



# Garden State Libertarian

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## New Jersey vs. DWI

By Richard L. Duprey

"THE TEST," proclaims the poster. "You fail, you're under arrest." In between the screaming headlines is a grainy black-and-white photograph a DWI roadblock that almost grabs you by the lapels and shakes you for attention. In New Jersey, the roadblock is becoming the symbol of the State's firmness in cracking down on drunk drivers. It is also becoming the symbol of New Jersey's slide into a police state.

The DWI (or Driving While Intoxicated) roadblock was begun as an effort to reduce the number of accidents and fatalities caused by drunk drivers. On the surface the program is a good one because no one wants drunk drivers on the road. The anguish they have caused families because they have maimed or killed a loved one is immeasurable, and getting them off the road is indeed a noble cause.

But the total number of drivers on the road who are drunk as compared to those who are sober is miniscule. The number of arrests that occur through the use of roadblocks is less than one percent of all people who are stopped. This means that more than 99 percent of the people who encounter the roadblocks are innocent, yet are detained, nonetheless, as if they were guilty.

The Fourth Amendment to the Constitution guarantees that all people have the right to be secure from warrantless searches and seizures, and the Supreme Court has deemed any stop of a motor vehicle to be a seizure. Yet the states and their courts still honor these roadblocks as being constitutional, even though the police running them have no warrant and no probable cause to stop you. You just happen to be the third, fifth, or tenth car passing by. This would be similar to the police raiding every fifth house on the block to search for illegal activities. While arguments may be made that driving is a privilege (though we never find out how the government acquired the power to grant such privileges) and we drive on government owned roads, a defense could be raised (and often

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## Who Killed Christa McAuliffe?

by Howard Katz

It is simply one of the many libertarian arguments against a government sponsored space program that political pressures will interfere with the legitimate goals of space exploration. On the morning of January 28, 1986, that reality caught up with the American welfare state. Just as the fictional welfare state in *Atlas Shrugged* made a major error in drumming up a giant audience which was then pre-empted by John Galt, the real welfare state has made a corresponding error attracting a great deal of attention to one of its historic failures. The difference, however, is that the space shuttle disaster does not carry with it the knowledge of what caused the failure. That is the purpose of this article.

Examination of the photographs of the launch has led the commission investigating the disaster to zero in on the O ring seals in the booster rockets (made by Morton Thiokol) on the theory that these seals became brittle in cold weather and would not function properly. For example, Allan J. McDonald, an engineer at Thiokol, told the commission that, on Jan. 27:

"I took that data (Tuesday's weather report) and called back to the plant and sent it to Bob Ebling and relayed that I thought it was very serious. I called Cecil Houston...and told him about our concerns with the low temperature and the potential problems with the O rings. And he said that he would set up a teleconference...At that point in time, our vice president, Mr. Bob Lund, presented those charts. And he presented the charts on the conclusions and recommendations and the bottom line was that the engineering people would not recommend a launch below 53 degrees fahrenheit."(1)

McDonald and all of the other Thiokol engineers were opposed to the launch and expressed their objections in a telephone conference on the day before. Faced with the unanimous recommendation on the part of Thiokol engineers not to launch, the reaction of NASA management was quite

interesting. McDonald testified:

"That temperature (53 degrees) brought a lot of strong comments and reactions from several of the NASA officials. I believe it was Mr. Mulloy made some comments about when we'll ever fly if we have to live with that...One of the comments that came...from Mr. Hardy at the Marshall Space Flight Center, was that he was appalled at that recommendation."(2)

Despite the negative reaction from NASA, the Thiokol engineers stuck with their recommendation not to launch. Then Gerald D. Mason, senior vice president of Thiokol, dismissed the engineers and came back on the phone with three other members of Thiokol management. These four men reversed the engineer's recommendation and told NASA to go ahead with the launch. The reason for Thiokol's reversal became apparent from a further statement by Mr. McDonald:

"Well, I've been in many flight readiness reviews, probably as many as anyone in the past year and a half at Thiokol. And I've had to get up and stand before, I think, a very critical audience at Marshall, and very good ones, justifying why our hardware was ready to fly. And I have to get up and explain every major defect and why we can fly with that defect.

"There's a lot of this critical processes. And I have to address every one of those to great detail as why I'm sure that that part has not been compromised. And it's been that way through all the reviews I've ever had. And that's the way it should be. It's not pleasant, but that's the way it should be. And I was surprised here at this particular meeting that the tone of the meeting was just the opposite of that. I didn't have to prove I was ready to fly.

"In fact, I think Bob Crippen made the most accurate statement I ever heard. His conclusion in that meeting was that the philosophy seemed to have changed because, you know, he had the same impression that I did--that the

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# NJLP



# News

A modern-day Patrick Henry

## Zeldin Kicks Off Campaign in 1st CD

In the tradition of Patrick Henry, the fiery orator of the American Revolution, Jerry Zeldin calls for an end to corporate welfare, a return to the gold and silver standard, and an end to draft registration. The Temple University graduate also says that it is time to abolish the income tax because it is legalized theft and that polluters ought to be sued for the clean up of their dumps, spills, and toxic waste sites. Jerry is indeed a firebrand in his own right.

An affable and comedic man among friends, Jerry becomes quite animated and earnest when discussing the issues that trouble New Jersey today. "The American people are having between 40-50 percent of their wealth confiscated by the government each year," he says while discussing the growing federal deficit and ballooning government spending. "This is unconscionable! We must return government to its proper limits." Jerry has a 7 point plan to accomplish this.

First, Jerry calls for a drastic reduction of both taxes and government spending. "Limiting government to its constitutional limits is a first priority. The Constitution is the highest law of the land and must be respected as such."

Second, Jerry demands an end to budget deficits. "No person can spend more than he has for very long," he says, "and neither can the government."

Third, a return to the gold and silver standard which will end inflationary money policies. "Inflation hurts the poor most," said the candidate. "This would give the people more bang for their buck."

Fourth, Jerry wants to remove impediments to free trade such as tariffs and quotas. "American ingenuity created the greatest country on earth. There is no reason we can't get that greatness back by continuing our heritage of free competition."

Fifth, repeal all controls on wages, prices, rents, profits, production and interest rates. "Unemployment, poverty, poor housing, and low productivity can all be traced to these infringements of our civil liberties."

*"Limiting the government to its constitutional bounds is a first priority" --Jerry Zeldin*

As one can see, Jerry is not timid about his beliefs, especially since he believes they will benefit everyone in the long run. This is not Jerry's first campaign, nor it is to be hoped, his last. In 1982 and 1984, Jerry gained much media attention for his race against his Big Two opponents. This is the way the *Glocester County Times* described him his first time out: "Neither of the major-party candidates aroused much

Sixth, abolish the income tax and reduce corporate tax rates. "Taxation is theft, pure and simple," says this modern-day Patrick Henry. "Until 1914 we didn't have an income tax and we prospered. We can do the same today without an income tax."

And lastly, Jerry calls for the abolition of the Federal Reserve system, and replacing it with free market banking. Says Jerry, "The Fed manipulates our money supply to benefit big bankers like Rockefeller and his Chase Manhattan bank. This corporate welfare must be stopped."

response from the audience. However, Zeldin moved the crowd to laughter and applause several times" for his beliefs. And the *Courier News* reported a similar incident when they wrote, "While the two major party candidates directed their words at each other, the only audience applause of the evening went to Libertarian Party candidate Jerry Zeldin of Gloucester Township."

Jerry Zeldin is a tireless campaigner who expects interest in his race to perk up after the summer doldrums pass. Once the Democrats and Republicans decide who will be running against him, Jerry expects to be inundated with requests for interviews as has happened in the past. Jerry asks that anyone interested in helping him with his campaign contact the NJLP at (201) 937-9674. And if anyone is interested in donating to Jerry's campaign, he is forming a "Club 99." The purpose of the Club will be to accept contributions in the amount of \$99 as Federal Elections requirements state that the candidate must file certain documents if he receives \$100 or more from any one source. He believes contributors should be able to remain anonymous. Donations less than \$99 will also be accepted and greatly appreciated. Send them to the NJLP earmarked for Jerry.

Jerry feels 1986 will be his best year yet. "As more and more people realize that the 'Demopublicans' do not really offer us a choice, but instead give us only more of the same thing, the voters will turn to me in ever-greater numbers." Jerry is, perhaps, New Jersey's most vocal orator in today's battle for liberty, the new American Revolution. Patrick Henry would be proud. •

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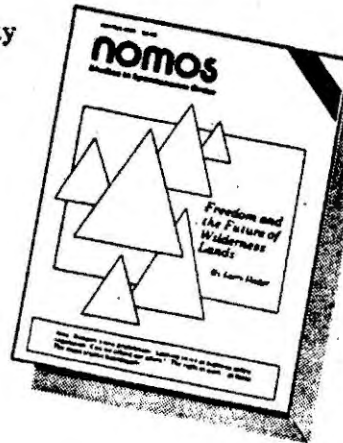
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# Jersey Review

## RADON GAS: Hoax or Holocaust?

More questions raised than answered

By Richard L. Duprey

What does Senator Frank Lautenberg call "the largest natural disaster that we've ever seen in America?" What has caused the federal Centers for Disease Control (CDC) to state that as many as 30,000 Americans die each year from it? And what has caused the real estate industry in certain areas to reel from its effects? The answer to all three questions is "radon gas."

Radon is a gas that occurs naturally from the disintegration of uranium, which, as it decays, breaks down into thorium, protractinium, radium and then radon. Further along, radon breaks down into polonium, lead and bismuth which are said to pose a health hazard when inhaled because they stick to the air passageways in the lungs. These particles then give off radiation that can damage tissue and promote the development of cancer cells.

*The private sector is in the forefront of the radon issue.*

Yet there is no escape from radon--it exists everywhere. All soil and rock contain at least trace amounts of uranium, but because radon doesn't react chemically with other materials, it can easily pass through the cracks and spaces between rocks and soil particles, thus entering the atmosphere. Yet in the outdoors, radon concentrations are so diluted as to

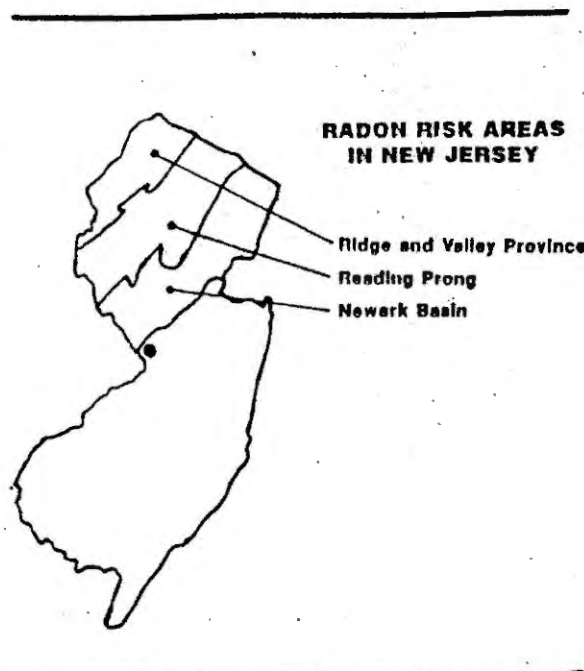
## New Jersey vs. DWI

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is when government wants to put a highway through your backyard) that ALL land is government owned under the doctrine of eminent domain. Under this guise, the government could claim your house was on government property and it had the right, therefore, to inspect the premises at will. Far-fetched? We might have been saying the same thing twenty years ago in regards to our automobiles.

*The number of arrests that occur is less than one percent.*

The courts say that it is the expectation of privacy that determines how much privacy we will have. Since no one has defended a person's expectation of privacy in his own vehicle, the courts have ruled that we do not have any privacy in our cars. And the Supreme Court has said that motor homes do not get the same constitutional protection as do 'regular' houses, even though it may be used as a person's primary residence. Is it really far-fetched to imagine the police getting "new powers" in the near future to allow them to enter homes



be nugatory in causing a health hazard. It is when radon gas becomes trapped in homes and buildings that it is said to be a health hazard.

The much discussed "Reading Prong," where radon gas levels are said to be the highest, actually gets diverse and often contradictory reports as to just what is the true level. Supposedly the Prong area is characterized by granite and

at will, albeit under certain controlling circumstances? California already uses bulldozers to knock down homes where criminals are *suspected* of hiding out, and Philadelphia recently bombed (!) a tenement house destroying a whole block of homes without any charges being filed against it.

In the United States, it is the practice that a person accused of a crime is innocent until proven guilty. But under the guidelines that govern DWI roadblocks, everyone is presumed to be guilty and must by their actions and manners prove themselves innocent. It stands our judicial process on its head.

As was mentioned before, very few of the people stopped for roadblocks are intoxicated, so the funds being allocated for these projects are wasted. There are more effective ways, both in terms of costs and results, that can be employed to reduce the number of drunken drivers on the roads. Most policemen know which bars produce the most drunks, so it would be necessary only to patrol those areas heavily. Further, an arrest is more likely to be upheld when an intoxicated driver is stopped because of an officer's observation of a driver's actions on the road.

When a suspect is brought into police headquarters for processing (due either to roadblocks or observation), he is asked to take a breath test that will measure the blood alcohol content (BAC) in his body. Under New Jersey law, a person is required to take this test, again without regard to constitutional protections. The police would not have much of

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metamorphic rocks which are said to have higher concentrations of uranium than other rock formations, such as the fine-grained sediments of South Jersey. Yet Richard A. Ross of Ross Systems Inc., a private radon testing firm in Whippany, says that "(p)eople tend to take that map too literally. We're finding many homes off the Reading Prong that have high levels and most of the homes in the Reading Prong do not have high levels."

In seeming agreement with this is a study the State conducted last year to compare the lung cancer rates between the Reading Prong area and other areas. Even though it had expected to, the State did not detect an increase in lung cancer deaths in the Prong area. Still, some people remain unconvinced. Health Department epidemiologist Judith Klotz says, "We can't rely on that finding to say there's no problem." Now federal and state officials will be concentrating their attention on the estimated 1 million to 5 million high-radon homes across the country. "I'm going to make a mistake on the side of caution," says Richard T. Dewling, of New Jersey's commission of environmental protection. "I'm going to make a mistake on the side of conservatism."

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## the Freeman

### IDEAS HAVE CONSEQUENCES

Any idea becomes our own as we are exposed to it and accept it and practice it and can explain it to friends—all done without coercion.

This pretty well describes the activities of FEE—seeking, practicing, sharing ideas on liberty, that liberty which Lord Acton identified as "the assurance that every man shall be protected in doing what he believes his duty against the influence of authority and majorities, custom and opinion." If you'd care to join in pursuit of such ideas and ideals, just use the form below to reserve your place on The Freeman mailing list.

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## From the Editor

### Initiative & Referendum: An exercise in democracy



**RICHARD L. DUPREY**

"Initiative and referendum" is an issue that should concern all people in New Jersey, whether they be libertarian, conservative or liberal. "I & R" is a way to control politicians which the people have elected to office and provides a way for the people to address concerns that the politicians have ignored. Any opposition to I & R is just a liscense for elected officials to ignore the wants and desires of the electorate—a snub to the voters who put these people in office.

Sometimes it happens that when a politician gets into office, whether it is in Washington, Trenton, or the town hall,

the official forgets why he is in there in the first place and becomes consumed with his own importance. The politician who forgets that his first concern is his constituency should not be allowed to govern for long. When he is more concerned with furthering his own goals than those of the people, he should be turned out of office immediately.

Yet today, with the current ban on initiative and referendum, voters must wait two, three, or more years before they can elect someone new to office. By that time, the politician could have built himself quite a warchest to defeat any challengers. Just look at some incumbents in the news today: Senators Alfonse D'Amato and Bill Bradley, as well as governor Mario Cuomo, already have millions at their disposal. These monied politicians—people who become rich

*Initiative and referendum is a way to keep politicians accountable.*

after getting elected—will find it easier to defeat an opponent, especially a few years after the controversy has died down. However, if the people are allowed to circulate a petition to have the politician recalled at the next election, even years before his term in office expires, they will have an effective tool to keep the politician accountable. Knowing that he may be run out of office if he abuses his power, the politician will certainly be more responsive to his constituency's needs.

Also there are times when an issue may arise which politicians simply refuse to address either because of indifference or because they believe there is not enough support for the cause. I&R is a simple way for voters to show the politicians that there is enough support that it should have been addressed. It allows the poeple to decide how their government is to be run.

All too often politicians forget that the Preamble to the Constitution begins, "We the people." It is "We the people" who decide what it is our government should or should not be doing, and it is our right to alter those forms of government if we are not happy with them. That is a natural right of man because it is "We the people" who have constructed this government. The Constitution just guarantees in writing that that right still exists.

Politicians may argue that initiative and referendum will cause them to keep looking over their shoulders, thus leading to inefficient government, but we must remember that politicians remain in office only by our good graces. Once they fall from them, because they are no longer accountable to "We the people," then we must have a mechanism to get rid of them. Our American revolution was based on the idea that people did not have to be accountable to the government, the government had to be accountable to the people. Just as a matter of keeping with our national heritage we should have I&R.

Politicians also argue that initiative and referendum may lead to a cluttered ballot, that with too many issues to choose from, we will become confused and vote "wrongly." Yet that sort of moralizing is something we would expect from a paternalistic government such as George Orwell's Big Brother in "1984." That sort of thinking suggests people are too dumb

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## Terrorism Today

By Murray N. Rothbard

"Terrorism" has been made The Issue of the Year, for which Americans are expected to tighten their belts, pay countless billions in taxes so the U.S. government and its allies can arm to the teeth, and suffer an escalating repression of their liberties.

Yet WHO the terrorists are supposed to be remains vague and shadowy. Their only apparent common characteristic is that they are swarthy and foreign; no Nordics need apply.

The top villains seem to appear and disappear kaleidoscopically. A few years ago it was Colonel Khadafy; remember the sinister, swarthy, and "bearded Libyan hit men" supposedly sent to the U.S. to assassinate President Reagan? For that alleged act a partial embargo was imposed on Libyan trade. Yet, the "hit men" seemed to have vanished into the night, never to be heard from again.

After Khadafy had his day in the sun, the Bulgarian equivalent of the KGB had its time at the top, supposedly having engineered Mehmet Ali Agca's attempt to assassinate Pope John Paul II.

The "Bulgarian connection," so highly touted by conservatives and neo-conservatives in this country, seems to have blown itself away on the sea of lies, contradictions, and lunacies in Agca's testimony. The only sure quantity in Agca and his proven colleagues is that they are right-wing Turks, hardly fitting candidates for the current White House-U.S. Establishment hit list.

After the fading away of the Bulgarian evil empire, the Lebanese Shiites and their alleged mastermind, the Ayatollah Khomeini, had a long run as "Top Terrorist of the Month."

The U.S. Navy had their turn at shelling and destroying Shiite villages in Lebanon, but the Shiites proved a hardy bunch, and the idea of bombing the alleged Shiite training camp headquarters in the Bekaa Valley foundered in the

realization that Syria was there, with anti-aircraft rockets, and with Russia and World War III looming in the background.

Then, suddenly, presto chango, and the dread Shiites seem to have disappeared as the top terrorists, to be replaced by... none other than Colonel Khadafy, back from his long rest.

The chain of evidence linking the Colonel to the recent airport bombing is even flimsier than the hysteria over the Khomeini and Bulgaria, and ranks up there with the disappearing Libyan hit men.

The airport bombings "look like the work" of Abu Nidal, head of the militant Palestinian Fatah Revolutionary Council. That takes care of that, even though no one is really sure that Nidal is still alive.

Having established the Nidal responsibility to its satisfaction, the U.S. government then tries to link Khadafy to Nidal. The claims of the White House and the CIA that they have secret evidence should be met with the same contempt as the alleged "secret knowledge" the CIA was supposed to have had on Vietnam. No person or groups should be convicted on secret knowledge. Even the U.S. admits that its evidence against Khadafy "wouldn't stand up in court." But a basic tenet of both libertarian and Anglo-Saxon law is that everyone must be considered innocent until proven guilty; otherwise, retaliation or punishment would itself be open criminal aggression, in fact would be "terrorism." Why doesn't such a standard apply also to Arabs, even if foreign, swarthy, and sometimes even bearded?

In truth, Khadafy is not even charged directly with masterminding or even financing Nidal or other terrorists. He is charged with allowing Nidal to have bases on Libyan territory, with "harboring" terrorists. An interesting charge. (Although even here, there is some evidence that the airport terrorists came from bases in Lebanon, not Libya. But who cares, right, so long as we kill some Arabs, ANY Arabs?) What does it mean?

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## Who Killed Christa McAuliffe?

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contractor always had to get up, stand up and prove that his hardware was ready to fly. In this case we had to prove it wasn't, and that's a big difference. And I felt that pressure."(3)

What happened at Thiokol on Jan. 27, 1986 should be clear to every student of the Winston Tunnel disaster *Atlas Shrugged*. There were two sets of men: those concerned with the physical reality and those concerned with the political reality. The engineers were the first type; they recommended against the launch. The managers (both Thiokol managers and NASA officials) were the second type; and they understood that the launch had to go ahead.

The crucial person in this scenario was Bob Lund, vice president for engineering. The behavior of Mr. Lund in this crisis is a model of the Reagan Administration, of NASA, and of the United States in the second half of the 20th century. As the head of the engineers, Lund was both an engineer and a manager. In the first portion of the teleconference and speaking for the engineers, Lund recommended against the launch. After Mason dismissed the engineers and called in the managers, he asked Lund to "put on his management hat." Lund then joined the three other managers in recommending going ahead with the launch.

On a surface level, this is the answer to the question of who killed Christa McAuliffe and the other astronauts and caused the shuttle disaster: Bob Lund, by betraying his own judgement, and the other NASA and Thiokol officials, by ignoring the engineer's recommendation. But such a conclusion would not answer the deeper question of why there was such a reversal of normal NASA procedure on January 27, 1986.

Phillip M. Boffey, writing for *The New York Times*, reported:

"Mr. Lund was repeatedly asked by the commission to explain his change of heart because he presided over the earlier meeting of Thiokol engineers that recommended unanimously against launching at low temperatures. He reversed himself

after being asked by Mr. Mason to shed his role as an engineer and take the role of management person.

"Mr. Lund said he had not even realized at the time he had reversed position because he had been pushed into an unfamiliar role by NASA's demands that 'we had to prove to them that we weren't ready' to fly."(4)

Lund had achieved the most important characteristic of the modern welfare state official, the ability to erase from his mind his own convictions and also to erase the fact that he had done so. He is the type of person against whom Ayn Rand warned us by introducing, in *Atlas Shrugged*, the character of the Wet Nurse, who states: "you know, Mr. Reardon, there are no absolute standards. We can't go by rigid principles, we've got to adjust to the reality of the day and act on the expediency of the moment."(5)

The hearings on the shuttle disaster have only confirmed what any intelligent person who moves around in our society already knows. Those warnings of almost 30 years ago have come true. The overwhelming majority of the people who are running our society, meaning those holding the responsible positions in government and large portions of industry, are Wet Nurse types. They are people for whom the only reality is political; if the political forces decree that the launch must go forward without delay, that is the only thing that matters. And so, when Bob Lund is asked to don his management hat, he understands that he must leave *physical* reality aside and give the ruling required by *political* reality. The testimony before the commission reeks of the Wet Nurse philosophy as the various management officials attempt to rationalize their decision. In fact, so many of these people have said 'it's not my fault' in so many different ways that the media is now talking as though no human being were to blame and that the fault lay with the decision making process.

What is really repugnant in view of the fact that seven people died because of this decision is that the hearings have not revealed a single shred of remorse. Nobody broke down and cried on the stand; nobody's voice cracked; nobody impressed the reporter as being shaken. Instead there is a defiant, 'just my luck' attitude. That is, "The commission needs a scapegoat, and, just my luck, they have decided to pick on me."

When Christopher Columbus landed on Santo Domingo, he made a notation in his log to the effect that the native Indians were remarkably submissive and docile. Why would Columbus, who was an intellectual, be interested in such a characteristic? The answer is, his expedition was financed by the Spanish sovereign, a person who made a practice of subordinating and exploiting people. The fact that the Spanish immediately enslaved and destroyed the native tribes of the West Indies was not an accident. It was the inner logic of a government sponsored program. Whose bread I eat, his song I sing. When the government pays the bills, then the program does what the government wants it to do.

What did the government want the space shuttle program to do on January 28, 1986? It wanted it to put a teacher in space. Christa McAuliffe was the centerpiece of this venture; she was the reason that the eyes of the nation were focused on this particular launch. And why put a teacher in space? Well, President Reagan had promised in the 1984 election campaign that he would do just that.

Why did the President want to put a teacher in space? Here we must understand the conservative mind. The teacher in space was a way to win "liberal" support for the space program. It pushed all the "liberal" buttons: the peaceful exploration of space, women's lib, education, science; they had to support it. And having supported it, they would inadvertently be supporting President Reagan's first love, the use of the space shuttle for military purposes. And the brilliance of the plan was that, even if some of the more intelligent "liberals" in the media saw through it and opposed the shuttle, it would be too late. Public attention would have been captured by the spectacular event, and the arguments of a namby-pamby peacenik would be lost in the chorus of hurrahs.

That was the theory. But in practice there were difficulties. The launch was delayed several times. If the January 28 date was missed, there were not many other opportunities. There were pressures from above, from the men who were not concerned with physical reality.

This is the answer to our questions. Ronald Reagan killed Christa McAuliffe. He is the man who created the political  
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## Terrorism Today

(continued from page 4)

In New York and other cities of the United States, hundreds of innocent men, women, and children are terrorized every day, in crimes called mugging. Should the United States government carpet-bomb New York City, destroying it for "harboring" terrorists, and for allowing them to use the city as a "base?" But, you might say, that would mean murdering masses of innocents? Sure, so why then is it OK for the United States government to shell Shiite villages, murdering the innocent, or for Israel to bomb Tunisia, killing 61 innocents, or for the United States to bomb Libya?

The U.S. and Israel say that they deplore HAVING to kill innocents, but since they feel that they must "retaliate," and they can't pinpoint the actual terrorists--in fact, they don't know where the terrorists are or even WHO they are--therefore, they must do SOMETHING, and killing the innocent becomes a regrettable necessity.

But how does such an argument differ from the U.S. government carpet-bombing New York City ("We MUST retaliate, and it is regrettable that we have to kill thousands, but we can't pinpoint the SOB's"). Or, for that matter, how does it differ from policemen trying to catch a criminal fleeing into a crowd, and simply machine-gunning the entire crowd?

To bring the case closer to home, there is some evidence that the Air India plane that blew up out of Canada was sabotaged by Sikh terrorists, and that those Sikhs were trained in a CIA training camp in Alabama. Would the Canadian, or Indian, government be justified in a bombing strike against the CIA base in Alabama, even at the regrettable cost of killing a few thousand Alabamans? If not, why not? Isn't Alabama a "harborer" of Sikh terrorists?

Furthermore, every group in this struggle has grounds to believe that THEY are "retaliating"; the Arabs believe that they are retaliating against Israeli aggressors and their backers in the United States.

The rule should be absolute: no "retaliation" is EVER justified that injures or kills innocent people, and that means people who are not themselves active criminals. Anything

else is an apologia for unremitting and unending mass murder, anything else is chaos and old night, and a justification for "anarchy" in the bad sense.

Everyone rightfully scorns Communists for holding a double moral standard, for holding that no acts are immoral so long as they advance their cause. But what about the egregious and flagrant double standard upheld every day by the American establishment: from the White House down to the major political parties and the media? If they did not hold such a double standard, they would be condemning the following flagrant acts of terrorism:

- \* The CIA mining that damaged several neutral and peaceful vessels in Managua Harbor.
- \* Acts of brutality by the Nicaraguan CONTRAS.
- \* The U.S. government's aggression against an invasion of Grenada.
- \* The U.S. government's flagrant war threats against Libya.
- \* Reagan's act of terrorism against U.S. citizens in Libya, by threatening them with jail sentences if they do not leave.

This last act has an interesting twist: these Americans, who have been peacefully let alone by the dread Libyan government, are supposedly being forced to leave Libya by the U.S. for "their own protection."

Struggling to wriggle out of this blatant double standard has been a major project of the favorite theoretician of the conservatives and neo-cons, Mrs. Jeane Kirkpatrick, she who first made her mark with a sophistic distinction between "authoritarian" torture (good) and "totalitarian" torture (bad). Any sensible treatment of terrorism would define it as "aggression against innocent people."

First, Mrs. Kirkpatrick and her colleagues tried to redefine "terrorism" as such aggression by PRIVATE groups, thereby letting the U.S. and Israeli governments off the hook.

But then, with escalating hysteria against Khomeini, Khadafy, Bulgaria, etc., the conservatives were forced to include "state-sponsored" or "state" terrorism in their lexicon.

Mrs. Kirkpatrick's latest attempt to justify a double standard is that terrorists are evil because their "demands are unlimited" and random, whereas good guys make demands that are attainable and specific.

While the "unlimited" criterion might apply to the alleged airport bombings by Abu Nidal, they most emphatically do NOT apply to most previous terrorist acts, such as the Achille Lauro hijacking, since they have generally been linked to very specific demands for the release of Arab comrades from Israeli jails. Another sophistic attempt to whitewash U.S. and Israeli terrorist actions thus comes a cropper.

There also is a related double standard at work. So far, every bombing or assassination ABROAD is attributed to "terrorists"; while every similar occurrence WITHIN the United States--from the average mugging to the assassination of John F. Kennedy--is quickly assigned to the category or "lone nut," or, at the least, non-political.

Why a POLITICAL murder should be considered somehow worse than a lone-nut or non-political one is itself a fascinating question. But the main point is that when a clearly political dynamiting or murder does take place WITHIN the borders of the United States--an area that the U.S. government should concern itself with far more than events 5000 miles away--no one seems to give much of a damn.

When one American, Leon Klinghoffer, was murdered on a hijacked Italian cruise liner, the New York media did not stop wailing about the deed for a solid month, and New York's egregious Senator D'Amato actually proposed Klinghoffer for the Congressional Medal of Honor.

When one American, Alex Odeh, was murdered by the dynamiting of his Los Angeles office of the American-Arab Anti-Discrimination League, few kicked up a fuss. No media wailed day after day, no senator called for the granting to Odeh of the Congressional Medal of Honor. Why is that? Why the double standard?

Why is the murder of one American thousands of miles

(continued on page 8)



# Arts & Leisure

## Book Review

**Free Trade: The Necessary Foundation for World Peace**  
edited by Joan Kennedy Taylor

FEE, Irvington-on-Hudson, NY 10533 • 1986 • 144 pages, \$5.95 paperback

Reviewed by Roy A. Childs, Jr.

When, in the eighteenth and nineteenth centuries, the classical liberals took up the cause of free trade against the ruling doctrines of mercantilism, protectionism, and colonialism they did so not only out of a high regard for freedom of commerce. They did so to promote peaceful relations between nations, as well. They believed that by confining the functions of government to the protection of life, liberty, and property, the tensions between nations would gradually disappear, and that free trade would usher in a new area of international harmony, free of the scourge of war.

Today we have the benefit of hindsight, and these liberals seem to have been right. The nineteenth century was the closest we have come to a century of free trade, and peace seemed to follow. The twentieth century, on the other hand, has witnessed the abandonment of laissez faire ideals and the growth of statism of all varieties. It is no accident that it has also been the bloodiest century in history. The movement from limited government to unlimited government, from free trade to economic nationalism, has produced a century of conflict and violence.

This volume collects fifteen short essays by thirteen authors, most culled from the pages of *The Freeman* over the past three decades, to put some meat on the bones of this argument. The authors of these essays will for the most part

be familiar to *The Freeman's* readers, because they have been frequent visitors here: Bettina Bien Greaves and Hans Sennholz, Henry Hazlitt and Ludwig Von Mises, Frederic Bastiat and Frank Chodorov join with others in making out a complex case. They tell us convincingly that free trade not only brings prosperity, but may help peace along, as well.

Frank Chodorov reminds us that "the will to live is not merely a craving for existence; it is rather an urge to reach out in all directions for a fuller enjoyment of life, and it is by trade that this inner drive achieves some measure of fulfillment." People fulfill their needs through production and exchange, and erase conflicts through cooperation, bargaining and voluntary trade. And this process does not stop at a nation's borders. That is why Chodorov finds that "any interference with the marketplace, however done, is analogous to an act of war," and why Mises reminds us that "economic nationalism is incompatible with durable peace."

Unfortunately, in turning our backs to the ideal of limited government, and embracing forms of socialism and the welfare state, we have got more than we bargained for. Once an impartial arbiter of disputes, government has decided to help some citizens at the expense of others. It wants to "protect" some producers at the expense of consumers, by putting roadblocks in the way of free trade. When tariffs aren't enough, as Bettina Bien Greaves points out, they stoop to other kinds of restrictions on trade: "quotas, embargoes, 'Buy American' acts, licensing requirements, quarantines, food and drug standards, anti-dumping laws," and the like. All of these restrictions are meant to stop domestic consumers from voluntarily buying the products they desire from foreign producers.

A result is the rise of aggressive nationalism, which, as Mises argues, "is the necessary derivative of the economic policies of intervention and national planning. While laissez faire eliminates the causes of international conflict, socialism and government interferences with business create conflicts for which no peaceful solution can be found."

This book is a call for us to step back from the brink of economic nationalism and trade wars to consider what we are doing. It is concerned simultaneously with principles and reality. And its authors focus clearly on some of the great issues of our time: world hunger, foreign aid, international investment, unemployment and international conflict are all seen through the eyes of principles that enable us to understand what is happening to our world. In doing that, it makes a bold case for the re-examination of the ideals we have so thoughtlessly abandoned: individual rights, private property, economic freedom, limited government and free trade. In the nineteenth century these ideals helped promote peace; in the twenty-first, perhaps they can do so again. •

(Reprinted from "The Freeman," March 1986)

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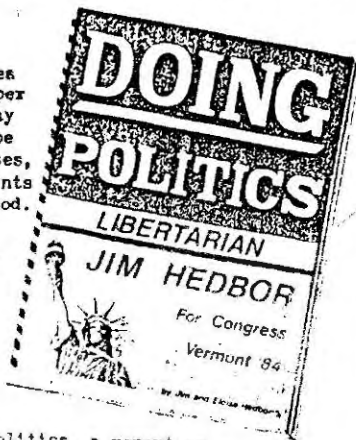
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### Who Killed Christa McAuliffe?

(continued from page 5)

pressure which, through the chain of authority, overrode the decision of the Thiokol engineers that a launch would be unsafe. He killed the seven astronauts, he and all the NASA officials and all the Thiokol management and all the congressmen who vote funds for the space program and all the voters who vote for these congressmen.

What many people fail to comprehend is that George Orwell was right when he described the world of 1984. If we understand his use of fiction to draw a picture larger than life, then we can see that the world against which he warned us is the world in which we live. So it is no surprise that it was Ronald Reagan, the man responsible for their deaths in the deepest sense, who led the nation in mourning the astronauts, who declared them heroes and who vowed to carry on their goal. After all, war is peace. This too was required by the logic of government space program where the serious exploration of space must be subordinated to circus-type stunts designed to retain public support.

And what of the commission? Won't it follow the trail I have indicated in this article and find out who killed Christa McAuliffe? Isn't it very clear from the testimony which has already come out? Alas, the commission investigating the shuttle disaster is the President's, investigative panel, its members were appointed by the President. They too are political animals, and I do not believe that they will find their boss guilty of negligence leading to manslaughter.

*What happened at Thiokol is clear to every student of the Winston Tunnel disaster in "Atlas Shrugged."*

Allan McDonald emerged as the true hero of the shuttle inquiry. He is the engineer who fought longest and hardest against the launch. However, I doubt that he will get a medal. I don't believe that Thiokol's management will forged the way that he humiliated them. I know that NASA officials will not want to give contracts to companies which harbor "troublemakers" who do not know who pays the bills. McDonald's mistake is the same as that of Hank Rearden. He expects that the people in authority in his society will listen to reason and pay attention to reality. He expects to be rewarded for doing good and punished for doing bad. He attaches his personal ambitions to the system, thinking that his security lies in his ability to do his job. He thinks that the political weasels he sees around him will fail. He does not understand how Bob Lund got appointed manager over him. He thinks that it is in his self-interest to support the system, moral considerations aside. Many libertarians make the same mistake. They support the libertarian cause on moral grounds but think that their personal ambitions can be satisfied by the system. They work for regulated monopolies or government subcontractors. They explain that there is a moral course of action and a practical course and that they are trying to balance the two. They expect to be promoted for being honest and doing a good job, just like Allan McDonald does. When they find themselves in the position of Dave Mitchum (the division superintendent in charge of Winston Tunnel in *Atlas Shrugged*), they will discover whether their choice of career was really in their self interest. ●

Notes:

1. Allan J McDonald, "Key Sections of Testimony in Inquiry on Challenger Explosion," *New York Times* Feb. 26, 1986, Pg. D6.
2. Ibid.
3. Ibid.
4. Phillip M. Boffey, "Rocket Engineers Tell of Pressure For a Launching," *New York Times*

(This article is reprinted from *Libertarian Party News*, Libertarian National Committee, 301 W. 21st St., Houston TX 77008)

### Initiative & Referendum: An exercise in democracy

(continued from page 4)

or too stupid to know what they want and they must let the politicians decide for them. To suppose that we voted "wrong" on an issue because the politician doesn't agree with the outcome displays a kingly and elitist attitude. How strange that the politicians think the voters are quite capable of electing them to office, but are suddenly struck dumb and naive when it comes to other issues.

The voters of New Jersey must be allowed to exercise their right of initiative and referendum. If our elected officials think we are too stupid to vote correctly on issues which appear before us as a result of I&R, then it is all the more reason for us to have it so that we may turn these self-serving bureaucrats out. Throughout the state, legislators are holding public hearings on the question, and overwhelmingly "We the

people" have been telling them we want I&R. Support for initiative and referendum is coming from all areas: the elderly, the young, blacks and whites, the rich and poor. It is not a special interest issue, it is a people-oriented issue. If you believe the people of New Jersey deserve the right to run their government and keep it accountable, then I urge you to contact your local representative and tell him so. Organize groups to begin a postcard and letter writing campaign and put all the state's legislators on the list. They need to know that you think I&R is important. They need to hear from you so they can return to you a right which should never have been denied in the first place. Call your legislator today and tell him: "I want my I&R!" ●



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## Terrorism Today

(continued from page 5)

away treated so very differently from the murder of another right here at home? It would be interesting to see what moral theory Mrs. Kirkpatrick comes up with for THAT one. •

(This article is reprinted from Massachusetts Liberty, PO Box 2610, Boston, MA 02208)

## New Jersey vs. DWI

(continued from page 3)

a case against a person if he refused to take the test, so on the surface this again appears to be a good practice. By forcing an individual to take the breathalyzer, though we are forcing him to be a witness against himself and thus the Fifth Amendment does not permit. The State must be able to prove that a person has committed a crime, but it cannot require the individual to help them. And this is what makes the method of observation such a superior one to roadblocks: it keeps an individual's constitutional rights intact, and in the event a person refuses to take the breathalyzer test, the officer may still point to the driver's operation of his vehicle as proof that he was intoxicated and driving in a careless manner.

Another problem with the breathalyzer test is new Jersey's BAC level of .10 percent as the deciding factor of whether or not a person is intoxicated. This arbitrary level does not take into account a person's physical characteristics which may affect his ability to "hold his liquor." We are all familiar with those cards which show when a person should be able to get behind the wheel of a car after driving, depending upon his weight. The .10 percent level does not recognize that. It says that everyone above this level is drunk, even though a person may not be. It also fails to consider that a person may be drunk well *under* that level. As a reference point .10 percent BAC may be a good figure, but only observation of an individual's driving habits can really tell if a driver is incapacitated.

There is one further point that should be brought up in this discussion of drinking and driving: the 21 year old legal drinking age. The legislators who drafted and enacted this law, as well as those who support a national drinking age of 21, ignore the fact that people between the ages of 18 and 20 are adults. They may vote, pay taxes, and go to war, but they are denied the right to drink. That the Fourteenth Amendment guarantees equal protection under the law for everyone seems not to matter to them. The law is in obvious conflict with the Constitution.

Statistics are cited that 18-20 year olds cause 25 percent of all alcohol-related accidents. It is often left unsaid that the 21-24 year old age bracket causes another 25 percent. If we are intent upon reducing the number of accidents caused by alcohol, why don't we raise the drinking age to 25? Another far-fetched idea? Elizabeth Dole, Secretary of Transportation, has said it could be done. But why settle for reducing accidents only 50 percent? Why not raise the drinking age to 65? Statistics show that people over 65 are involved in very, very few alcohol-related accidents. Then again, why not restore Prohibition? Why not? Because it doesn't work, and this "Prohibition for Young Adults" isn't working either. Ask any youth today if he can get alcohol and he will tell you yes. An older brother, sister, friend or neighbor can get it for them. It has been said so often that government can't legislate morality that it's almost cliché, yet in countries such as Israel and Italy where there is no "legal age," there is also very little trouble with alcohol abuse.

That does not mean to say that if we were to do away with the age limit our problems would be over tomorrow. Culture, mores, family upbringing, and other intangibles that government cannot possibly fathom have a part in deciding an individual's attitude towards liquor. While abolishing the legal drinking age is no panacea, neither is enacting Prohibition-type barriers.

Drunk driving and alcoholism are serious problems in today's society, but there are other methods, ones that do not impinge on an individual's constitutional freedoms, that are also effective and proven.

Libertarians do not have any difficulty with the prosecution of drunk drivers because these people are a provable threat to others. What Libertarians do find hard to swallow is stepping all over the Constitution and Bill of

Rights in an effort to clean up the roadways. If drunk driving was treated as the rights violation that it is (an individual's right to life, for instance) and prosecuted as such, it would make for a more equitable and effective system.

Denying 18-20 year olds the right to drink is a rather ham-fisted approach to the problem of drunk driving that involves relatively few youths. But if we held each individual accountable for his or her actions, then those adults who are mature enough to drink in a responsible fashion will not be unjustly punished.

The goals of such groups as MADD, SADD, and RID, and those of the legislators, are laudable. We *all* want drunk drivers off the road. What we must decide is if we want to do it in a manner that is perilously close to police-state tactics, or one that respects the Bill of Rights and is constitutionally consistent. •

## RADON GAS

(continued from page 3)

The Union of Concerned Scientists, a special interest group usually concerned with nuclear weapons and power, suggests a level of radon half of what is now deemed "acceptable" by the federal government. The current acceptable level is a lifetime exposure of 4 picocuries of radon, or a comparable risk of some 400 chest x-rays per year. Yet the widely respected National Council on Radiation Protection and Measurements, a private non-profit group, has suggested a limit twice as great, while some European countries have adopted guidelines five times greater. Just as contradictory are the answers to the question of how harmful is radon to people? To proponents of greater government control, radon is the leading cause of lung cancer deaths in the country and children are more susceptible to the effects of radon exposure than are adults. Yet skeptics note that the lung cancer studies are based on studies of the radon risk in underground mines, not in homes. And since a youngsters body has more time to repair any radiation damage before the onset of lung cancer, as it rarely develops before a person is 35 or 40, a child is less likely to get the disease.

All this attention being focused on a problem of unknown, even dubious proportions, has caused the real estate industry to suffer setbacks at a time when land values are skyrocketing. Homes with high levels of radon are considered to be unsalable, and sellers, buyers, and builders are writing new agreements into their contracts to try and protect themselves if radon is discovered in a property up for sale. Homeowners who may be thinking about selling and worry that they may be in a high risk area, have called on private testing firms to check their house. If their fears are confirmed, they try to cover the results up. It has gotten so that the people are asking the testing firms to come at night so that neighbors will not see. Even with all this testing and exploring going on, the results are inconclusive. One homeowner in West Milford had his home tested eight different times and he got six different readings ranging from 5.94 picocuries to 13.5 picocuries. Either he didn't have anything to worry about or he had one helluva problem. But readings can vary from room to room, season to season, or even if a person opens a window in a room and offsets the air pressure in the house. Therefore, when having the testing done, it is recommended that it be done several times throughout the year.

Yet even after a person determines that he has a "radon problem" and wants to do something about it, it comes out that there isn't any one way that will draw off the radon gas to safe levels. There is no one remedial device or technique that the homeowner can buy that can guarantee the radon levels in the house will go down. As if that's not all, the EPA says, "The fixes will not always be cheap...They will not always be easy." Sometimes the solution will cost only a couple of hundred dollars; yet at other times it will cost \$5,000 to \$10,000.

What all this boils down to is that no one really knows what to do. The federal government is spending billions of dollars researching a problem that no one can say for sure exists. And those who do say it exists don't know how to combat it. Everyone, though, says its going to take a lot more money before it is brought to a resolution. That, I believe, is the crux of the matter right now.

I do not want to say that radon is not a cause for concern; I do not have enough information to make such a judgement. But what seems starkly clear to me is that many people are

getting exercised over the issue because they see it as one at which the government will be throwing a lot of money. People will naturally gravitate toward a profit-making venture, yet when that largesse is coming from the government, it tends to make that many more people get into the act. And when it comes to granting more authority and control, bureaucrats are wont to have their hand in on it.

Yet if we go on the assumption that radon in the home is a problem, does that mean that we must turn to the government for a cure? Not at all. In fact, the private sector is already in the forefront reacting to a perceived problem much more quickly than the government. Building contractors are constructing homes with various devices installed to draw off radon gas, while a client of Richard A. Ross tested and rejected two houses in Morris County before finding one with a radon level low enough to suit him. When a person is intimately involved with a problem, he is more likely to work for its solution. The government must first wait until it is politically acceptable, and then it moves in broad, sweeping strokes that do not take individual situations into account. However, this is just what the radon gas question requires.

So far we have seen amazing restraint on the part of our state and federal legislators in regards to their interfering in the situation, but already there are signs they are tiring of their holding pattern. Representative Marge Roukema has requested the State to promptly institute a program of accrediting commercial radon testing services and remediation contractors and she has asked the state "to set clear standards for the safe remediation of radon contamination in homes."

Without any prompting from the government, private individuals have responded to effect a cure for the problem. It should remain up to the individual homeowner, as well as the builders and sellers, to determine how much risk they are willing to accept. Whether radon turns out to be a hoax, or it confirms Senator Lautenberg's fears of its being America's "greatest natural disaster," still remains to be seen. As with cancer, though, what remains clear is that as long the government is handing out billions of taxpayers' dollars, the problem will never be resolved. Radon should not become a "public" concern. For our own health and well-being, it should remain strictly within the hands of the private domain. •

(Richard Duprey lives in the so-called "Newark Basin" and developed this article from a three-part series that appeared in The Record)

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