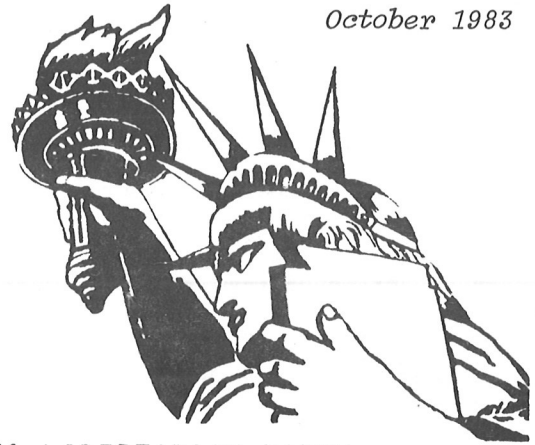


SOUTH CAROLINA LIBERTARIAN

October 1983



OFFICIAL NEWSLETTER OF THE SOUTH CAROLINA LIBERTARIAN PARTY

NATIONAL CONVENTION PICKS BERGLAND AND LEWIS TO RUN IN 1984

TWO SOUTH CAROLINIANS ELECTED
TO NATIONAL OFFICE

David P. Bergland was selected as the Libertarian Party candidate for President on September 3 at the L.P. Presidential Nominating Convention in New York City. Bergland, 48, is an attorney from Costa Mesa, California. He has been a long-time L.P. activist and was the party's vice-presidential candidate in 1976. Bergland was the L.P. National Chairman from 1977 to 1981. He ran for the U.S. Senate in California in 1980 and received over 200,000 votes in a three-way race. Bergland's running mate in the 1984 campaign will be Jim Lewis, a sales representative for a bookbinder from Old Saybrook, Connecticut.

Until August 25, Gene Burns of Orlando, Florida, was the front-runner for the nomination, but he unexpectedly dropped out of the race four days before the Convention. Bergland, who had supported Burns, decided to seek the nomination himself.

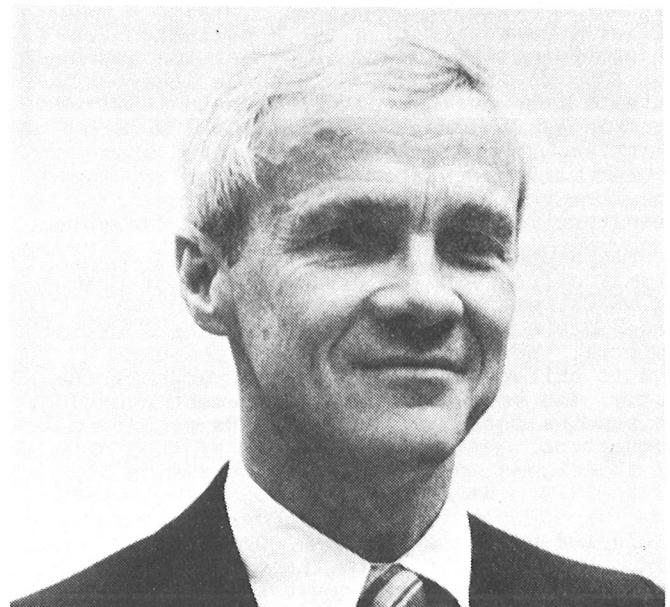
The race for the presidential nomination was very close. Bergland's major opponents were Earl Ravenal, a Professor at the Georgetown University School of Foreign Service, and Mary Ruwart, a research scientist at the Upjohn Company in Kalamazoo, Michigan. A total of six candidates were nominated, but by the second ballot, only Bergland, Ravenal, and Ruwart had significant numbers of supporters. Ruwart withdrew, and it took two more ballots for Bergland to win the nomination by a narrow margin. Ravenal actually withdrew from the race when his defeat was imminent.

In a brief acceptance speech, Bergland emphasized that he doesn't promise to receive any specific number of votes in 1984. His main goals are: 1) To run a campaign which focuses on libertarian principles, and 2) To travel to the various states in order to strengthen the grassroots organization of state parties. He discussed his positions on various issues in another speech at the evening banquet (see quotations on page 3).

FACT OR FICTION?

- 1) *Members of labor unions favor minimum wage laws.*
- 2) *Public schools are necessary. The private sector can't provide a decent education for poor persons.*
- 3) *Environmental damage is caused by greedy business enterprises which are driven by the profit motive.*

Answers on page 3.



DAVID BERGLAND

It took three ballots and a voice vote to select the vice-presidential candidate. Lewis was endorsed by Dr. Murray Rothbard, who noted that Lewis had made significant contributions to L.P. grassroots organization in the New England area and had personally recruited many candidates in that region. Lewis said that he plans to travel throughout the country in an effort to help state parties to recruit new members and candidates.

(continued on page 2)

PIKE RUNNING FOR CONGRESS

S.C.L.P. activist William Ray Pike has announced his candidacy for U.S. Congress, District 4. Pike is the Spartanburg County Chairman. He had hinted in June that he might run, and he made his formal announcement on September 15 in Spartanburg. He will oppose incumbent Republican Carroll Campbell if he is nominated at the S.C.L.P. State Convention in 1984 (he has no opponent for the nomination at this time). At present, little is known about possible Democratic candidates.

LIBERTARIANISM ON THE AIR

Byline, the Cato Institute's daily radio program, is now being broadcast on two radio stations in the Columbia area. WIS (AM 560) carries it at 5:35 P.M., and WUSC (FM 90.5) carries the program at 11:55 A.M. and at 6:00 P.M. This program includes frequent commentaries by libertarians and is a welcome oasis in the desert of media statism. Those who live in other parts of S.C. are urged to contact local radio stations and ask them to carry this program.

CONVENTION

(continued from page 1)

In other balloting, Paul Grant of Evergreen, Colorado, was elected Chairman of the Libertarian National Committee. Grant, a manufacturer's representative for a pollution control equipment firm, had no opposition and was elected by acclamation. He was the Libertarian candidate for Governor of Colorado in 1982 and is currently Chairman of Coloradans for Free Enterprise. Mary Gingell, who manages the commuter railroad system in San Francisco, was elected to the Vice-Chair. David Walter of Warminster, Pennsylvania, was elected Treasurer.

Two South Carolinians were elected to national office. Heide Hartman Davis of Gramling, S.C., was elected Secretary, and her husband Steve Davis was elected to the Judicial Committee. Both are currently in computer sales to chiropractic practices throughout the country, and both have done management consultant studies for the Libertarian Party National Headquarters. Steve has been active in the L.P. in Arizona and Florida before moving to S.C. in 1979. Heide had no opposition in her quest for the position of L.P. Secretary and was elected by acclamation. A total of 13 persons were nominated for the Judicial Committee, and Steve received enough votes to make the top five.

Other business at the Convention included election of the seven At-Large Members of the National Committee and the election of Regional Representatives. South Carolina is in Region 18, along with North Carolina and Virginia, and the three states selected David Saum of Falls Church, Virginia to represent Region 18 on the National Committee, with S.C.L.P. Chairman Steve Kreisman being one of three alternates. The National Committee met at the end of the Convention and decided to move the National Headquarters to Houston, Texas at some time in the near future. Also at the Convention, minor changes in the ByLaws were approved, and there were some revisions to the Platform (see editorial on page 5).

JOIN THE S.C.L.P. NOW

AND GET

A FREE SUBSCRIPTION TO REASON!

Due to the generosity of one S.C.L.P. member, the party is offering a special deal to persons who become new party members in the near future. Individuals who join the S.C.L.P. for the first time will, if they so request, receive a free one-year subscription to Reason magazine, a savings of \$15.00 off the normal introductory price for a one-year new subscription to this fine journal. Since this offer only applies to a limited number of new members, all persons thinking about joining the S.C.L.P. should do so now in order to get this (almost) free lunch! Everyone who joins now will be a member through 1984.

QUOTATIONS FROM

BERGLAND'S BANQUET SPEECH

"...I intend to differentiate myself from my rivals in the next fourteen months. I'm going to come out against taxes and inflation."

"One of the most important services to wrest from government is the control of young people's minds. Education should be responsive to the needs of parents and children - not politicians."

"Reagan, of course, talks about getting the poor to stand on their own two feet. The problem is - the government keeps breaking their legs. The poor are interfered with whenever they try for anything other than a welfare check....There is only one answer to restoring opportunity and upward mobility to the poorest sectors of our society: decriminalize work."

"The people who enter this country, both legally and illegally, come to escape oppression and poverty and ask only for opportunity. We can never have enough of that kind of person."

"U.S. foreign policy over the years has inspired the resentment and hatred of most of the countries of the world and has only served to strengthen the appeal of socialism in these other places, at the same time running our own economy into the ground with taxes going to finance international adventurism....The answer for the U.S. is simple: disengage from around the world, spend no money involving us in the affairs of other nations, and promote instead voluntary cooperation and international friendship through policies of free trade, free travel, and free immigration."

"Let us end forever the implied threat of a draft by stopping registration and abolishing the Selective Service System forever. Let us all support and endorse the heroic actions of young men like Paul Jacob to resist the draft."

"If there is one thing which we ought not to be looking to politicians for, it is moral leadership."

"The only actions which can properly be called crimes are those which physically invade the life or property of other individuals. Laws that penalize drug use, abortion, gun ownership, and alternative sexual lifestyles are themselves crimes."

"What we want is respect for our rights to control our own lives and settle problems in a peaceful and voluntary manner - respect for the people who want to deliver their children at home, or educate their children at home, or keep their children at home instead of flying off to fight in El Salvador or who knows where."

"Our fight isn't a political struggle to be the people who run society - our fight is an ideological one to change the ideas that run society."

FACT OR FICTION?

- 1) *Members of labor unions favor minimum wage laws.*

FACT

Union members, most of whom make far more than the minimum wage, have always supported minimum wage laws, because these laws protect them from competition by persons willing to work for less.

Advocates of the minimum wage claim that it guarantees everyone a minimum wage, but, in fact, it doesn't guarantee anybody a job. By keeping the lowest wages artificially high, the minimum wage has actually destroyed thousands of jobs. Black teenagers are especially hurt, for they start off with few job skills.

The minimum wage essentially outlaws apprenticeships, whereby a person with few job skills could start off with a low-salary job and learn valuable skills, enabling the worker to climb the economic ladder. By destroying the bottom steps of this ladder, the minimum wage forces millions of Americans to remain economically immobile and dependent. Abolishing the minimum wage would do more to help the poor and the unemployed than would all the welfare programs combined.

- 2) *Public schools are necessary. The private sector can't provide a decent education for poor persons.*

FICTION

Despite the fact that poor persons, along with most other persons, are getting an inadequate education in public schools, many persons believe that more money should be poured into the public school system.

Many low-income parents, fed up with the public schools, have turned to private schools. In addition to religious schools, a report in the April 1983 issue of Reason points out that there are over 200 community-based, nonreligious, black private schools nationwide. One of the most notable is Marva Collins' Westside Preparatory School in Chicago, which has received national television coverage. Another is Marcus Garvey School in Los Angeles, which is building a new \$650,000 facility for 500 students. All of this money came from private sources, and most of the school's students are from low-income families. The school's achievements are impressive - third graders, who are taught by non-licensed teachers, scored higher in reading and math than did sixth graders in public schools!

Public schools have no incentive to be efficient. Whenever studies show that public school students perform poorly, public school officials always run to the legislature begging for more money. By contrast, private schools must provide a high-quality education at a reasonable cost, or else they will lose customers. Private schools, which are less restricted by government bureaucracy than are public schools, are free to be innovative and to experiment with new and more effective teaching methods, and they can do this with less money than the government spends on public schools. Getting the government out of the education business would result in better schools for both the rich and the poor. The free market can work wonders if the government will just get out of the way.

- 3) *Environmental damage is caused by greedy business enterprises which are driven by the profit motive.*

FICTION

Wouldn't business, if unfettered, be putting a hydroelectric dam in the Grand Canyon to make money? The answer is no. As William Tucker describes in the May 1983 issue of Reason, it wasn't business that wanted to put a dam in the Grand Canyon in the 1960s - it was the government, and the government was going to lose money, not make money.

Environmental damage tends to occur whenever the government acts as landlord. Whenever the government owns land, it tends to waste resources and thus lose money. The government is not a very good landlord, for nobody has a personal interest in protecting the resources on government land.

The government never charges proper rents to the users of government-owned resources. Instead, it subsidizes the consumption of these resources and shovels them onto the market at far below their market value. It also throws resources onto the market much faster than private owners do. The Bureau of Land Management's ranchlands are constantly overgrazed, but privately-owned ranchlands remain in good shape. The U.S. Forest Service subsidizes expensive logging operations in areas so remote that lumber companies would leave them alone if there were no government subsidies. In the process of subsidizing environmental destruction, the Forest Service loses \$500 million per year, but the government doesn't mind losing money, since it can always pass the bill along to the taxpayers.

When a parcel of land is privately owned, the landlord has a financial incentive to conserve the land's resources, for this increases the market value of the land. Most people, including environmentalists, believe that the only way people make money on land is to exploit it as quickly as possible, but this does not reflect the true economic motivation of the landlord. For the landlord, the best way to maintain a high rent is to conserve the land's value as far into the future as possible. It is true that businesses make money by using resources to manufacture products, but landlords make money by limiting the use of scarce resources in order to protect their availability.

As Tucker describes in another article in the June 1983 issue of Inquiry, there is a growing conviction among environmentalists that the greatest threats to the environment are government non-profit enterprises, not profit-making businesses. High-level members of such environmental organizations as the Environmental Defense Fund, the Conservation Foundation, the National Audubon Society, the Sierra Club, the Solar Lobby, and Friends of the Earth have criticized government policies and have come out in favor of free-market principles, at least to a limited extent.

Persons who wish to preserve certain lands as wilderness areas can best reach this goal by contributing to the efforts of organizations which actually buy land, such as the Audubon Society and the Nature Conservancy. These organizations are, in effect, environmental landlords. Privately-owned nature preserves are managed much better than government-owned preserves. Unless the desire to protect the environment is channelled into the private desires of landlords to care for their property, environmental problems will never be solved.

Doug Bandow is the editor of Inquiry magazine. He was Special Assistant to President Reagan for Policy Development before leaving this post in 1982 in order to assume his present position at Inquiry. This article appeared in the Orange County (CA) Register on January 16, 1983, and in the February 1983 issue of Update.

IRRATIONALITY OF DRUG LAWS

by Doug Bandow

The arrest of automaker John DeLorean for allegedly trafficking in cocaine provides yet another victim in America's misguided "war" on drugs. DeLorean joins two other men - Roger Trenton Davis, a civic dropout from Virginia, and Peter Krutschewski, a civic leader from Texas - in having their lives destroyed by enforcement of the drug laws.

Davis has begun serving a 20-year sentence for the possession and distribution of nine ounces of marijuana. The sentence originally imposed in 1974 was for 40 years, and was three times overturned by judges for being too severe.

Last January, the U.S. Supreme Court upheld the sentence, even though the maximum for second-degree murder in Virginia is 20 years. In May, Governor Charles Robb denied a pardon for Davis, but did reduce the sentence from 40 to 20 years.

Krutschewski began serving a 10-year sentence last spring for marijuana smuggling. A much-decorated helicopter crewman in Vietnam, Krutschewski became a smuggler in 1973 and 1974, then went straight and became a millionaire in the oil business.

A former partner only recently confessed, leading to Krutschewski's conviction last year. The judge admitted that Krutschewski had already rehabilitated himself, but, to deter others from smuggling, imposed a sentence longer than the combined total received by the 18 fellow smugglers.

Unfortunately, there will undoubtedly be many more victims of America's intolerant and repressive crusade against voluntary drug use. Indeed, this most pervasive form of economic and social regulation is also most perverse.

For instance, the drugs regulated by the government vary greatly in their potential for harm. Indeed, drug prohibition tends to make the drugs more dangerous - the main physical danger from heroin results from impurities and inconsistent concentrations, which are greater in the illegal underground market.

Our drug policies also violate the precepts of individual freedom which underlie our society. Even if drugs like marijuana and heroin are dangerous, consenting adults are entitled to risk their use, just as they can risk using tobacco and alcohol, and hang gliding. The use of drugs by children is the true drug problem, but banning drugs for everyone is neither moral nor effective.

Interestingly, drug prohibition creates crime. Up to 40 percent of property crimes are committed by drug users; Washington D.C. Police Chief Maurice Turner has noted that "addicts rob, burglarize, steal, and sometimes murder to support their habits."

Unfortunately, they do so precisely because drugs are illegal, and therefore so expensive. A government-funded study of Detroit in 1976 found that as the drug laws were more strictly enforced, drug prices rose and other crimes increased.

Indeed, the raw materials in a \$100 fix of heroin cost 5 cents; the morphine necessary to support an average heroin habit would cost an estimated \$1.50 a day if it were available in drugstores. How many addicts would rob, burglarize, steal, and sometimes murder for \$1.50 a day?

Drug regulation also diverts vast amounts of society's resources, punishing people for hurting themselves, instead of protecting the rest of us. It has been estimated that as much as 40 percent of local police resources, 25 percent of prison space, and commensurate amounts of prosecutors' time, are spent on drug-related crimes.

Indeed, Washington D.C. police have busied themselves posing as drug dealers and selling fake drugs, and using city water trucks and opening fire hydrants to wash away drug dealers' wares. Their time would be better spent trying to prevent the Capital's many robberies, burglaries, thefts, rapes, and murders.

Lastly, the war on drugs naturally utilizes more and more draconian weapons, since there is no "victim" to help solve the crime. Proposals to restrict the Fourth Amendment's protections against search and seizure, laws against selling drug paraphernalia (most of which have non-narcotic drug uses), and vague laws allowing arbitrary social control, are among the most egregious examples.

The latter is perhaps the most disturbing. In November 1981, the New York city police arrested all 375 patrons of the Gotham Disco and led them away in chains, not for possessing drugs but for "loitering for the purpose of using drugs."

Such vague laws are used primarily against those citizens who are different - such as Davis, a black who flouted social conventions by marrying a white woman in rural Virginia.

America's war on drugs has many losers and no winners. Until we admit that it is an immoral and unwinnable war, the mindless body counts will continue, with people like Davis and Krutschewski the victims.



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EDITORIAL

NATIONAL CONVENTION -
PERSONAL COMMENTS

At last, the L.P. Platform has a decent plank on Children's Rights. As some of you may know, I have a special interest in this issue. In fact, I was invited to participate in a panel discussion on this subject at the National Convention on August 30, where I gave a brief speech outlining my opposition to the concept of government-enforced parental obligation. This speech, along with a summary of the panel discussion, will be published in the next issue of The Familist (subscriptions are free - write to The Familist, 5324 Sun Valley Drive, El Paso, Texas 79924).

I was totally dissatisfied with the previous Children's Rights plank, which simply stated that children have the same rights as other human beings. The new plank is quite lengthy and, while not perfect, is much better than the previous plank. Space does not permit printing the entire plank - anyone who is interested can send me a stamped self-addressed envelope.

Unfortunately, time did not permit consideration of all the proposals presented by the Platform Committee, despite Committee Chairman David Nolan's efforts to discourage minor amendments, but several planks were revised, and a new Preamble was added.

GOODMAN WINS

(S.C. TAX COMMISSION LOSES)

West Columbia businessman James C. Goodman was convicted of tax evasion last year for failure to pay S.C. income taxes and failure to provide proper information on his tax form, but this July the S.C. Supreme Court reversed his conviction and said that it was the S.C. Tax Commission that had failed to comply with the law.

When Goodman filed his state and federal income tax forms for 1980, he responded to many of the questions by asserting his 4th Amendment right to privacy and his 5th Amendment right against self-incrimination. The S.C. Tax Commission returned his state form for correction, whereupon Goodman wrote back in June of 1981, saying, "If anyone in the S.C. Tax Commission can show me how I can fill out the S.C. income tax form 1001-A without me relinquishing or infringing on any of my guaranteed constitutional rights, I will be very glad to do so."

Instead of receiving a reply, Goodman was arrested in October of 1981. He was tried in the Lexington County Court of General Sessions and was convicted in February of 1982 of 1) failure to provide information on his 1980 S.C. income tax return and 2) failure to pay taxes, both with intent to evade state tax laws. His sentence was three years probation and a \$1,000 fine.

In addition to several debates between the candidates, I was able to attend three interesting talks and two debates. Dr. Thomas Szasz and Dr. Peter Breggin both discussed several types of abuses which can occur when psychiatry is used as a tool of the State. Breggin presented evidence that German psychiatrists were behind Hitler's plan to exterminate Jews. Another talk was given by Henry Mark Holzer, an attorney who teaches Constitutional Law at Brooklyn Law School. Holzer has represented Ayn Rand, Walter Polovchak (the Soviet youth attempting to stay in the U.S.), and other champions of freedom. He outlined how the Supreme Court consistently ignores individual rights and instead rules in favor of the government's confiscation of wealth and invasion of privacy, justifying this by reference to "practicality" and "necessity".

The debate between Jeff Hummel and David Friedman on unilateral nuclear disarmament was lively and informative, as was the debate on defense involving Hummel, Chris Hocker, Robert Poole, and Michael Dunn. Poole, Editor of Reason magazine, announced the publication by the Reason Foundation of a book entitled How Should A Free Society Be Defended? Michael Dunn is the author of one of the chapters. I am excited about this, for it will be the first book that really examines both the morality and the practicality of defensive systems from a libertarian perspective. Anyone who wishes to order a copy of this book can write to me for an order form.

- David Morris

Goodman appealed his guilty verdict to the S.C. Supreme Court, where he was represented by Columbia attorney Donna K. Holt. On July 27 of this year, the Court reversed his conviction in a 5-0 decision. In a memorandum, the Court said, "Although appellant requested instructions for properly completing his tax return, the Commission never responded to his request, never assessed taxes against appellant under S.C. Code Ann. § 12-7-1670 (1976), nor notified him any taxes were due pursuant to § 12-7-2220. Under these circumstances, appellant could not have possessed the requisite intent to evade the tax laws, and thus the trial judge erred in denying appellant's motion for a directed verdict." In other words, the S.C. Supreme Court held that Lexington County Judge George B. Timmerman should have dismissed the case by acquitting Goodman.

Spokesmen for the S.C. Tax Commission are playing down the importance of the case, but Goodman points to the fact that his June 1981 letter remains unanswered. He says, "You know why? They can't do it. Tax returns cannot be completed without relinquishing or infringing upon any of your guaranteed constitutional rights." He also points out that the federal government has not responded to his 1980 federal tax return.

Although Goodman is not a member of the Libertarian Party or any tax-protest group, he has strong opinions about the tax system. He describes tax laws as "a con deal to trick people into surrendering their rights, and that's what I'm violently opposed to."

Here is the text of the 1983 July 4th Celebration speech:

AN ISLAND OF HOPE IN A SEA OF USURPATIONS

by Jan Morris

"The price of liberty is eternal vigilance." This is how Thomas Jefferson described one of the costs of preserving freedom. The fundamental freedoms he was referring to are the right to "life, liberty, and the pursuit of happiness." He mentioned these rights in the Declaration of Independence.

Today marks the 207th anniversary of the Declaration of Independence, which created the United States. In writing it, Jefferson borrowed the philosophy of John Locke - that is, that individuals have a right to own property, that this right is not given by government; it is given by the Creator, and it is the government's job to protect this right, and to enforce contracts.

Although it has many provisions for the protection of "life, liberty, and property", the United States Constitution is not a libertarian document. It allows for the theft of property through both taxation and eminent domain. The Constitution also allows the federal government to control immigration, foreign trade, and interstate commerce. However, the Constitution does place some limits on these powers.

The federal government has usurped powers not given to it by the Constitution - usually with the blessings of the courts. These usurped powers are many. Among them are: declaring what shall be a legal tender, violating individuals' property rights through the confiscation of privately-held gold and the confiscation of wealth through inflation, violating young men's right to life, liberty, and labor property through conscription, violating individuals' property rights through the enactment and enforcement of minimum wage, equal employment opportunity, and occupational licensing laws, the creation and funding of welfare programs, policing the world, imposing an income tax on revenue which is not "income", and Congress's delegation of some of its legislative power to the executive branch of government.

The Constitution does not give the federal government the power to make any thing a legal tender or to tell the States what they can make a legal tender, and expressly prohibits the States from making "any thing but gold and silver coin" a legal tender. Despite this, the federal government has made paper money a legal tender at both the federal and state levels. On top of this, in the not-too-distant past, privately-owned gold coins were confiscated. By both executive order and legislative acts, the United States currency has been made irredeemable, and the hidden tax of inflation has been forced upon us by a privately-owned corporation and by a Congress that does not have the guts to vote for the revenue increases that government steals as a result of inflation. This imposition of taxation without the consent of the governed is similar to one of the usurpations of power by the King of Great Britain which Jefferson mentioned in the Declaration of Independence.

Slavery was supposed to have been abolished with the ratification of the Thirteenth Amendment, but it is still alive under the name of "draft registration" and "conscription." The government uses the power of Congress "to declare war" and "to raise and support armies" as the legal basis for such violation of individual rights. Although it does not state that the military is to have only volunteers, The Federalist Papers indicates that the Founding Fathers meant for the military to have only volunteers. In Paper No. 24, Alexander Hamilton - a believer in a strong central government - refers to "corps in the pay of the government." In everyday language, "in the pay of" refers to a voluntary employer-employee relationship.

The government also usurps its power in the area of employment relations. It violates the property rights of both employers and employees through affirmative action, minimum wage, and laws requiring unionization.

Welfare programs have created a privileged class in violation of Article I, Section 8, Clause 5, and the 10th and 14th Amendments. In the view of some, they also violate Article I, Sections 9 and 10, which prohibit the United States and the States from granting titles of nobility.

Article I, Section 8 gives Congress the power to "provide for the common defence." It does not say anything about policing the world. In his inaugural address of 1801, Jefferson stated the foreign and defense philosophy of the Founding Fathers: "Peace, commerce, and honest friendship with all nations - entangling alliances with none."

One of the greatest usurpations of power is the taxing of "nonincome" as "income." By this, I mean the imposition of an income tax on equal exchanges of property, such as a day's labor. Income is a gain or profit derived from a source, not the source itself. "A wise and frugal government shall not take from the mouth of labor the bread it has earned", was the philosophy of Thomas Jefferson.

Another way in which Congress usurps its power is the delegating of some of its legislative authority to administrative agencies in the executive branch. This is a violation of the "separation of powers" doctrine. In the Declaration of Independence, Jefferson described this type of usurpation of power by stating, "He" - meaning the King of Great Britain - "has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance."

These usurpations have come on gradually, rather than abruptly. James Madison put it correctly when he said, "Since the general civilization of mankind...there are more instances of the abridgement of the freedom of the people by gradual and silent encroachment of those in power than by violent and sudden usurpations."

The State of South Carolina usurps its power in various ways. It imposes an income tax that the State constitution does not have a provision for.

One thing that the South Carolina Constitution does provide for is a separation of powers, but the actual situation is something entirely different. Several members of the General Assembly are practicing lawyers, and all lawyers are "officers of the court." State judges are elected by the legislature for a certain number of years rather than for life, which makes them dependent upon the good graces of the legislators. Although the governor and the attorneys in the executive branch do not have private law practices, they remain officers of the court.

States have usurped their power by taking a dictatorial role in court cases in which they are involved. Instead of saying "The People of..." versus the defendant, they use the word "State." Article III, Section 2, of the United States Constitution, states that "In all cases...in which a State shall be a party, the Supreme Court shall have original jurisdiction." The reason for this is stated by Alexander Hamilton in The Federalist Papers: "In cases in which a State might happen to be a party, it would ill suit its dignity to be turned over to an inferior tribunal."

These are some of the many ways in which government, both state and federal, has gradually and insidiously nibbled away at the freedom of individuals.

Despite the continuing encroachment by government on the liberty of individuals, there are some hopeful signs to be found. Many state legislatures have passed a resolution asking Congress to repeal the Federal Reserve Act, which would eliminate the Federal Reserve System. Almost as many state legislatures have endorsed the Liberty Amendment, introduced by Reps. Ron Paul of Texas and Larry McDonald of Georgia, which would repeal the 16th Amendment and do other things to restore many lost liberties in this country.

(continued on page 7)

BOOK REVIEW

Macaskill, Frederick. In Search of Liberty. New York: Books in Focus, Inc. 1979. \$10.95. Order from: Laissez Faire Books, 206 Mercer St., New York, N.Y. 10003.

Reviewed by Richard A. Cooper

"The black-white conflict in America, South Africa, or anywhere else, is not predestined, it is something that can be prevented." If In Search of Liberty were confined by its brilliant South African author merely to race, it would alone be worth the time and money to read. But the reader will derive far greater benefits: a vigorously written exposition of the principles and justification of a free society universal in its applications.

Frederick Macaskill is an exponent of libertarianism in a country where only some are free. Libertarians, such as Mr. Macaskill, define freedom as the absence of coercion (force or the threat of force) hindering our enjoyment of the natural rights to life, liberty, and property. Macaskill observes, "With regard to the South African racial problem, it is often overlooked that the violation of property rights through coercion is not applied against blacks exclusively. South African whites are equally the victims of governmental edicts, if not more so."

In Search of Liberty presents the libertarian case for capitalism as a rational, efficient, and moral economic system. The heroic South African economist William E. Hutt (he was deprived of his passport for opposing apartheid) pointed out that "when Afrikaansers refer to the 'abuses of capitalism' they think of its lack of respect for privilege and historically determined race and class structures; and they think of the latter as having been more or less heaven-ordained." A similar feeling pervaded European anti-Semitism. Marx's original term for capitalism was Judentum (Judaism).

Libertarians advocate the nonaggression principle: it is unjust, immoral, and criminal to initiate force against another person. To do so violates the other person's natural rights. Human beings have a particular and essential nature. We reason and we choose. Coercion is a self-contradictory action, contradicting our power to choose by imposing one person's will upon another. Coercion is parasitic, feeding upon those who produce and exchange freely with others. Therefore, coercion hinders our survival. It is profoundly anti-life, anti-human, and anti-rational.

Accordingly, libertarians believe that on one (e.g. the king, the president, the majority, the proletariat, or the Aryan race) may commit aggressions against our rights to life, liberty, and property. Majority rule merely determines who shall have the power to exploit others. A great nineteenth-century French libertarian, Frederic Bastiat, observed in his work The Law that "The State is that great fiction whereby everyone tries to live at the expense of everyone else." In reality only a fraction of the people can exercise the power of the majority. Shall we recite the dreary litany of Hitler, Stalin, and Peron to remind us of those who rob and murder in the name of the people?

In Search of Liberty is a provocative book which may shock some of your cherished prejudices. Macaskill communicates ideas with great verve and understanding. Consider the possibility that he may be right.

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Richard Cooper is an export manager from Westbury, N.Y. His book reviews have appeared in various publications.

PROCLAIM LIBERTY
THROUGHOUT THE WORLD!

Statement of Principles

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual.

We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual; namely, (1) the right to life — accordingly we support prohibition of the initiation of physical force against others; (2) the right to liberty of speech and action — accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and (3) the right to property — accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders, and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

JULY 4th SPEECH

(continued from page 6)

One of the most hopeful signs is the recent emergence of the Libertarian Party, which is the only political party dedicated to advancing the cause of liberty, and asserting the natural rights of individuals. Because of this, there is now some real hope for trimming the bloated State down to size by way of the political process.

There are several things that individuals can do to advance the cause of liberty and to restore freedom in America. One of the things that people can do is to vote for Libertarian candidates. Another thing is to give financial support to the Libertarian Party. A third thing is to recruit new libertarian activists. Yet another is to run for office, using the campaign as a forum for explaining the Libertarian alternatives.

In addition to these political activities, Libertarians can have a lot of influence by serving on juries, particularly in criminal cases. In one of its earliest decisions, the United States Supreme Court ruled that juries have the power to decide issues of law as well as issues of fact. This means that jurors can find a defendant "not guilty" if they consider the law unjust, even if the evidence leaves no doubt that the individual violated the law. Many people consider jury duty a burden, but in the words of Thomas Paine, "Those who expect to reap the blessings of freedom must undergo the fatigue of supporting it."

SCHEDULE OF EVENTS

October 14-23, Columbia -
S.C. State Fair. Volunteers needed for the S.C.L.P. booth. Please call Dick Winchell (781-5427) if you can help.

October 25, Columbia -
District 72 special election. Please vote for Steve Vandervelde!

November 13, Columbia -
State Executive Committee meeting, 2:00 P.M. at the Richland County Public Library, 1400 Sumter St. Everyone is welcome to attend.

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The editor wishes to thank Jan Morris for her continuing assistance in folding, stapling, and addressing this newsletter.

PLEASE NOTE OUR
NEW MAILING ADDRESS

SOUTH CAROLINA LIBERTARIAN is published by the South Carolina Libertarian Party. Ad rates available on request. Please send all correspondence to the Editor at P.O. Box 2297, West Columbia, S.C. 29171.

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MEMBERSHIP FORM

The South Carolina Libertarian Party was certified as an official political party by the South Carolina State Election Commission in January, 1979. South Carolina law requires that all members of any political party in South Carolina hold valid voter registration certificates.

I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals.

Signed: _____

I am registered to vote in _____ County, S.C.

Name: _____ Home Phone: _____

Address: _____ Work Phone: _____

Occupation: _____

DUES, SOUTH CAROLINA LIBERTARIAN PARTY \$ _____
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