

the Southern Libertarian Messenger



October, 1983

Rt. 10 Box 52A, Florence, S. C. 29501

Vol. XII, No. 6

ARE YOU FROM DIXIE? Wait till you see what's on page 3 this month, not to mention our poster!

3rd Party Candidate Will A Offer Choice

I want to suggest some other explanations for the very low turnout in the Democratic and Republican special primaries this summer. No, I am not going to try to blame it all on the heat.

I suggest that the voters are beginning to realize that both the Democratic and Republican parties are essentially selfish special interest groups with very little to offer the public, not even a distinctive choice. For at least two

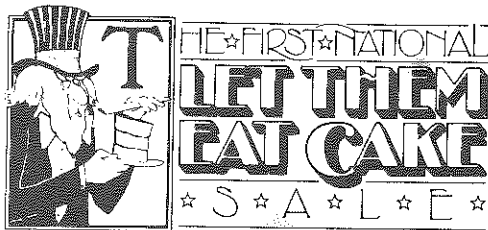
generations, fewer and fewer voters have identified with either of these parties.

Fortunately, voters in House District 72 will not be restricted to the offerings of just the Democrats and Republicans this year; there is also the Libertarian candidate, Steve Vandervelde, who offers a distinct choice. Among the reasons why some people did not choose to vote in the primaries must be included an intention to vote for him.

JOHN T. HARLEE

SCLP NOTICE: the annual State Fair Booth is this month. We are not publishing details on the internal war, so far as it stays out of the public press, in order to encourage you to come to meetings and see for yourself. Or even, participate! Dum Spiro Spero.

In 1929, Will Rogers said: You know, all I know is just what I read in the papers, and I find that there is two things that can disrupt business in this country. One is war, and the other is a meeting of the Federal Reserve Bank.



let us eat cake

WASHINGTON, DC — A nationwide fundraising campaign for hardhit local citizen groups has been launched by an organization called the First National Let Them Eat Cake Sale, Inc.

Scheduled for October 3, the national bake sale will offer to the general public slices of locally-baked cake in cake boxes with political messages about the effects of Reaganomics. The cakeboxes, in six different styles, have been designed by six political cartoonists, including Jules Feiffer. The event takes its name from Marie Antoinette's infamous retort when she was told the poor of France had no bread: "Well, then, let them eat cake."

Lisa Schwartz, spokeswoman for Let Them Eat Cake, explained that any local group may participate. The national office sells the cakeboxes to local organizers at 15c each. The local group organizes its own community to fill the boxes with cake and sell them at a suggested price of \$2.50. Except for the cost of the boxes, all the proceeds stay in the community and go directly to organizers.

For information, write or call the First National Let Them Eat Cake Sale at 918 F St. NW, Suite 611, Washington, DC 20004, (202) 347-6080.

Deceptive Gentility

"A Handbook of Great Labor Quotations" is \$5.95 from Hillside Books, Box 601, Lynnfield, MA 01940.

In US, there are 369,000 adults in prison, 224,000 on parole, & 1.2 million on probation. Not all are criminals, of course, and many criminals aren't included. Still, it's an awful lot of people. (WWN)

New technology: an anklet that alerts cops when the wearer tries to remove it or goes more than 200 feet from home; being tried in New Mexico as an alternative to overcrowded jails. (Newsweek)

Just out: HOW YOU CAN FIND HAPPINESS DURING THE COLLAPSE OF WESTERN CIVILIZATION, by Robert Ringer; \$14.95. Wait for the paperback, or try the library.

Lyndon LaRouche, associates & front organizations are being sued for racketeering by a creditor, economist Dr. Michael Hudson, who claims they conned him out of large sums of money. LaRouche is the former presidential candidate of the U S Labor Party. (Ovth)

Inhabitants of Vanuatu (New Hebrides) are becoming increasingly unhappy with marxist government; even members of Parliament & cabinet are planning to run for office in November as anti-socialists. If elected, the first priority will be to free Jimmy Stevens. If you want to help, send contributions to Thomas Eck Trust Account, c/o Sally Foster, 1207 Harvard, Claremont, CA 91711. (Liberal)

Received: report of Alicia Clark as chm. of LP, with 5¢ postage due, and no return address.

Tax resistance, 13th century style: when the Earl of Norfolk refused to pay an illegal tax, Henry III swore, "I will send reapers and reap your fields for you!" His loyal subject replied, "And I will send you back the heads of your reapers." (JJ&SR)

Dagmar Taborsky, 19, won an award for developing a strain of water flea that eats sewage; she refused the govt. award to protest the murder of Gordon Kahl. (JJ&SR)

Eustace Mullins helped free Ezra Pound, the poet, after 13 years psychiatric imprisonment (for support of Fascist Italy in WWII); FBI files now show that FBI conspired unsuccessfully to get him committed.

"Harry's War", the suppressed anti-IRS film, can be rented from Jensen/Farley Pictures; call Norman Hale, 213/704-1500.

World Research is now offering all their films on video-tape at \$59.95.

Hillsdale County, FL, needed 15,000 ft. of channel aluminum; they ordered and got 15,000 pieces, each 20 ft. long, a 20 year supply. (Liberator)

Austrian economist Peter Bauer of the London School of Economics has been raised to the peerage. (Sunday Telegraph)

Minneapolis attorney David Lebedoff reports the greatest threat to freedom in America is "The New Elite", persons of high IQ who live in ivory towers and distrust the common man. (Esquire) Need we give examples?

8211 David Morris
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WEAPONS FREEZE

We need governments to protect us! Amnesty International (304 W 58th St, NYC 10019) has a 131 page report, Political Killings by Governments (no price listed) on just that in more than 20 countries.

"You cannot get there unless you are willing to start from here!" - Athanaric (nation of God)

Sen. Pierre Howard of DeKalb Co., GA, needs cards & letters on GA Workfare program, pilot project that gives able-bodied unemployed people work, at minimum wage in govt. jobs for those who would otherwise be drawing welfare, and cuts off those unwilling to work. (1000 First Natl. Bank Bldg, Decatur, GA 30030)

Federal courts have ruled schools can censor ads in school newspapers, & reject on from CARD urging students to oppose the draft, while running ads for Selective Serv. & military recruiters. (Nw Ind)

"The statistics show the literacy rate of the U. S. is on a par with Burma and Albania. ... It is horrifying to learn that 28% of our high school juniors and seniors are illiterate, and could not comprehend the simple literacy test given them." - Rudolf Flesch.

Govt. used to require that typist be able to do 40 words per min. (barely enough to pass high school typing), but found so many were failing, so they changed the rules: now they only have to say they can type that well, and no one checks them. Even if they are graduates of the Elizabeth Ray school of secretarial science. (Spot.)

The hotel in DC at Thomas Circle which has been the International Inn, Hotel America, Hotel Sonesta, Ramada Inn, & International Hotel is known to locals as the Hotel Formerly. (DCGaz)

Daryl McCarty, Asst. Supt. of Ed. for Utah, recently told the Salt Lake City Tribune that he'd only read 2 or 3 whole books in his life. (Und.Gram) Such a love for education!

Indira Gandhi borrowed \$2.2 billion from US, and then pointed out that Indian law forbids foreign transfer of currency, so she couldn't repay. (SSun)

Carolina Biological Supply, 2700 York Rd, Burlington, NC 27215 now has a catalog of outdoor equipment.

"The necessary result, then, of the unequal fiscal action of the government is to divide the community into two great classes; one consisting of those who in reality pay the taxes, and, of course, bear exclusively the burden of supporting the government; and the other, of those who are the recipients of their proceeds, through disbursements, and who are in fact supported by the government; or, in fewer words, to divide it into tax-payers and tax-consumers." - John C. Calhoun discusses the class struggle in his Disquisition on Government.

Pioneer reports receiving a letter from Barbara who was killed a few months ago in Philadelphia; doesn't say if the US Snail took that long to deliver it, or if she's writing from somewhere else. You always wonder.

Daniel Weiner, 4250 Yukon Av, Simi Valley, CA 93063 is compiling a book of concise libertarian answers to tough questions. Needs tough questions.

Walter Plankinton of Phoenix has scrapped a plan to anchor a cruise ship 9 miles off Galveston, TX and offer gambling and sex (legally) on the high seas. Too many hassles for govt. (Am Bus)

"All we want is to be left alone." - Jefferson Davis, 1862. Quoted by Greta Garbo, 1939.



Available from Cato Inst., 224 2nd St SE, Washington, DC 20003, SOLIDARNOSC z WOLNOSCIA, including 13 essays on economic & political freedom, in Polish. \$9.95! Of course, if they wanted to make some money to support the project, they'd -- publish an English translation, but that's not the way they do things.

* * * * *

It has been my contention for many years that Congress does not read the laws it passes, and that in many cases not even the person introducing the legislation understands it. In Britain the House of Lords serves a purpose we do not have here: it reviews legislation to see if it has any unintended effects or ambiguous language. Let us consider some recent offerings:

HR 1783, the anti-fencing act, forbids purchase of any item containing gold, silver or gems, without (1) requiring ID from the seller, (2) keeping the seller's thumbprint on file for a year, (3) paying by check, m. o. or draft, & (4) keeping records for any govt. official to inspect. Now let us translate this into English: suppose I am a coin collector, and suppose I go into a jewelry store to buy a watch. I must get the salesclerk's ID, his/her thumbprint, & refuse to pay by cash or credit card.

TEFRA, which passed in 1982, requires brokers to file returns on dealings with clients. But a broker includes any other person who regularly acts as a middleman. Now suppose you are a student, and have a part-time job selling peanuts, etc., at the local ballpark or have a newspaper route. You are a broker. And you are supposed to file returns on who bought how many crackerjacks or whatever.

* * * * *

R. J. Rummel in CO Liberty declares, that from 1816-1981 there were more than 50 interstate wars, none of which involved an established liberal democracy on both sides. There have, of course, been a lot more than 50 wars, but he ignores types of wars, such as secessions, (Norway from Sweden, Belgium from Netherlands, Ireland from Britain), that don't fit. Or he decides that one side isn't liberal or democratic enough (Denmark v. Prussia, France v. Germany, US v. Spain, Britain v. Orange Free State, Bulgari v. Greece & Serbia). Or he decides that one liberal democracy isn't "established" enough (US v. Philippines).

the Southern Libertarian Messenger

Editor
Associate Editor

John T. Harllee
Robert Brakeman

A newspaper is not for just reporting the news as it is, but to make people mad enough to do something about it.

— Mark Twain

\$5. for third class mail anywhere in the U. S.,
\$6. for first class mail, Canada or Mexico,
\$8. for overseas, by surface mail.



South Will Rise Again

A QUESTION OF NATIONALITY ? ? ?

As you know, the Messenger has a reputation for publishing strange news, so I assume that the reader is ready for anything. So, we are going to consider the question: who is, and is not, a citizen of the United States.

Most civilized nations go by a rule, "ius sanguinis", (Latin: right of blood) that says, simply that you are a citizen of whatever nation your parents were citizens of. This can get a bit complex if your two parents are not of the same nationality, but we will ignore that problem for the moment. A few countries say that anyone born within their boundaries are citizens by right of birth.

The United States does both. It says that anyone born within the United States may claim U. S. citizenship even though the parents were, let us say, here as tourists or diplomats. One interesting result of this rule is that along the Mexican border pregnant women come into the U. S. to be delivered, so that the child will have a birth certificate from the state of Texas or whatever, and can claim U. S. citizenship thereby. But the U. S. also says that if a child is born to U. S. citizens who are residing or traveling abroad, the child is a U. S. citizen by "ius sanguinis". This is, by the way, more common than you might think: it involves children born to missionaries, to military families stationed abroad, to citizens living abroad involved in foreign trade, etc. Where it gets messy is where only one of the parents is a U. S. citizen.

All of this is by way of introduction. Now here is the odd news: many people born and living within the United States are not necessarily citizens of the U. S., if their parents were not citizens, and if they have not done anything to renounce another citizenship to which they have a claim.

Now the United States does not recognize dual citizenship, but many nations do, including, significantly for legal purposes, England. This goes back to the Middle Ages, when it was common for gentlemen to own estates both in France and England, and thus to be subjects of both the King of England and of the King of France, simultaneously. It got a lot more complicated than this, and quite quickly.

Let us get back to the question of how one could be born and live in the United States, and not be a citizen thereof. First, there are members of certain Indian tribes which never surrendered their sovereignty by treaty, such as the Hopi or the Iroquois, which still claim to be sovereign nations. Most Indian nations lost a war at some point and were forced to surrender their sovereignty by treaty; some others which never surrendered were simply exterminated, sometimes by other Indians, but there are others who never signed treaties. How many and which ones are matters of considerable debate; likewise, many Indian groups consist largely, if not wholly, of persons of mixed descent, which further complicates the issue.

The next group consists of the descendants of immigrants who never became naturalized citizens. The parents may have intended to return to the old country after making their fortune in America, or may have died young and never finished the naturalization formalities, or may have simply been too busy trying to survive to go to all the trouble. Most of these, unlike the members of the Indian nations, consider themselves U. S. citizens by right of birth

here, and never consider that they may have a right to claim another citizenship, either instead of or in addition to, depending on the laws of the particular country of their parents' birth. There is at least one ethnic group, the Japanese, where such a right might be maintained for several generations, because of laws forbidding naturalization at one time, followed by endogamous marriage customs. This is also possible, but not so likely, in other ethnic groups; the Chinese came mostly before or after the Oriental exclusion laws.

Now among the United States-born descendants of foreign citizens who retained their resident alien status, there is one very interesting group: the citizens of discontinued countries. This group may now consist of only a few hundred people, but they are significant. The chief examples are the three Baltic republics: Estonia, Latvia, & Lithuania which are still recognized by most Western nations, although occupied by the Soviet Union, and still maintain a shadow of existence in one or two foreign embassies that they have never surrendered and in their citizens in exile who have never accepted any other citizenship.

The next interesting case is those who possess both United States and Israeli passports; with a very few exceptions, they were born in the United States and subsequently acquired dual Israeli citizenship. I realize that the existence of this anomaly drives many super-patriots to paroxysms of unreasoning rage, not the least cause of which is that it is Israel, of all nations, that is involved. (If the thought of a United States citizen carrying the passport of another country so affects you, just go and have your apoplexy while writing a letter to the State Dept.) These bring up some interesting points: one does not forfeit citizenship by accepting the passport of a foreign country, or even by voting in its elections, or by serving in its army, necessarily. For those who are still having apoplexy, let me add that all these points were well established in law before the present state of Israel came into existence. U. S. citizens did not forfeit their citizenship by fighting in the French Foreign Legion or the Lafayette Escadrille and become citizens of France.

There are a number of interesting special cases that apply to only a few people: members of the royal family of Hawaii, for example, that I will not go into. Please remember that we are not talking about a stateless person; we are discussing those who can claim U. S. citizenship, but do not have to.

Finally, we get to the biggest group, which may consist of anywhere from a few hundred thousand to several million: the Confederates.

The Confederacy lost a war, but it never signed a treaty renouncing its sovereignty. It was occupied by a foreign army, but a country does not cease to exist because it is occupied; look at the histories of Ireland or Poland. Its armies surrendered and were released on parole, but a soldier does not give up his citizenship by surrendering, or even by accepting parole. Many Confederate citizens did renounce their citizenship, by taking an oath of allegiance to the federal government. This is important, because the existence of the oath proves that it was not automatic.

But there were others who did not take the oath. One group went abroad, and while some of them became citizens of the countries they went to, others did not. There is at least one group of these still, in Brazil.

SOUTH WILL RISE AGAIN, continued

Another group that often did not take the oath were Confederate soldiers who were under 21 at the end of the war and did not own real estate; the main reasons for taking the oath of allegiance were to be restored to civil rights and protect property. A Confederate soldier who was 14 in 1865 (and there were those younger than that) and from Virginia would not have reached voting age until after Reconstruction had ended in his state.

Others did not take the oath because they could not; they had died in the war. Admittedly, many of these were young and unmarried and left no issue. Those who did left generally small children, who were not asked to take the oath because they did not reach voting age until after the end of Reconstruction. The same applies to the children of those who did take the oath; any children born subsequent to taking the oath would be U. S. citizens, but those already born, and especially those born in 1861-65, would not necessarily be.

In addition, there were those who refused to take the oath, and did not vote in a federal election for the rest of their lives. But a large number avoided in a peculiar way: they did not return immediately to the South, but settled in one of the western states or territories, where the administration of the oath was not systematic as in the South.

In one of the great ironies of history, there is another group who often did not take the oath: blacks who had Confederate citizenship. The Yankees never realized that they existed.

Over the years, some who had a claim to Confederate citizenship gave it up in one way or another, by accepting a federal job with the post office, for example, which entailed the equivalent of an oath of allegiance, and a claim of U. S. citizenship.

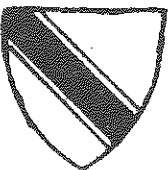
But they did not give it up by voting (unless they took the oath in order to be allowed to vote), or by serving in the federal army (and especially by being drafted into it), or by getting a U. S. passport, or by paying taxes to the occupying power. And they passed on their claim to Confederate citizenship to their descendants.

Now at this point, someone may make the most unlibertarian objection that the Confederacy ceased to exist when the Confederate government stopped functioning. No way! Ireland, occupied or not, hasn't had a real government for most of its history, but the Irish people go back into prehistory. And this is well established in international law; Irish wild geese fighting for France or Spain or whoever against their nominal lord, the King of England, were never treated as traitors as late as the Boer War.

Likewise, let me dispose of the objection that citizenship in one of the 50 states-and-occupied-territories mandates federal citizenship; the whole point of the Confederacy was that it didn't, and no one was tried for treason in the 1860s on that theory.

Look up your family history. You may be able to claim citizenship in a country with no government.

Libertarian Miscellany Club



Send for a list of our current select list of books, and other publications, on liberty. Many not available elsewhere at discount prices! Bumperstickers! Tee shirts! Posters!

Rt. 10 Box 52A, Florence, SC 29501

Banas, Josef. The Scapegoats: The Exodus of the Remnants of Polish Jewry. London: Weidenfield & Nicholson, 1979. Imported by Holmes & Meier, New York, \$18.50. Reviewed by Richard A. Cooper (copyright)

Poland's Communist regime has completed Hitler's Final Solution, driving the surviving Polish Jews out of the country with waves of persecutions by police and press. Mr. Banas, a Polish emigre, renders a harrowing account of totalitarianism at work.

Banas considers the actual feelings towards Jews of the regime's leaders and agents to be irrelevant to the situation. Gomulka's wife was Jewish, yet he largely orchestrated much of the early campaign. Anti-Semitism is an instrument of policy in "People's Poland."

Banas uncovers the essence of the Anti-Semitic campaign: "The main aim, of every totalitarian movement is to seize power in its own country and to subjugate its own people. That is why these people - in whose name and for whose sake the persecution of minorities is or was ostensibly carried out - have to pay the ultimate price for the misdeeds of their totalitarian rulers."

This campaign did not lack humor, albeit unintended. One Jewish official was reprimanded before a Party meeting for giving his children Jewish religious training. After the speakers finished, the victim rose and informed the meeting that he had no children. Nonplussed, the Party executive committee recessed the meeting and came back twenty minutes later with a motion to expel the victim for maintaining a "provocative silence." The cartoons published in the Soviet and Polish press bear a remarkable resemblance to their Nazi models, as you can see from Banas's examples.

Before you reassure yourself that Final Solutions can never happen again, I suggest you read The Scapegoats and shake off that notion. As long as there are minority groups and political power, there will be many Final Solutions to come, if we let them.

* * *

An Elderly Jewish man was sitting in Gorky Park, Moscow, reading a book in Hebrew, when he was approached by a policeman who asked what he was reading. "I am studying Hebrew, so that if I go to Heaven, I'll know the language." "Maybe you'll go to Hell, instead," said the cop. The old man replied, "Russian, I already know." (Funny Funny World)

Paula Williams in Parkland, FL received an income tax refund check, and found that the local banks would not cash it for her. (Weekly World News) Maybe they know something?

"Some things you must always be unable to bear. Some things you must never stop refusing to bear. Injustice and outrage and dishonor and shame. No matter how young you are or how old you have got. Not for kudos and not for cash, your picture in the paper nor money in the bank, neither. Just refuse to bear them." - William Faulkner

Freebie: Freedom Report, box 1776, Lake Jackson, TX 77566.

Prof. Joan Weimer, English Dept., Drew U., Madison, NJ 07940 is looking for suggestions of material to use in a human rights course. (Amn. Action)

There are about 9 million employees paid directly or indirectly by the federal govt. in addition to the federal civil service & armed services. (Nat'l. J)

Census Bureau reports that 39.5% of those getting food stamps, 57.3% of those getting subsidized school lunches, 53.4% of those in subsidized housing, 52.5% covered by Medicaid and 82% covered by Medicare were not "poor"; while 2/3 of the poor received no cash benefits.

Are books by libertarian authors readily available to college students?

My curiosity was aroused after encountering a large number of graduates of our higher learning institutions who did not seem to know a libertarian from a Lithuanian. So I proposed to conduct a survey. As a test group, I selected all four-year degree institutions in North & South Carolina. A short - very short - questionnaire was sent to the college library asking them to check the number of titles (not books, 2 copies of the same book counts as 1 title) by three well-known libertarian writers, who have a large number of published books. The three were: Ludwig von Mises

Murray Rothbard

Thomas Szasz

First, the raw data:

South Carolina	von Mises	Rothbard	Szasz
Allen	no answer		
Baptist	4	1	0
Benedict	3	1	0
Bob Jones	16	8	3
Central Wesleyan	5	3	4
Col. of Charleston	9	1	8
Citadel	no answer		
Claflin	4	2	2
Clemson	14	6	16
Coker	3	0	3
Columbia	no answer		
Columbia Bible	1	1	3
Converse	2	3	0
Erskine	no answer		
Francis Marion	19	15	13
Furman	9	6	8
Lander	11	3	6
Limestone	3	1	2
MUSC	0	0	9
Morris	0	2	0
Newberry	1	4	2
Presbyterian	no answer		
North Greenville	no answer		
Southern Methodist	2	0	0
Spartanburg Methodist	no answer		
S C State	2	3	8
USC	no answer		
USC-Aiken	0	2	3
USC-Spartanburg	0	2	5
USC, Coastal Carolina	0	3	7
Voorhees	0	3	1
Winthrop	10	6	9
Wofford	6	5	4
Anderson	0	2	4
North Carolina			
Appalachian State	10	4	9
Atlantic Christian	6	1	4
Belmont Abbey	6	1	1
Bennett	3	2	0
Campbell	6	1	3
Catawba	12	1	3
Davidson	14	9	9
East Carolina	no answer		
Elizabeth City	2	2	1
Elon	5	6	3
Fayetteville State	no answer		
Gardner-Webb	no answer		
Guilford	7	2	7
Duke	19	10	15
High Point	no answer		
Johnson C Smith	1	1	4
Lenoir-Rhyne	2	1	5

LIBERTARIANS & LIBRARIANS

Mars Hill	no answer		
Meredith	3	1	7
Methodist	2	0	1
N C Central	3	2	6
N C A&T	1	0	5
UNC	1	4	10
UNC, Asheville	4	3	9
UNC, Charlotte	1	3	9
UNC, Greensboro	18	6	14
UNC, Wilmington	18	4	14
NC School of Arts	no answer		
NC State	19	13	16
N C Wesleyan	4	1	3
Pembroke	1	1	10
Pfeiffer	0	1	3
Piedmont Bible	no answer		
Queens	7	0	1
St Andrews	2	1	3
St Augustine	no answer		
Salem	2	2	5
Shaw	4	3	2
Wake Forest	no answer		
Warren Wilson	4	1	6
Western Carolina	10	5	10
Wingate	0	4	6
Winston-Salem State	0	5	5

I discovered one problem: von Mises is usually, but not always, filed under 'V', but sometimes under 'M'. This may account for some anomalies. I therefore rechecked a sample of 6 libraries that reported no books by him, and found that 3 of them did have some; on the other hand the other 3 didn't have any. This may, however, explain a few of the zeroes and some of the 1's.

Several individual responses are notable; the two libraries that reported the fewest books (Morris & Southern Methodist) are among the smallest colleges represented, in one case with fewer than 200 students. They are also among the smallest libraries. Another, MUSC, is an anomaly as it is primarily a medical college, but has an undergraduate program in pharmacy; it is understandable that it might have Szasz, but not the other two.

The response from Duke noted that only 3, all by von Mises, were in the undergraduate library.

The fact that, generally, state schools had more books listed does not prove anything except, perhaps, that they had larger overall libraries; anyone interested in doing a repetition of this experiment elsewhere should probably ask the size of the library, to the nearest 1000 or so volumes.

The sample, being taken from the South, is not representative of the US as a whole. There is only 1 Catholic college responding (Belmont), and there are a disproportionate number of predominately black institutions.

Libertarian faculty members, where they are known to exist, do not seem to have influenced the library holdings significantly with one or two exceptions.

Overall, access to works by libertarian scholars seems to depend mostly on the size of the library collection, as might be expected.

One further conclusion is that most college libraries have budget problems (the sample includes a few exceptions), and might appreciate a few contributions, judiciously selected.

The News

Dr. Ray Evers' conviction for prescribing a controlled substance for his pharmacist has been thrown out by the Alabama Supreme Court, 8-0. Dr. Evers' views on freedom of choice in medicine were the real issue. (Spot.)

Perry J. Pierce of Watertown, NY was acquitted by a jury on filing false withholding forms & failing to file tax returns, to the intense displeasure of federal judge & prosecutor, not to mention IRS.

Study funded by Ford Found. found that most businesses have trouble with managers who can't write a business letter, secretaries who can't read well enough to type, bookkeepers who can't do math, etc.

Justice triumphed for once when 9th Circuit acquitted James Paszint for arresting IRS agent who had come to his home and failed to produce ID. (YHN)

"For centuries now, the institution of the jury has helped insure English-speaking people all over the world that they got the kind of justice they wanted, and not just the sort of justice that the experts thought was good for them." - Judge Frank W. Wilson, US Dist. Court, Chattanooga, TN.

Al Gebhardt built a homemade sub, but can't sail it in Lake Erie because a treaty with Canada forbids armed subs. (Spot.) Why did he arm it?

Hattie Sparrow of Columbia, SC has a bone to pick with the city. She was given 2 tickets: for letting her dog run loose and for not having a dog license for her dog. She tried to point out that she did not have a dog, but the dogcatchers were not interested. Neither were the police. (State)

The latest American homage to competition is a cross between *The Dating Game* and *Let's Make a Deal*. Called *Help Wanted!*, the TV show features one employer and two job applicants, who trim poodles, dip bonbons, or do a striptease on stage to demonstrate their work skills. The employer makes the choice on the air; the winning applicant gets the job and the loser gets \$500.

Producers tout the show as a "great human document," explaining that, with unemployment so high, giving away real jobs is more exciting than the standard fare of luggage and refrigerators.



'Ethics! Heere, Ethics! Wherezat dam' dog disappeared to? Ethics!...

The Justice Dept. is not going after 146,000 known draft-dodgers! These are men born after 1-1-60 who have served in the military and failed to register on leaving active service. Yep, he is still liable for the draft. (Fed. Times)

Underground video shows bits of old Ronald Reagan movies interspersed with tapes from TV news shows, & is said to be the talk of Washington. (NYTimes) No, you won't see it on the late show.

Why did US send Burundi \$10,000 worth of basketballs? You may find out at the next Olympics: the Watusi tribe has the tallest average height around.

Drug smuggling, says Justice Dept. is like nothing since Prohibition; 3 police chiefs in NC and 3 sheriffs in TN have been arrested, not to mention a number of narcs. (var.)

Athens Lumber Co., Athens, GA is suing Federal Election Comm. challenging ban on corporate contributions to political candidates. (ADA World/DCGaz)

Testifying in favor of historic preservation of Rhodes Tavern in Washington was the US Secret Service, which didn't want a high-rise building built on the site, overlooking the White House grounds. (DCGaz) Incidentally, the reason it's so hard to get permission to visit Robert E. Lee's home is that it commands an unobstructed range of the Pentagon.

Dist. of Columbia school board is setting up computer labs in all schools and wants to have all students & teachers computer-literate in 5 years. (DC Gaz) No mention of having them all literate in the English language.

Bumpersticker reported from Michigan: MAKE WAR BY MAKING LOVE...OUTBREED YOUR ENEMIES! (Beyond)

Unemployment in Japan is the highest it's been in 30 years: 2.72%. (Spot.)

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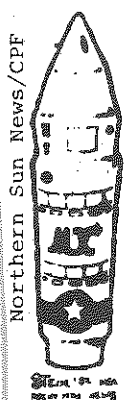
(406) 721-5497 Editor: James Alan Winter

A NAVY officer and a pretty Wren made love in a library—while three Marines watched them through a skylight.

The Marines wrote out score sheets and placards giving the officer marks out of ten for his performance.

One of the placards read "Nice One John," a court martial at Chatham, Kent, was told yesterday.

(F/A) Wisconsin Rep. Robert Travis recently suggested that the state could deal with declining university enrollments and an anticipated upsurge in the prison population in one fell swoop. How? Turn one of the state system campuses into a prison. Travis said a four-year campus has the same facilities needed for a medium security prison. Students have yet to be polled on whether they would choose to leave UW-Whitewater (the proposed prison site) if the changeover were to occur.



This Missile Needs a Home. Won't You Help?
The Pentagon is having trouble finding a safe home for the MX missile. Nobody seems to want this poor, defenseless weapon in the back yard. In the spirit of volunteerism, won't you send me suggestion to the Pentagon?
To: The Pentagon
Washington, D.C.
Dear Sirs:
I think you should stick the MX missile

A MAJOR Government tax blunder was revealed last night.

Mrs. Thatcher's plan to cut the Civil Service by 20 per cent has already cost Britain £1,200 million in uncollected tax.

And this is increasing daily through an acute shortage of tax collectors.

Chancellor Sir Geoffrey Howe, due back from holiday in Portugal next Monday, will get the shock news in a letter from taxmen's leader Tony Christopher.

Sir Geoffrey will be told:
● The uncollected money is unpaid PAYE tax.
● There are now 72,000 small firms in Britain who have not had a visit from a tax collector for more than a year. The normal length between visits should be as little as three months.

"Currency debasement destroys the value of corporate bonds, stocks, life insurance policies, annuities, and all other debt instruments denominated in dollars. We may be the richest nation in the world, but our assets are melting away before our eyes and virtually no one recognizes this fact."

- Dr. Franz Pick

By SUN REPORTER

Lt. Commander Norman Green, prosecuting, said the library love-in happened after a lunch time drinks party at the HMS Warrior shore base in Northwood, Middlesex.

When everyone else had left the party, 40-year-old Lt. Commander John Lucas started kissing the Wren.

Then Lt. Cmdr. Lucas—the sports officer at the base—took the girl into the library and locked the door behind them.

Locked

Captain Geoffrey Eggleston of the Royal Marines, the base's security officer, was told the couple had locked themselves in the room.

He banged on the library door, but there was no answer. So Captain Eggleston and two Marines went up to the roof to look through the window.

Lt. Cmdr. Green said the Marines informed Capt. Eggleston "in coarse terms" that the couple were having sexual intercourse.

"There was ribald laughter and vulgar jokes about what was going on," said Lt. Cmdr. Green.

Lt. Cmdr. Lucas, a father of four, said he kissed the Wren and "one thing led to another."

He was unaware of being watched. He heard banging on the door but thought it was "someone taking the mickey."

Lt. Cmdr. Lucas admitted "conduct prejudicial to naval discipline" by being alone and partially undressed in a locked room with the Wren and Capt. Eggleston, 38, admitted failing to maintain good order.

They were both "dismissed ship"—transferred to another base without loss of pay or rank.

● The amount of unpaid PAYE is now three times bigger than normal. It means that employers now owe the Government back tax of £50 for every worker in Britain.

If there were enough taxmen to chase up the £1,200 million, it would be enough to pay the Health Service workers three times as much as they have been offered.

Rebellion as an antidote

In the four years this column has been appearing in newspapers around the United States, a lot of mail has been received — some favorable, some critical.

The one criticism that has surfaced most frequently in my mail has to do with the fact that while many columns cite what's wrong in this great nation of ours, seldom do we propose a specific course of action for the ordinary citizen. This writer pleads guilty.

Much of the time I'm not sure what the ordinary person can do and at other times what I'd propose might lead to an arrest. You'd be

"The people who settled this country were quite different from today's American. They were bold and strong; we, by comparison, are meek and timid."

arrested because I'd propose activity, as advocated by our Founding Fathers in the Declaration of Independence, which reads, "...but when a long train of abuses and usurpations (by government) pursuing invariably the same object evinces a design to reduce them (the people) under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security."

Today, Americans have complaints similar to those of our Founding Fathers. Let's briefly examine a few of the grievances listed in our Declaration of Independence: "He has erected a multitude of new offices, and sent hither swards of officers to harrass our people and eat out their substance." "Imposing taxes on us without our consent." "He has

obstructed the administration of justice..." And these founders complained of other abuses. Re-read the Declaration of Independence, and while you're at it, the Bill of Rights — those precious first 10 amendments to the U.S. Constitution.

The people who settled this country were quite different from today's Americans. They were bold and strong; we, by comparison, are meek and timid. We've lost the guts to defend our personal liberties from attack by domestic totalitarians, and we're losing our will to defend ourselves from foreign tyrants. These great men would probably curse us for what we've become.

What did our Founding Fathers do about government encroachments on freedom? Well, there was the Boston Massacre (1770) and the Boston Tea Party (1774) both of which are familiar to us all. But many Americans are not familiar with Shay's Rebellion (1786) during which tax collectors were shot and the federal arsenal attacked. There are many other examples of early Americans' resistance to unjust laws, including smuggling by men of no less note than John Hancock, the signer of the Declaration of Independence.

You say that's lawless behavior. You're absolutely right, but what alternative do we have? The laws were rigged against them and in favor of the ruling classes both in the colonies and in England. Similarly, today's Congress and courts are rigged against the common man in favor of the ruling class. They are all the people who use Congress to impose their values on the common man. They are the people who get politicians to decide how to spend almost one half of your earnings. They are the lobbyists for labor unions, business and professional groups and do-gooders.

Faced with government-sponsored: disrespect for private property; tampering with our families; confiscation of our wealth; interference in our economic lives, there can be only one recommended course of action. And that course of action is detailed in our early history. In a phrase: Work to reconvene the constitutional convention, and if the politicians work to subvert that attempt, revolt against the illegitimate use of government power.

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JURY NULIFICATION — The Awesome Power You Didn't Even Know You Had

By Stormy Mon

Since the English Magna Carta in 1215, one of the major purposes of a citizen jury is to NOT CONVICT under laws they feel are unfair. Citizens can't assume the politicians are passing good laws and that unconstitutional ones have been weeded out by the courts. For example, since slaves can't properly judge the principles of liberty, jury service should be voluntary.

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 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 only wanted juries to decide the breaking of the law, not the law itself. Some judges said that since they were no longer the king's appointees, but now members of the democratic process, they could be trusted to have the citizens' best interests at heart; nullification of judge's instructions was no longer necessary. Also, it would put too great a mental strain on jurors.

This question was debated back and forth. Then in 1895 (Sparf vs. U.S. 156 U.S. 51, 1895), the U.S. Supreme Court ruled that although juries have the right to ignore a judge's instructions on the law, the jury shouldn't be aware of it. The judicial hypocrisy started with this decision. If it seems strange that citizens have a right they aren't supposed to be aware of, it is strange.

Jury nullification isn't taught in compulsory government schools. The term isn't in your encyclopedia or dictionary and it's dropped from law schools and references. This is an example of George Orwell's 1984 fictional "Newspeak": the concept doesn't exist if the phrase is banned.

All judicial mention since the 1895 Supreme Court ruling acknowledges its existence only grudgingly, and judges refuse to tell juries about the power or to allow defense attorneys to refer to it. It's treated like a haunting, persistent ghost from the past, whose rare appearances are tolerated, deliberately ignored, and certainly not encouraged. This conspiracy of jury ignorance on the part of the judiciary is one of the strengths of government — IGNORANCE IS STRENGTH.

Many of the current powers of government could be abolished if juries knew their rights and responsibilities. We see the jury veto at work in modern times, naturally without being taught. In many areas juries won't convict for marijuana and other "morals" laws, so they aren't enforced. Critics fear this will lead to anarchy and chaos. Yet in Georgia, Indiana and Maryland, the right to tell juries about nullification is a constitutional part of the state judicial process. These states haven't suffered, and can be leaders in a citizen re-awakening.

"The Jury has a right to judge both the law as well as the fact in controversy."

-Chief Justice John Jay,
U.S. Supreme Court
Georgia v Brailsford
(3 Dallas 1, 1794)

"The jury has the right to determine both the law and the facts."

-Samuel Chase, Supreme
Court Justice 1804
signer of The Declaration
of Independence

"There are five separate tribunals to veto laws: representative, senate, executive, judicial and jury. It's the right and duty of juries to hold all laws invalid that are unjust or oppressive, in their opinion. If a jury does not have this right, the government is absolute and the people are slaves. Is it absurd that twelve ignorant men should have the power to judge the law, while justices learned in the law should sit by and see the law decided erroneously? The justices are untrustworthy and are fond of power and authority. To allow them to dictate the law would surrender all property, liberty and rights of the people into the hands of arbitrary power."

-Lysander Spooner "An Essay On
The Trial By Jury" 1852

"Jury lawlessness is the great corrective of law in its actual administration."

-Dean Roscoe Pound,
44 AM L Rev 12 at 18 (1910)

"The jury has the power to bring in a verdict in the teeth of both law and facts."

-Oliver Wendel Holmes,
Hornig v DC 254 US 135,
138 (1920)

"If the jury feels the law is unjust, we recognize the undisputed power of the jury to acquit, even if its verdict is contrary to the law as given by the judge and contrary to the evidence. This power of the jury is not always contrary to the interests of justice."

-U.S. v Moylan 417 F.2d
1002 at 1006 (1969)

"The pages of history shine on instances of the jury's exercise of its prerogative to disregard instructions of the judge; for example, acquittals under the fugitive slave law."

-U.S. v Dougherty 473 F.2d
1113 at 1130 (1972)

None of the four references since 1895 (Pound, Holmes, Moylan and Dougherty), taken in their full context, encourage a

*"If it seems strange that
citizens have a right they aren't
supposed to be aware of,
it is strange."*

modern jury veto. They simply recognize it as history that refuses to die. However, one modern judge stands out with common sense on the subject. In his Dougherty dissent (at 1138-44), Washington D.C. Chief Federal Judge Bazelon shows considerable courage in challenging the two-faced judicial recognition of the jury veto power by his brethren, while refusing to tell juries about it:

"Deliberate lack of candor... sleight-of-hand... a haphazard process. Is it true that nullification which arises out of ignorance is in some sense more worthy than nullification which arises out of knowledge? Nullification can and should serve an important function in the criminal process. Trust in the jury is, after all, one of the cornerstones of our entire criminal jurisprudence, and if that trust is without foundation we must re-examine a great deal more than just the nullification doctrine. The noble uses of the power provide an important input to our evaluation of the substantive standards of the criminal law. The reluctance of juries to convict under the prohibition and fugitive slave laws told us much about the morality of those laws. A doctrine that can provide us with such critical insights should not be driven underground. We should grant the defendant's request for nullification instruction, or at least permit the defendants to argue the question before the jury. If revulsion against the government has reached a point where a jury would be unwilling to convict, we would be far better advised to ponder the implications of that result than to spend our time devising stratagems which let us pretend that the power of nullification does not even exist."

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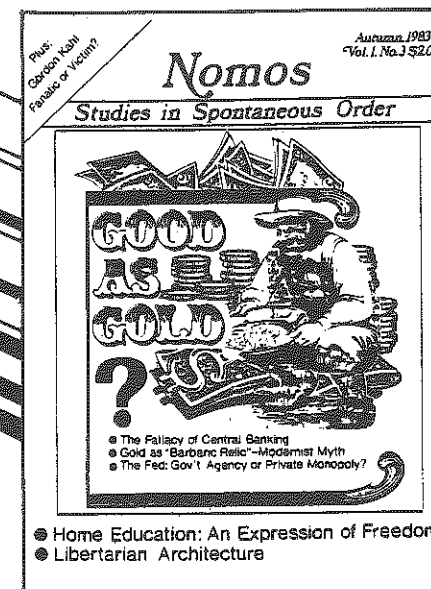
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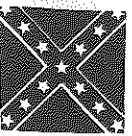
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NEITHER.**

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-William Faulkner