

# LIBERTARIAN NEW JERSEY

## Repressive Tolerance

Much of history has been motivated by each man's desire to be his own master. The rulers of men have been wary of this dangerous desire; this ultimate threat to their monopoly of the lives, energy and property of most men. Thus---for as long as there has been a coercive social organization---the expression of ideas has been closely restricted. Government has ever been concerned with maintaining its control of the material elements of men's lives by controlling men's minds: by controlling the teaching process, by CENSORING expression.

The American state is the most sophisticated on earth: no lists of proscribed books, no colonels from the junta with their bumbling heavy-handedness, no open state ownership of the means of communication. The American state is very sophisticated. America's rulers know, in the words of Gabriel Kolko, that

it is the illusion of the possibility of significant change---of true freedom in society---that helps make possible its practical suppression via liberal politics and gradualism which, as historical fact, never exceed predetermined orbits and assumptions...  
(The Roots of American Foreign Policy, p. 7-8).

Therefore, to uncover the scope of censorship in this nation-state, it is necessary to do more than just peruse the lawbooks: citing cases and statutes or studying bureaus will not expose the nature of expression control in America. A radical approach, an approach which goes to the "roots" of the matter is needed: what is the root concern of men's rulers? To maintain their power. What is power? Control over the lives, energy and property of all people within the grasp of those rulers. Thus, an economic analysis is essential to understand censorship in America.

The initial step is to zero in on the economic nature of the modern nation-state, the American state in particular. There are only two ways of obtaining anything of value on this earth: by the process of production and trade or sharing on a voluntary basis; or by the use of coercion. The first method is the free market method. The second is the POLITICAL method: in essence, the state is an instrument used by some individuals to maintain a predatory position in society---it is nothing more than legitimized thievery.

Keeping this model of the state in mind, the method of thought control in America becomes ascertainable. The first element of control is direct state-censorship of expression. This is mainly limited to the area of "obscenity." The case of *Roth v. United States* (354 US 476, 1957) was the earliest case which clearly presented the prohibition of "obscene" speech to the Supreme Court. The court fulfilled its historic role as preserver of state-power in America by deciding, "it is apparent that the unconditional phrasing of the First Amendment was not intended to protect every utterance..." So much for the plain meaning of words, the constitution and limited government. The high court held that "obscene" speech is not "protected" speech; then the court circled beyond that to indicate it was well aware that it was attempting to control thoughts,

but this was constitutionally acceptable because "obscenity" was not protected speech. The highest court of the American state proclaimed that "Ceaseless vigilance is the watchword to prevent...erosion [of freedom of speech] by Congress or by the States..." It then continued to approve of a "test" which would allow interference if the speech violates the vague and shifting (and non-existent) "common conscience of the community by present day standards..."!

In recent years this standard has been modified and re-modified (depending on whether liberal statists or conservative statists control the Supreme Court). Of course, the fundamental denial of individual freedom remains.

There is a sign over the gate into Fort Dix in New Jersey; it reads: "OBEDIENCE TO THE LAW IS FREEDOM." This obedience is instilled by repressive sexual roles, reinforced by censorship of "obscenity," subservient economic roles, the authoritarian nature of the state's schools---by all public institutions. It is achieved chiefly by manipulation of expression, either within one person's mind or among people. The overt censorship practiced in regard to sexuality is also applied to "learning" in the school system. There is little need to document the strict control over educational material which goes beyond the censor's prohibitions to the requirement that certain state-approved doctrines and subjects be taught. The requirements also apply to "private" schools. In addition, the educational structure has always concerned itself with more than the inculcation of knowledge. Life-style control is of major importance especially in our "free public schools;" current student agitation over dress codes, hair length and submission to such ritualistic activities as flag-saluting bears witness to this. The school is, indeed, an "obedience factory" where naturally curious and active young people are required to maintain silence, stillness, straight lines; where humiliating permission must be obtained even to go to the toilet; where DISCIPLINE is the chief product.

Just a few years ago, a National Education Association survey showed that 57% of the nation's teachers believe they need the power to inflict corporal punishment in order to maintain discipline in the schools. (PARADE MAGAZINE, New York, July 19, 1970, p. 21). The overriding importance of the educational system must not be underestimated. It is precisely mass, state-controlled, censored education which makes possible the maintenance of the cultural attitudes needed to continue the ruling elite's authority. And it is exactly the present disintegration of that system which offers the greatest hope for real change in society.

A more subtle set of controls is imposed by the ruling elite on the means of mass communications. It is the contention of the "revisionist" historical school, that the history of the United States can best be understood NOT as a function of achieved consensus expressed through various "progressive" laws and bureaus, but rather as a result of ruling elite manipulation of the state apparatus to maintain and increase its monopoly power using "liberal" rhetoric. This analysis conforms to the predatory economic nature of the state, and sheds a sinister light on the nationalization and monopolization of the means of mass communications.

Actually, control over the means of mass communications has been made possible by the ruling elite because of its control of the state. The statistics of oligopolistic control of the entire economy are readily available: one commonly cited statistic is that a smaller percentage of the population controls a larger share of the means of production now than at the turn of the century. The same is true of the

to p. 3

\*The emphasis is mine. It will give you something to remember; see beneath editorial for info on what Mr. Fucetola has been doing lately. ---Ed.

# LIBERTARIAN

## NEW JERSEY



Editor, Mary Mason

444 New Brunswick Avenue, Fords, New Jersey 08863

New Jersey Libertarian Party

P.O. Box 247, Bernardsville, New Jersey 07924

August-September 1974

### meritorial

At the meeting of the big in early July—trauma precludes recollection of the exact date—

Ralph Fucetola showed up late with no excuse... Jane Rehmke sat in the corner and played with her hair... Kathy McAdam came in her usual disguise as the young Judy Garland... Fred Stein announced his television debut... Tom Palven's sense of humor was judged and found wanting... Grace Shamy was reappointed trustee (she has the run of the grounds from noon to five as long as she behaves)... I had a copy of Quotations of Mao hidden in my purse the whole time... Saints Judy and Warren Schubert put up with it all.

I emerged from my beer to hear the newsletter policy discussed. I was "asked" to refrain from personal attacks. I was told not to write any "editorials;" these had to be party-approved party opinion. My articles had to be signed.

About this time an absent member shook the world with his conviction that I am a paper (you know, in name only) editor; this without witnessing the July vivisection. Yet he's wrong.

The reason for the limitations put on me is the same as for the raising of taxes in a new administration, or their erection of an unnecessary hospital. The people in charge are bound by some laws to meet; having met they feel bound to discuss something; there being very little to discuss or do, they dissect the editor, argue parliamentary procedure, and decentralize the 100-member party by creating county committees and nominating county chairmen. They mean no harm.

Nor do I. I enjoy what I'm doing, and while I'm doing it this is the policy: personal attacks, various criticisms and general disregard for authority. Anyone hollering yellow journalism will get an immediate financial statement of same, stapled to that of the NJLP.

The next issue (if I'm not purged) will feature an attack on religion.

Angry letters are always welcome.

If I seem to be monopolizing this issue, it is because so many believe they have done their part in the last one. It's partly my fault too: I wrote "contribute." More appropriate is "submit." Sorry.

Eternal gratitude to Jane Rehmke, who helped me get started, made typos by rewriting (I never typo) and proved the most capable doer I've ever seen.

Those who profess to favor freedom and yet deprecate agitation, are men who want rain without thunder and lightning. They want the ocean without the roar of its many waters.

Frederick Douglass

## The Total State

Sweden does not make the papers much, probably because it isn't bothering anyone—not even the Swedes, if we can take the word of Roland Huntford, author of *The New Totalitarians*.\*

At first glance, the book appears highly biased. So too at last glance. Written by a Western mind, the book is splattered with references to Orwell and Huxley. (Huntford admits this is cliché.) He does this because it is near impossible to find anything in this world with which to compare the Swedish set-up. No, not even China.

Each page shocks. (This is partly due to repetition.) I shall give an example by turning to a page at random—on my honor...

Mr. Sven Moberg, deputy Minister of Education, on the purpose of education:

"...to turn out the correct kind of person for the new society. The new school rejects individuality, and teaches children to collaborate with others. It rejects competition, and teaches cooperation. Children are taught to work in groups. They solve problems together; not alone. The basic idea is that they are considered primarily as members of society, and individuality is discouraged. We want to produce individuals who are integrated into society."

An even more chilling passage (and there are many) concerns the Swedish view of crime:

The Swedes have been taught for a decade that crime is a form of disease. More than that, they have been taught to regard it as a form of asociality. Indeed, in Swedish law, as it was beginning to take shape at the end of the 1960s, crime is defined not in terms of moral depravity or ethical wrong but purely and simply as asociality... the man in the street has come to believe that to break the laws of society necessarily implies insanity... he has also come to consider all disidence as a form of mental derangement....

I finished the book feeling certain there must be some mistake. The author must have been exaggerating. So many quotations, though, to substantiate—he was overly selective of them, wasn't he? The whole thing was so gruesome I just couldn't believe it might all be true.

Be that as it may, I strongly recommend the book. If there is a scrap of truth in it, it is worth reading. And when you're finished, pick up a copy of *Brave New World*, one of 1984, and one of *The Once and Future King*, specifically chapter 13.

\*Stein and Day, Publishers, New York, 1972.

"The individual must be free, able to develop to the utmost of his ability, employing all opportunities that confront him for his own and his family's welfare; otherwise he is merely a cog in a machine. The society must be stable, assured against violent upheaval and revolution; otherwise it is nothing but a temporary truce with chaos. But freedom for the individual must never degenerate into the enchained servitude of the masses that we call statism."

Dwight D. Eisenhower

"It was not only that their language had not got the words in which humans are interested—so that it would have been impossible to ask them whether they believed in Life, Liberty, and the Pursuit of Happiness—but also that it was dangerous to ask questions at all. A question was a sign of insanity to them."

T.H. White, *The Once and Future King*, Berkley Publishing Corporation, New York, 1966.

means of communications. Most Americans receive the news of the day, all forms of public information from television. Of course, television is among the most monopolized areas of communications. There are three major networks, one of which (NBC) is owned by a major defense contractor (RCA) which itself was created by several rival electronics firms with government assistance after the First World War. The original power of the large corporations over the broadcasting business was not great: most commentators describe the early years of radio as "anarchical" and some even grant individual experimenters a share of the credit for early developments. It was to coercively end the "chaos" on the airwaves that the first Federal control was instituted; it is exactly since that time that monopolization has grown. As to television: it is not mere chance that only 13 station positions were included on the first TV receiving sets, though several times that many could have been included: rather this must have been a conscious decision to limit the number of stations for economic reasons—to create a monopoly situation.

There is additional evidence of the existence of a ruling elite monopoly over the broadcasting industry. The military-industrial complex has specific organizations which continue the business-governmental connection. One of these clubs for our rules is the Armed Forces Communications and Electronics Association (AFCEA). The purpose of the group? Its former president and a permanent director, the Late General David Sarnoff, chairman of RCA, suggested that there is "the working alliance of industrial and military leadership represented in this organization..." Furthermore, "AFCEA has fashioned a community of interest so closely interwoven that whatever affects the progress of one partner is reflected in the progress of the other..." (at an AFCEA banquet of 5/26/65).

The "community of interest" is the interest of rulers over the ruled; the freedom of speech has nothing to do with the preservation of rule. It is no wonder that Fred W. Friendly remarked: "I must confess that in my almost two years as the head of CBS News, I tempered my news judgment and tailored by conscience more than once..." But of course, there are more direct interventions than AFCEA. The Pentagon spends, by CBS News' estimate, \$160,000,000 each year on the mass media. This includes such propaganda films as the recent "A Day in Vietnam" which opens with shots of wounded GI's, then cuts to American young people burning the flag: the protestors' segment of the film is TINTED RED!! (in "Selling the Pentagon," CBS news special, 2/23/71).

The state apparatus need not directly censor the mass media to obtain the desired conformity: the realities of the "community of interest" will work well enough. The situation causes, in Herbert Marcuse's phrase, "a free press which censors itself..."; the same applies to the even more monopolistic "free" broadcast industry. Of course, it is impossible for former generals, and presidents' wives to own ALL the means of mass communications, thus, actual state censorship is undertaken by the FCC which "protects" the People, who, by law, "own" the airwaves. The First Amendment? "Despite the limitations of the First Amendment...the freedom to program is not absolute..." (From the FCC's "Public Notice" of 7/1/64). So much for the vaunted government of laws, not men.

The FCC does not have to engage in massive censorship to obtain conformity to ruling elite interests: a few incidents of refusal to renew licenses (under the non-objective "public interest" standard), a few threats, and obedience follows. The chilling, FREEZING, effect of such bureaucratic action can have one result: self-censorship.

This may be seen in the FCC's cryptic ruling of 3/5/71 which hinted that playing "drug-related" songs could cost a station its license at renewal time. Shortly after its pronouncement the FCC confessed that its decision was based largely on a Pentagon briefing about drug and "subversive" songs. FCC Commissioner Johnson—whose hair length and ideas have recently changed—called the decision "an unsuccessfully disguised effort to censor song lyrics that the majority disapprove of..." (ROLLING STONE magazine, April 1, 1971).

There may be no "scholarly" evidence, but it should have been obvious that, following former Vice-President Agnew's well-publicized denunciation of the networks, reporting of anti-government activity and the Southeast Asian morass took on a more pro-administration line. Perhaps Glen Robinson, writing in the Minnesota Law Review (1967) caught the essence: "government intervention in broadcasting programming has in fact been a major impetus toward conformity and orthodoxy..." Mr. Robinson's lengthy work clearly exposes the entire structure of FCC control and places the blame where it belongs: on the notion accepted by the Supreme Court (NBC v. USA, 319 US 190, 1943), that the Public owns the airwaves:

To say that airwaves...can be owned by anyone is simply to indulge in fantasy. Surely no one seriously supposes that the airwaves are a thing of nature which can be possessed, occupied or used in any normal sense of the word. In actuality, "airwaves" is merely a convenient short-hand, an abstraction for a phenomenon created as a result of the use of privately owned facilities...

This, he suggests, is the flaw in Justice Frankfurter's majority opinion. I suggest that the "public ownership" rationalization is a usual ruling elite mechanism to nationalize and monopolize property, thus placing that property securely in its control. The people were not "ready" for outright confiscation of transmission facilities and the obvious denial of free expression which would develop from total bureaucratic control, thus the lie of "public ownership" of the airwaves to continue the myth of free expression within the reality of state control.

America's rulers have created a complex system to control radio and television; their approach to the telephone was much simpler. There is only one phone company in town: AT&T (with a few of its old competitors strictly confined to the out-of-the-way districts). The AT&T story is important to understand if the role of the state in creating ruling elite monopolies is to be understood. Except for (perhaps massive) wiretapping, this area of communications is not presently directly censored or otherwise hampered. Originally, AT&T had a nearly total monopoly on telephonic communications due to its possession of certain patents. Upon the expiration of those patents, the industry began a period of intense competition and growth. AT&T was unable to prevent the encroachment of other telephone companies, though it refused to deal with them and used its position (and J.P. Morgan's influence) to prevent the state-monopoly banks from granting them loans. Finally, it chose to SUPPORT the creation of Federal control to regain its monopoly or at least confine its competitors. AT&T's President Vail, in 1914, indicated that his company was the first to call for Federal regulation: and "We believe in government control of public utilities" (quoted by Kolko in The Triumph of Conservatism).

Historically, all Federal control was instituted similarly: a ruling elite monopoly or cartel using its state to maintain its power against market forces. The history of the closely allied broadcasting business is identical. Book publishing and newspaper publishing are undergoing the same process of nationalization through monopoly/oligopoly control. For example, NBC's "parent" RCA owns Random House, and CBS owns Holt, Rinehart and Winston.

Watergate and related exposes of state power teach their own lessons about information control. The whole series of clandestine operations run by Nixon's secret police (the "plumbers") may be seen as attempts to control information and thus public opinion. Richard Nixon, continuing his efforts to be remembered as the worst enemy of civil liberties to ever occupy the White House, made misinforming Congress and the public an Administration policy: witness the secret, illegal bombing of Cambodia and the whole White House tapes fiasco. Nixon's behavior, though, is just an obvious, if sordid, example of the censor's mind in operation.

"Whenever we try to get paternalized, we only succeed in getting policed." —Sumner

## on moral babysitters

The following was printed in January '73 in The News Tribune of Woodbridge. It was an answer to a letter asking for the establishment of decency committees to keep us from descending to the level of "the best — er, beast — in the field." Having romped and stomped in fields, I was obliged by my immortal soul to respond...

### DESCRIBES ACTIVITIES OF ANTI-VICE COMMITTEES\* (their headline)

This is an open letter to Mrs. Jean Wyness and the concerned citizens who read her letter of Dec. 28, 1972.

There are many anti-vice committees in this country, and many people are ignorant of their nature and purpose. As a member of such a committee, I would like to enlighten them.

A decency committee is based on the implicit premise that the average person is only a frail human being, of a tractable nature, exposed daily to those who would prey upon his weakness of character. (It is not only pornographers, of course, who would lead astray the impressionable, but they are the most obvious threat.) Between those who corrupt and those who might be, stand the censors. Their purpose is to save the latter from their own weakness and from those who would exploit it.

This repression of ideas (from the questionable to the obscene) rightly belongs to the government. But this government has repeatedly backed off with vague indications that it's none of their business. In fact, Thomas Jefferson once noted that censorship left him "really mortified." So until the government realizes its obligations, it is left to some citizens to tell the others how to behave.

These public-spirited arbiters of morals are absolutely necessary to hunt out the "beast in the field" which is in most people, and keep it in check. If we are ultimately successful we will obliterate it entirely from human thought and practice (then we can concentrate on the crimes of suicide).

The unwholesome effect of pornographic books and films is undeniable. I have seen perhaps a hundred such films and I know. The extent of the foulness to which a person can descend is totally incredible, save that I have seen the unholy evidence with my own eyes. Considering the corrupting effects of this filth upon the impressionable masses, and the consequent eroding effects of widespread debauchery upon society, how can anyone object to censorship in the name of freedom?

Many would say that the government is already "too much with us;" they invoke the First Amendment; they claim that the purpose of American law is to protect freedom, not to promote virtue. Such ideas belong to a time past, when the rights of the individual were not to be legally subordinated to the power of a pack. Surely, everyone knows that if the First Amendment were presented to the legislature today, it would be put to use in the House and Senate washrooms. There were optimists in those days, prating of the inherent decency of man (much to the consternation of the Church). I think they're gone now.

I have two complaints against Mrs. Wyness' letter. First, she suggests boycotting. This means to refuse to deal with someone. Does a truly vigilant group go no further?

I have two complaints against Mrs. Wyness' letter. First, she suggests boycotting. This means to refuse to deal with someone. Does a truly vigilant group go no further?

Second, she asks that we preserve our "precious humanity." This term was not defined and I would not presume to know her meaning. I did consult a few references, and found a common opinion: The essence and distinguishing quality of humanity is reason. Webster's defines this as "ability to think, form judgments, draw conclusions, etc." However, this is the act of the individual man; in any case we know in our hearts that it has not the slightest thing to do with a committee's view of humanity. Having reached a dead end in an incomprehensible book, I would appreciate a clarification.

My own group, the Society for the Total Obliteration of a National Embarrassment (STONE), is now organizing field trips to art museums. We are non-violent (and incredibly clean); we use only fig leaves, and our symbol, a stone with the number 1 on it. Perhaps Mrs. Wyness' committee would like to join us. And STONEM.

Mary Mason

\*Three people took this letter seriously enough to telephone me. One was a member of the John Birch Society; one was the editor of the paper; one was a reporter asking for an interview.

### WHEN IT RAINS IT POURS (LETTERS)

## PALVEN BARES BREAST

This is an open letter to members of the NJLP.

I am concerned about the moral tone of our party. It has declined from the rigid adherence to principle espoused by John Goodson. There seems to be a trend toward pragmatic "little white lies" and evasions concerning motives and values.

In the end this pragmatism can only be counter-productive. Mark Twain said, "When you tell the truth you don't have to remember anything." Being rigidly straightforward is easier and more efficient, more pragmatic, in the long run.

A tangled web is extremely burdensome and inefficient. Only truth can set us free as individuals or as a party. Cliques relying on shared secrets will certainly negate our claim to being the party of principle. Political effectiveness based on deals and secret alliances will be meaningless, and will make us susceptible to political blackmail.

I now vow that I will share no secret with anyone for any reason. If this makes me an outcast with any group of persons, then this is what I choose to be.

If we reach a point where we confuse candor with naivete then we will be just another political party.

I propose that every Libertarian take an oath not to keep any secret under any circumstance beginning at a point in time. This may seem radical and impractical, but what is a secret but an attempt to conceal truth or to circulate a lie? No temporary or lasting gains can be justified by deception, and in the long run nothing of value can be achieved.

Yours in Liberty,  
Tom Palven

Ed.—Good show, Dominique! Eight o'clock my place.

### ADVERTISEMENT

WRITER/EDITOR. Skilled with words, copy, heads, layout. Literate. Got something challenging?  
J. Jordan, 779 Old Mill Rd., Franklin Lakes, NJ 07417

## 

John Ehrlichman is out—way out as of July—but the memory lingers on. In the Feb. 26, 1973 (a bad year for my sensibilities) issue of U.S. News and World Report, he was interviewed on the President's plans for the home front—this in his capacity as Assistant to the President for Domestic Affairs, mind you; he was an authorized spokesman for the President.

Ehrlichman displayed utter brilliancy in dodging questions. Many replies were contradictory; some questions were answered with vagueness; some not at all.

He often used such old stand-by terms as, "apparently," "it depends," "I think," etc.; but the most curious answers were longer; they are given below, with the questions where necessary.

"There's a danger of misunderstanding here."  
[His first, prophetic words.]

Q. What is your definition of full employment?  
A. The economists' definition is...[he goes on to explain what is being done to achieve full employment, later adding, "nobody is really sure just what constitutes 'full employment.'" That's okay... "Bare statistics are a cold, hard way to look at our employment objectives."]

"What I think your question really asks is..."

"The question of how we institute a new solution to a continuing problem still lies before us."

"One of the problems here is in determining questions of fact. You can get an awful lot of conflicting answers."

"Well, the reason that is usually given is..."

"The question is..."

Q. How do you know what the public wants?  
A. In any given week, it would be very hard to identify...I believe most observers feel that...and that there is some evidence that...

"Well, that's certainly one of the questions that we're taking a look at at this time. I don't know the answer."

"I don't know. I don't pretend to be an expert."

"I would rather not speculate further." [Another 3,000 words to go.]

"Quite frankly...let's be frank about it." [He wasn't.]

On the matter of the guaranteed income plan, had it been dropped?

"No. I think everybody in Washington, D.C., ...learned a lot about welfare in the last year. And we hope to profit by the lesson we learned." [The idea wasn't dead?] "Well, we have never been comfortable with the phrase 'guaranteed annual income'...I would doubt... that any proposal...would in any way qualify for such a description." [So no substantial payments would be made to the working poor?] "I wouldn't want to rule that out."

Two replies labelled him in my mind as a fellow to be watched. He was asked, "But how can you arrive at a judgment—how can you decide whether the Office of Economic Opportunity, for example, is good or bad?" His reply:

"I'm sure that everyone would prefer that there would be some machine into which we could introduce the question and we could push a button and get the answer. But, of course, that is impossible."

On the second he outdid himself. Ehrlichman was asked, "Why are you a little bit unclear...?" [about Nixon's options re the budget]. He said that the President expects Congress to act responsibly to devise ways of controlling spending. But he didn't want to issue threats, that if Congress did this Nixon would do that; he

"wouldn't want to be in a position of speaking for the President."

I don't have the latest facts, I'd have to check it out, but speaking off the top of my head, I think that perhaps there may be some likelihood that, until we can pin it down, it is probably a safe assumption that, insofar as his profession is concerned, this man was, apparently, affilially, in politics.

## 

(From The Spirit of '76, under Tom Palven)

The Fourth Amendment in our Bill of Rights, U.S. Constitution, states:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

The U.S. Supreme Court has now, effectively, granted police the power to search any vehicle stopped for routine traffic violations.

Why did the Founders bother to write the Fourth Amendment? Apparently it was not hard for them to conjure up a picture of an agent of a powerful government allegedly searching a political dissenter and "finding" incriminating evidence brought to the scene.

Although the Supreme Court may have thought its decision "necessary" to protect society, etc., it ignored the words of William Pitt, who said 200 years ago, "Necessity is the plea for every infringement of human freedom. It is the argument of tyrants and the creed of slaves."

---The Spirit of '76

What exactly has changed? Evidence obtained illegally is inadmissible in trial courts, but a grand jury can now indict a person on the basis of that evidence...a person arrested, for whatever reason, can legally be searched without a warrant; if evidence is found of any crime, regardless of the original reason for arrest, it may be used in court...if the person is released, search and seizure may be conducted without a warrant within the next several hours...until actual arrest police are not required to inform a person of the right to refuse permission for a search without warrant.

Next time you say, "police state," be furtive.

The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storms may enter, the rain may enter,---

but the King of England cannot enter; all his forces dare not cross the threshold of the humblest home.

William Pitt, Earl of Chatham

# The Taxpayers' VIEW

By F.N.J.T.



Citizen-taxpayers of New Jersey almost smashed the income tax to death; almost but not quite. It is still alive but barely breathing, and has been put on the shelf to recuperate, so...Watch Out!

Political and parliamentary procedures used in this battle were enough to turn the stomach of anyone concerned about true "good government." Political pressure and political bribery were used to get it passed in the Assembly. When the bill reached the Senate there were not enough votes for passage, so the bill was withdrawn. Actual voting was not on the bill itself but on whether or not to allow the sponsor to withdraw the bill; therefore there is no clear-cut public record as to how our Senators really feel about the issue of an income tax. They avoided the issue.

Over the grapevine comes word that, when the chips were down in the Senate Democratic caucus, the Administration could muster only eight votes for the tax, EIGHT OUT OF FORTY, yet they wanted to give us an income tax. Also via the grapevine we learn that weeks before the Assembly voted, the leadership of both houses had a semi-secret meeting in a diner out on Route 46. At this meeting Senate leaders told Assembly leaders: we have only twelve votes, and three of them are not firm; we are not going to pass the tax. For some unknown reason, Assembly leaders did not pass along this vital information to other members of the Assembly; thus they allowed Assemblymen to go way out on a limb by voting for the tax. Now there is deep resentment against Assembly leadership.

State House observers theorize that when Byrne tried to use the same tactics on Senators he had used in the Assembly to gain votes, there was deep resentment on the part of Senators, and they reacted by voting "NO" in caucus; so Byrne lost, not only the three unfirm ones but one more besides—and the final vote, in caucus, was only eight votes for an income tax.

All this has resulted in a great deal of ill-feeling between leadership and membership in both houses as well as between the two houses themselves, and between the Governor's office and the Legislature. In such a situation there can be only one beneficiary—the citizen-taxpayers. If politicians can be kept busy fighting among themselves they will have no time to pass new taxes or other laws harmful to the citizen-taxpayers. (This situation points up the beauties of our bicameral legislature. Advocates of a unicameral system should reflect long and hard on recent events, because, had we had a unicameral legislature we would by now also have an income tax.)

Already we have received dividends. Two bad bills passed in the Senate and sent over to the Assembly were ignored by that body. The Assembly is mad at the Senate so they just ignored these bills, recessed and went home for the rest of the summer. The two bills are: the PERC bill, S-1087; and the "T & E" bill, S-1295. The PERC bill grants too much power to unions composed of public employees. It would allow these unions to practically dictate to local governing bodies regarding their employment. Employment disputes would be subject to binding arbitration by the Public Employment Relations Commission. The "Thorough and Efficient" bill, known as the Public School Education Act of 1974, is a further concentration of power in Trenton, and would result in destruction of home rule in educational matters. Senator Dunn has said it would make Commissioner Burke "a virtual dictator of education in New Jersey."

Having won a battle but not the war, the Federation's next project will be: "STOP THE CRAZY GOVERNMENT SPENDING."

Federation of New Jersey Taxpayers, Inc.  
P.O. Box 261, Summit, New Jersey 07901

## from the chair

A very interesting article documenting the successes and failures of political protest groups appeared in the July issue of Psychology Today. William A. Gamson studied groups challenging the status quo between 1800 and 1945 and came to the conclusion that "The Meek Don't Make It," and that the successful groups were bureaucratic, centralized and violent. He also pointed out that those on the inside of the power system do not treat those on the outside by the rules that they use among themselves, and that the nice "pluralist theory" of American politics is not entirely valid.

This gives libertarians a lot to think about. How will we achieve success? The LP is already bureaucratic, as any political organization must be. But centralization and violence are certainly not acceptable to most of us, the essence of libertarianism being individual freedom. It is, however, necessary to be well organized within the decentralized structure. There is an element of truth certainly in Mr. Gamson's comment, "they must therefore be organized like a combat group—with willing, committed people who know what to do..."

And in conclusion, those "that fight their way into the political arena...are prepared to withstand counterattack, and to make it costly to those who would keep them out."

Are we ready for the fray?

\*\*\*\*\*  
\*\*\*\*\*  
NEXT STATE COMMITTEE MEETING ON FRIDAY, SEPT. 6th  
at 8:00 P.M., at the Schubert's, 30 Montrose Rd.,  
Somerset, N.J.

\*\*\*\*\*  
\*\*\*\*\*

### A RESOLUTION OF THE COALITION OF INDEPENDENTS

The representatives of the taxpayers' and civic groups here gathered, recognizing the need for action, hereby state that:

WHEREAS, The governor of New Jersey, being irresponsible to the people of New Jersey and  
WHEREAS, Some legislators have denied their constituents the right to proper representation in the New Jersey Assembly and  
WHEREAS, The people of New Jersey will no longer tolerate any pretense of representation by these legislators and  
WHEREAS, The major political parties have not reacted to the visible dissatisfaction of the people with government and  
WHEREAS, The integrity of those officials is questionable; now therefore be it  
RESOLVED, That we do hereby give notice and intent to work diligently to support only those candidates for election who have expressed and exhibited opposition to a state income tax, statewide property tax and the state definition of a "thorough and efficient" education.

Passed unanimously on the 22nd day of July, 1974.

The Coalition of Independents  
Doris Cabany, Temporary Chairwoman  
315 Sixth Street, Carlstadt, N.J. 07072

## could it be our boy's done something rash?

In light of many things in the recent past, it is time to review a play.

Having attended the firstnight showing (didn't we all, Kamerad?) of Threepenny Opera, and being duly amused by the emotionalism of its instigator, Herr Bertolt Brecht, I must set a few things down on record.

Macheath (a/k/a Mack the Knife) was an outstanding highwayman, of totally immoral and unethical thoughts...and an extravagantly resourceful paid assassin.

Jenny Towler was found  
With a knife in the breast  
And on the dock strolls Mack the Knife  
Who knows nothing about it.

But let us not condemn Macheath. The expression which covers this begins: "First take the beam out of your own eye..."

Besides, how can we condemn a character so ambiguous, one whose role aboutfaces right before our eyes? As I heard it, "it is difficult to determine whether (in the fashionable Vices) the fine Gentlemen imitate the Gentlemen of the Road, or the Gentlemen of the Road the fine Gentlemen."

The nihilistic Macheath had another failing common to his type: his opinion of women. At one point he "must have women." Then he's betrayed by one, and women are "beasts, jades, harpies, whores."

The play is loaded with betrayals. But this does not put me in an impossible position—to criticize or to moralize. I mean, there are betrayals and there are betrayals. For instance, you can expect to be chewed up by a shark, that admirably efficient king of the seas; but by a squid? nay, naga! Or as Brecht put it,

And the shark, it has teeth  
And it wears them in its face  
And Macheath, he has a knife  
But the knife no one sees.

Naturally this review is in very bad taste. Whether it is that of tasting rotten teeth, or a rusty knife, is your decision. I was buying popcorn when the plot thickened; but if I had been there when the chips were down, I'd surely have examined them and cashed them in. One chip did in fact fall at my feet upon my return to my seat: the one that questions my standing as editor. I am, and this review proves it. No self-appointed final censor would allow it to be printed. When I can no longer offend anyone, I will resign.

### INTRANSIGENCE DEPARTMENT

This month's Libertarianism in Action Award goes to Reverend John A. Goodson, D.D.

John was sent a letter asking for a contribution to the previous issue of this newsletter. His reply mentioned the cultivation of his garden, among other things. A second letter begged him to reconsider. John Goodson came forth in a blaze of literary and philosophical glory:

"Back when David, Lydia and I were putting out the NJLP newsletter, we neither received nor expected much help. There is a moral lurking at surface-level here.

"Or, put another way: 'I do not recognize anyone's right to one minute of my life. Nor to any part of my energy...No matter who makes the claim...'"

Never has such a lofty principle been put to such unique use. John Goodson, we salute you.

—M.M.

Getting back to the play; it had a funny smell to it. This must have been caused by the inclusion of a matter which was, dramatically speaking, uncalled for. I will remain silent as to its exact nature, since it is unbelievable that I would violate that kind of confidence. Of course it's already a public matter thanks to a gut infinitely larger than mine; still, it should not have been. Fact or fiction, it's none of our damned business, is it?

In the final analysis, Brecht has once again spoken before thinking twice. Threepenny Opera (the third is mine) is nevertheless a fine example of overreaction to underevent. One day perhaps Mack will prick his finger and get tetanus; hopefully that condition will have its usual effect—that of locking the jaw.

Copies of this newsletter, dear reader, will go to persons whom I choose, since I am the editor without quote marks or any like equivocation.

I also have a degree in psychometry. This review is my professional impression of the aforementioned chips. I hereby commend them unto their maker, and go my merry way whistling the words (perfectly proper by Brecht) to a later tune of his: that old Irving moon...if you would have been there, I'm not sure you'd have cared at all for that sort of thing...Are you a hero?...very ordinary, just like any other establishment...the kind of music they play there now—you'd be ashamed of it...

What in heaven am I babbling about? I'm afraid it's "what the world calls its own;" and now it's ours, too. Something too much like muck to be very tragic. You tougher readers can now follow the more fastidious to the next article. Unfortunately, you are sliding into it.

From The Story of Philosophy, by Will Durant; Washington Square Press, Inc., New York, 1964. Original source: Tallentyre's Life of Voltaire.

He was so ill now that a priest came to shrive him. "From whom do you come, M. l'Abbe?" asked Voltaire. "From God Himself," was the answer. "Well, well, sir," said Voltaire; "your credentials?"

"You can kid me all you want..."

---Various members of  
the NJLP to the editor

\*\*\*\*\*  
BEAT INFLATION! PROTECT YOUR BUYING POWER. INVEST IN SILVER BULLION. 1 to 1000 oz. bars. For more information call (201) 845-7772.  
\*\*\*\*\*

"Inflation is when, if somebody passes you a phony ten-dollar bill, it's probably the Government."

Robert Orben

?

If all the people in America who are under analysis were laid end to end, they would:

- a. weave three circles around Kubla Khan
- b. get pointed and snickered at by the 3 rows of Chinamen going the other way
- c. make themselves the laughing stock of the universe, thus finally fitting in with the rest of society
- d. need no more analysis.



# EDITORIAL

Well, we don't have Richard Nixon to kick around anymore. Unfortunately, we may still have an imperial presidency with all the royal posturings and powers inherited from prior reigns. Richard Nixon was not the first president to try to enlarge the powers of his office: he is just the first to get caught. Now we have Jerry Ford with the Finger on the Button, perhaps the most stupid person ever to occupy the White House (LBJ once suggested that Ford couldn't cross the street and chew gum at the same time).

This, though, is a hopeful sign: it is hardly possible that presidential power will increase under Ford. This two year interregnum may provide significant opportunities for libertarians and all who value freedom to begin to call for a real reduction in the powers of the presidency.

We must not permit politicians to pretend that the resignation of Richard Nixon has terminated the political crisis. Nothing has changed: the president's power to drag us into war or inflation or depression or whatever is not yet lessened. We must redouble our efforts to decentralize and decrease all governmental power. And as the economic crisis deepens (as it must), libertarians must be ready to show America that free market economic theory predicted the disaster, its causes and cures.

We are living in the midst of a major crisis of State. Both the economy and political system are battered and on the verge of collapse. It is especially during such crises that people are most open to radical change. That change may occur, but, unless we are ready, we may find ourselves in a country which is even less free and prosperous than the America we knew before the crises of the '60's & '70's.

Although we no longer have Nixon to kick around, the essential nature of government has not changed. Government has not changed, but, perhaps, the possibility of libertarian change has been enhanced by the continuing crisis in the American political system.

From the minutes of the July State Com meeting:

The following motion made by Ralph Fucetola and seconded by Jane Rehmke was approved; 1) the form and content of the NJLP Newsletter are under the control of the editor...2) the editor may have his or her own column, but editorials will be written by the State Committee...

## FUCETOLA ON ELITE

The masters of the world  
are strong men and bold;  
they dare to use all others  
for their "high" purposes—  
domination, plunder;  
satisfying blood lust,  
power lust,  
lust for others' wealth.

The masters of the world  
are educated, cultured,  
from the finest families,  
travelling the best circles,  
knowing the right people,  
directing the armies  
of tax collectors,  
educators, judges, police:  
spiders spinning webs.

Yes, the masters of the world  
are lordly men and proud  
in their towers of glass and steel:  
and there is no justice in this world at all.

Ralph Fucetola III

## PUBLICITY

On March 22, Ralph Fucetola appeared on a Channel 2 editorial reply on corruption in politics. Ralph began his speech as follows: "Channel 2 is right—people consider politicians crooks. But Channel 2 doesn't recognize that this is because politicians are crooks. Politicians command an institution which takes its income by force and threats and calls it taxation."

On July 1, Fred Stein, our Vice Chairperson, appeared on a WPIX editorial on Watergate and the Politician. He stated that "We in the Libertarian Party believe that Watergate and corruption are the direct result of too much government interference in the economy and our personal lives."

The June 19 issue of The Bayshore Independent (Keyport) contained a letter to the editor written by one of our members, Stevenson Enterline. In his letter against the state income tax, he wrote:

"...There is only one reason for the Governor to act as he does—he wishes the power to tax and spend to pass from the borough halls and county courthouses to that far away place known as Trenton where the distance will make it more difficult for us ordinary citizens to keep our eye on the three walnut shells!"

The July 8 issue of The Courier News contained an interview with our Chairman, Jane Rehmke, and Fred Stein. It was unfavorable; hopefully our party will soon count a press agent among its members.

## AT THE FRONT

First of all, the editor had NOTHING TO DO with the piece topped, "From the Chair." It was written by our beloved Fuehrer.

I likewise disavow the editorial, which is printed exactly as written (by a nameless State Commoner) so that its worth can be judged without any interference on my part.

At the Aug. 4 meeting I begged for writers. The response, nothing doing. Still, I know who you are. Notably, Bill George, Phil Manger, and Scott Royce: get off your lovely duffs and send material from your papers. Help me feed my children, especially little Ruprecht who is just now drying out.

You will notice these pages are not numbered. This is because they are in their usual order.

About life members: might there not be more of them if they had some say about where their cash would go? One of these days I'll be able to become one; the only incentive to do so will be the opportunity to earmark the money for the particular activity I'll be working with then. Picture a life member disapproving of the State Com decision to rent pretty offices, to be paid out of the general funds. Said member sent them his money unconditionally, says State Com; tough break. And there has been talk of the party footing the chairman's phone bill. I have talked to Jane on the phone, and if I were told my money is going to that activity hereafter, I'd cut her throat.

Has anyone been shocked by anything in this subversive paper? I intended it to be an example to certain people of what I can do when I want to be naughty. I want to be, because in this topsy-turvy world, anybody on State Com can write an editorial—but not the editor. When they took a vote on that, I was "really mortified," but I remained silent, neither naying nor abstaining. This issue is my vote.

## PREVIEW

"The question plainly put, is whether or not esthetic considerations alone justify the exercise of the police power of the state...Zoning solely for esthetic purposes is an idea whose time has come; it is not outside the scope of police power."

Harold A. Ackerman,  
a Superior Court judge in Elizabeth, N.J.



## BOB STEINER FOR CONGRESS

Bob Steiner, a founder and first Chaircritter of the NJLP, and its first life member, was unanimously endorsed by the party in his Independent candidacy for Congress in the 12th Congressional District.

Born in 1934, Bob is a self-employed CPA, with offices in Westfield, N.J. He received the degree of B.S. in Economics at the Wharton School of the University of Pennsylvania.

Somehow Bob has found time to write a few books—foremost, "Essential Government Economic Controls, Regulations and Guidelines, Vol. I," which contains 150 blank pages.

Bob's campaign has been well received by the press, radio, and the public in general. He has made several personal appearances, greeting voters and speaking before civic groups.

On Route 22 his campaign staff has erected a billboard with the campaign slogan, "I've Had It" (With Big Government), "Bob Steiner for Congress." The parenthetical inclusion is changeable with some other expressions, such as High Taxes, Inflation, and Corruption being exhibited also.

The campaign has come in contact with several noted conservative groups, youth and civic organizations, who have pledged their volunteer work and support. They believe, along with the libertarians, that Bob Steiner is the only rational alternative to the present chaos in Washington.

If you can help the campaign in any way, please call (201) 233-3700, or write Bob Steiner for Congress, P.O. Box 112, Westfield, N.J. 07091

## Rand & HUAC

On October 20, 1947, the House Committee on Un-American Activities heard Ayn Rand discussing the subtle propaganda of the movie, Song of Russia:

"...you see a scene on the border of the USSR. You have a very lovely modernistic sign saying USSR. I would just like to remind you that this is the border where probably thousands of people have died trying to escape out of this lovely paradise. Then there is a scene inside kind of a guardhouse where the guards are listening to...the beautiful Tchaikovsky music, and they are playing chess. Suddenly there is a Nazi attack on them...Now, realize—and that was a great shock to me—that the border that was being shown was the border of Poland. That was the border of an occupied, destroyed, enslaved country...just a happy place with people listening to music..."

"...there was not a GPU agent among them, with no food lines, no persecution—complete freedom and happiness, with everybody smiling. Incidentally, I have never seen so much smiling in my life, except on the murals of the World's Fair pavilion of the Soviet..."

"...It is almost impossible to convey to a free people what it is like to live in a totalitarian dictatorship...I can never completely convince you, because you are free...They try to live a human life, but, you understand, it is totally inhuman. Try to imagine what it is like if you are in constant terror from morning till night and at night you are waiting for the doorbell to ring, where you are afraid of anything and everybody, living in a country where human life is nothing, less than nothing, and you know it..."

### ADVERTISEMENT

#### YOUNGSTEIN FOR MAYOR YEARBOOK

Adlib Communications, Inc. has produced an exciting yearbook about the 1973 Mayoral Campaign. In addition to articles by Murray Rothbard, Jerry Tuccille, Dave Nolan, Fran Youngstein and others, there are reprints of some of the major newspaper stories, press releases, ads, promotional material, photos, letters to Fran, etc. The yearbook is only \$3.50 from Adlib Communications, 44 West 63rd Street, New York, N.Y. 10023.

## Fucetolerance

Herbert Marcuse first suggested the phrase "repressive tolerance" to define the status of free speech in America. The phrase echoes Kolko's concept of "liberal" repression within the "illusion of the possibility of significant change..." This is indeed a strange situation: the more we talk of things changing, the more they stay the same. Or, is it so strange? Perhaps we should play super-sleuth for a moment and ask the detective's question: who benefits? The only group of people who can possibly benefit is that parasitic caste in society, those bureaucrats, politicians, intellectuals and businessmen who prefer to use the state to steal wealth rather than engage in the productive process. It is the existence of a ruling elite—a cabal composed of business, political and family connections—which pulls together the whole complex structure of increasing state control in America. In order to maintain their age-old predatory position, this gang must prevent people from learning the truth about their system: they must—by law, by schooling, by subtle economic manipulation—censor expression.

And our role is clear: if we wish a "free and prosperous commonwealth," a libertarian world, we must proclaim the Truth to all who dare to listen.

Ralph Fucetola III

On the plus side, Gerald Ford has said he supports the nomination of Alan Greenspan to head the President's Council of Economic Advisors.

On the other, Jack Anderson reports that Ford was packing crates in his office one day, and a friend asked why. "Oh, this is the kind of thing I can do," replied the Pres. In this connection read "I Am Jerry's Brain," in the Sept. issue of Playboy.

[To Catherine the Great, who believed it, "better to obey laws under a single master than under several"] "I agree, but on the condition that the master be the first slave of the law. Laws should be principally directed against the master, the most powerful and dangerous of malefactors."

"May evil befall the sovereign who scorns the law, and the people who suffer it to be scorned."

—Diderot

"All I mean is that a board of directors is one or two ambitious men—and a lot of ballast. I mean that groups of men are vacuums. Great big empty nothings. They say we can't visualize a total nothing. Hell, sit at any committee meeting."

Ayn Rand, The Fountainhead

## NEW JERSEY LIBERTARIAN PARTY

P. O. Box 247  
Bernardsville, N. J. 07924



### PLATFORM of the NEW JERSEY LIBERTARIAN PARTY THE PARTY OF PRINCIPLE

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

We hold that each individual has the right to exercise sole dominion over his own life, and has the right to live his life in whatever manner he chooses, so long as he does not forcibly interfere with the equal right of others to live their lives in whatever manner they choose.

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

We, on the contrary, deny the right of any government to do these things, and hold that the sole function of government is the protection of the rights of each individual: namely (1) the right to life — and accordingly we support laws prohibiting the initiation of physical force against others; (2) the right to liberty of speech and action — and accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and (3) the right to property — and accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support laws which prohibit robbery, trespass, fraud and misrepresentation.

Since government has only one legitimate function, the protection of individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. Men should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders on a free market; and the resultant economic system, the only one compatible with the protection of man's rights, is laissez-faire capitalism.



THERE AIN'T NO SUCH THING AS A FREE LUNCH



FIRST CLASS MAIL

## PROPOSED NJLP BY-LAW AMENDMENTS

### I. STATE COMMITTEE REPRESENTATIVES

Delete By-Law 6b4 and replace it with: "4.) State Committee Representatives (there shall be three elected at the Annual Convention for one year terms and all candidates shall be placed on one ballot with each member being allowed one vote, and the three persons receiving the highest votes being elected, with ties broken by run-off elections among those tied)."

Add to By-Law 5 at the end of the first sentence: ", and county committee chairpersons (who shall have no vote in that capacity)."

### II. COUNTY COMMITTEES

Add as By-Law X: "County committees may be approved by the State Committee only upon the adoption of by-laws (with a provision that the State Committee must approve any amendments thereto) and election of officers including at least a county committee chairperson and county committee secretary at a county committee convention at which at least 25% of the NJLP members in the geographical area of the committee attend and which is called by an acting county chairperson appointed by the state chairperson with the consent of the State Committee, and for which at least 15 days written notice has been given to every NJLP member within said area and all members of the State Committee. Thereupon, a General Meeting must consent to such approval. A county committee may include more than one county, but, a General Meeting may divide such committee upon the petition of a majority of NJLP members in any constituent county."

### III. ARBITRATION\*

All disputes arising from these By-Laws or resolutions, actions, expenditures, elections, rules or decisions of the Party or any organ of it, shall be settled by arbitration pursuant to the Rules of the Party.

### IV. MISCELLANEOUS

Delete By-Law 6b7 and renumber 6b8 as 6b7.

REASONS: I: the petition method of choosing state committee representatives has not been utilized sufficiently to allow enough state committee members to carry out its functions; this plan will enlarge the committee and insure minority representation. The addition of county committee chairpersons as members of the state committee will permit better coordination of their actions and provide geographic representation on the committee.

II: this regularizes the procedure to create county committees, only hinted at in By-Law 5.

III: this corrects an oversight resulting from the removal of NJLP officials as non-voting members of the committee. This clause has, thus, no purpose.

\* This amendment will help develop a libertarian institution and avoid the absurdity of bringing libertarian disputes (alas! they will occur!) to the State for solution.