, and tell your friends, too.

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Some of the information in the above article is based on research done by Stormy Mon, a member of the Colorado Libertarian Party.

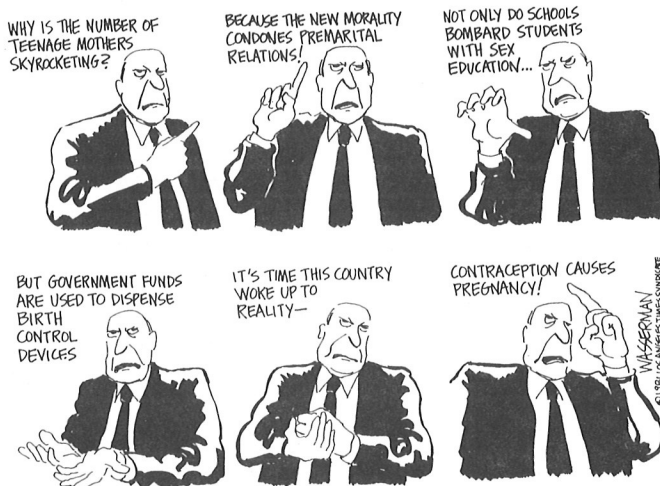
ZONING--continued

Zoning has traditionally been used to push poor people off their property so more 'desirable' land use can result. Today, with less and less land available for development, middle and upper income property owners are starting to realize that the zoning they thought offered them protection offers nothing but an illusion.

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Mary Lou Seymour is a member of the Aiken County LP, and ran for the local County Council in 1984.

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IS YOUR COUNTY ORGANIZED ?

Currently there are fifteen (15) counties that are organized by the SCLP. If you happen to live in a county that is not organized please call the SCLP Secretary, John Harillee, at 803/669-8354, and offer your assistance. The contact list on page 6 will let you know who has organized what and where. We need your help in the fight for freedom in South Carolina, so call today !

ELECTION RESULTS ARE IN, FINALLY

Following is a list of the vote tabulations garnished by the SCLP candidates in November 1984.

Bergland/Lewis (Pres)
4,359 for .5%

S.Davis (U.S.Senate)
13,333 for 1.4%

C.Sullivan (U.S.House Dist 2)
2,010 for 1.2%

R.Madden (U.S.House Dist 3)
1,510 for 1.0%

R.Pike (U.S.House Dist 4)
1,431 for 0.9%

L.Blevins (U.S.House Dist 5)
4,185 for 4.1%

H.Thompson (U.S.House Dist 6)
2,050 for 1.3%

H.Johnson (S.C. Senate Dist 4)
762 for 4.8%

W.Crews (S.C. Senate Dist 10)
71 for 0.4%

S.Vandervelde (S.C. Senate Dist 21)
193 for 1.3%

J.Chapman (S.C. Senate Dist 23)
298 for 1.2%

R.Heaton (S.C. Senate Dist 25)
246 for 1.1%

M.Olinger (S.C. Senate Dist 29)
845 for 6.7%

J.Compton (S.C. House Dist 13)
427 for 7.2%

B.Griffin (S.C. House Dist 88)
148 for 2.0%

M.L.Seymour (Aiken Co. Council #3)
121 for 3.2%

T.Thomas (Florence Co. Treasurer)
1,250 for 5.0%

This is the most people the SCLP has put forth in a general election. It may be noted that we ran as many congressional races as the Republicans and a higher percentage of women candidates than any other party. Even though these seem at first glance to be low vote totals, when one looks at the time and monies spent, we did as well if not better than the other candidates in the money versus vote totals game. We are a growing movement and with the experience gained in this election we will move to greater heights in the next go'round.

COMMITTEE APPOINTMENTS MADE

The SCLP Executive Committee, at its December meeting, made committee appointments to two new standing committees: the Education Committee and the Campaign '86 Committee.

The **Education Committee** will include David Morris (796-3161), Committee Chairperson, with John B. Heaton, Bill McCuen, Hugh Thompson, and Don West as voting members. The **Campaign '86 Committee** will have Ray Pike (582-6807) as Chairperson, with Andy Dlinn as Treasurer, Ron Heaton, William Griffin, and Cynthia Edwards Sullivan as voting members. All committee meetings are open to members of the SCLP, indeed, members are encouraged to attend meetings whenever possible and submit any ideas that they may come up with.

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STATE OF THE UNION--continued

diversified and most creative society that history has ever known, a civilization that will dignify all who had a hand in it. We want to restore the American dream of Peace, Prosperity, and Freedom that was borne more than two hundred years ago.

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This article was prepared by the Education Committee of the SCLP.

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LOCAL CONTACTS:

AIKEN - Ron Heaton - 663-7927
 ANDERSON - Howard Johnson - 296-5204
 BEAUFORT - Jim Wright - 785-1281
 BERKELEY - Bruce Knight - 744-0748
 CHARLESTON- Joan DiGiovanni 795-6048
 CHEROKEE - Linda Blevins - 839-4586
 DARLINGTON - Hugh Thompson -393-3609
 FLORENCE - David Rosser - 662-4463
 GREENVILLE - Bill McCuen - 232-7476
 GREENWOOD - Robert Madden - 229-0006
 HORRY - Jim Wilson - 449-5053
 LEXINGTON - David Morris - 796-3161
 RICHLAND -Steve Vandervelde-779-3985
 SPARTANBURG - Carl Hartmann-472-3169
 YORK - Cliff Ross - 327-3337

SCLP State Chairperson -

Steve Kreisman - 704/588-3814

SCLP State Secretary -

John Harllee - 669-8345

NATIONAL HEADQUARTERS - 713/686-1776
 800/682-1776

..."A reasonable person accepts the world the way it is and adapts to it. An unreasonable person persists at getting the world to change; therefore, all progress in the world comes from unreasonable people."

-George Bernard Shaw



South Carolina Libertarian Party
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