



New Jersey Libertarian

Volume XXXVIII, Issue 1

Winter 2012/2013

Chair's Message

by Jay Edgar

I get many emails from people asking how they can help or how they can get involved in the party. Make no mistake, just because I may drop the ball and either not give you specific tasks, take too long to get back to you, or forget to get back to you at all - does not mean that your activism is not needed. Actually quite the opposite is true. Too often I find myself doing the jobs of several people, most out of my own fault for not properly delegating. The freedom movement needs more activists who are willing to help out in any way they can.

I'd like to see our individual County Committees become more active and take on some of the tasks that are currently done at the state level. The best activism occurs on a local level. Having healthy [county organizations](#) is essential to the success of the New Jersey Libertarian Party. It provides a place for libertarians to meet without having to drive across the state, it provides local resources that can be used by candidates and activists. In addition it increases the number of Libertarian outreach programs we can run.

Get active in your county organization if they are organized. If they are not meeting help them to start a regular meeting schedule.

If your county organization is not organized - [organize it](#). We can provide you a list of members and prospects in your county. Plan a meeting, invite everyone, and declare your county organized. Even easier – your counties can be organized at the upcoming State Convention during the County Caucus portion of the morning meeting.

As a small political party we need you to help us compete with the corrupt old parties. The corrupt old parties have access to your wealth - and they use this money to grant special favors to their supporters. Those being fleeced - you and I - need to take action to stand up against the two big parties in a principled way. I hope that I see you at one of our events and that you find some way to get involved.

[Jay Edgar](#),

Chair NJ Libertarian Party

NJ Libertarian Party 2013 Annual Convention Planned

By Joe Siano

The 2013 Annual NJLP Convention will take place on March 16th at The Tavern on the Lake in Hightstown, NJ. Registration information is included in this newsletter and at <http://njlp.org/convention>.

There is a morning business meeting planned. During the morning business meeting we will be tackling the important tasks of election of officers, nomination of candidates for public office, organizing county committees and discussing official party business.

In the afternoon we have an exciting line up of speakers. See page 9 for more details. The Board has worked to make this convention:

- Convenient - It is right in the middle of Jersey, less than a mile from Turnpike Exit 8. Also, plenty of free parking nearby.
- Affordable - \$35 - includes hot buffet lunch and continental breakfast. Students rate is \$25
- And fun - We are on the second floor of a pub.

This event is the most important event of the year for the party. It provides us with the opportunity to regroup, reorganize, and set our goals and objectives for the year. I want to see you in Hightstown on March 16th, to kick off a great year for the NJLP. Register today!

In This Issue

NJLP Convention.....	1
Bob Steiner Passes.....	2
School Choice Week Celebrated.....	2
December 2012 Minutes.....	3
NJ Weedman Arrested.....	3
DOT Releases Red Light Report.....	4
Mayor Flashes Badge.....	4
NJLP Job Openings.....	5
Supreme Court Guts 4th Amendment.....	5
Letters to the Editor.....	6-8

First Chair, Bob Steiner, Passes

By Ken Kaplan



Robert A. "Bob" Steiner, a founding member of the NJLP, died on January 4, 2013 at a nursing home in Concord, CA at the age of 78. He was the first chairman of the NJLP, and the party's candidate for Congress in the 12th district in 1974. Rev. Michael Douglass, National Chaplain of the Society of American Magicians (S.A.M.) reported Steiner's passing on that organization's website. Bob was active in S.A.M. for many years and was president of the organization from 1988-1989. To put that position in perspective, one of his predecessors as president was Harry Houdini!

Rev. Douglass said this about Steiner, "Bob was passionate about his service to the S.A.M. over the years, and was a fixture at Council meetings and Conventions. With a background as a CPA and a member of MENSA, he had a keen, finely-tuned mind, and could be counted upon to notice details that others might not see. He was always up for a challenge, whether running for Congress in New Jersey, tackling mind-bending conundrums, serving with the likes of James Randi [a/k/a The Amazing Randi] to debunk faith-healing charlatans, or just enjoying the perfection of a new magic effect. He authored a book *Don't Get Taken* to expose con games, and toured the world exposing those who used magic principles for supernatural claims." Rev. Douglass also thanked California Bay Area magicians for providing care for Bob as he faced difficult physical challenges over the past few years.

The website of the Bay Area Skeptics, an organization founded by Steiner carried an obituary written by his co-founder, Robert Schaeffer, who described Bob's humorous demonstrations of "psychic powers" and Bob's annual hosting of leap day parties, whether or not it was actually a leap year. Schaeffer wrote, in part, "Steiner and I were close friends for many years. In 1982 he and I founded the Bay Area Skeptics, a local skeptics group that is still operating. Steiner was also a close friend of fellow magician James "The Amazing" Randi, and knew practically everyone in the magic world. One time when

Steiner and I were on a flight going to a CSICOP conference, he spotted fellow magician Harry Blackstone, Jr., who greeted him as an old friend. Steiner was also a close friend of Dr. Wallace Sampson, M.D., one of the leading scientific critics of 'alternative medicine.' Sometimes Sampson and Steiner would do a joint presentation on bogus medical practices, and Steiner would demonstrate the kind of 'psychic surgery' practiced in the Philippines, appearing to pull copious amounts of chicken guts from the abdomen of a surprised "patient."

Concerned about a steady parade of foreign "psychics" who were uncritically accepted while making tours of Australia, in 1984 the Australian Skeptics arranged for Steiner to travel Down Under to perform as psychic Steve Terbot. "Terbot" did numerous major TV and in-person appearances. Nobody saw anything fishy about him, the media almost never bothered to check Terbot's credentials ("There are no credentials in a field that studies something that does not exist!" Steiner once said). Terbot became an instant psychic celebrity. He appeared on the widely-watched Tonight with Bert Newton show three times: twice as "psychic" Steve Terbot, the third time as skeptic Bob Steiner, explaining how he had fooled millions of people.

Steiner coordinated the entire Bay Area operation of James Randi's elaborate "sting" of the televangelist Peter Popoff, who was receiving 'messages from God' via a concealed radio receiver in his ear." Commenting on Bob's death, Randi described Bob as "an excellent friend of mine who at one time was my accountant, helped me in several investigations of so-called "psychics" both here and in other countries, and was always in full accord with the goals of the JREF [James Randi Educational Foundation]. Bob will be very greatly missed."

School Choice Week Celebrated

by Jay Edgar

January 27 – February 3rd was designated as National School Choice Week. 3,600 events across all 50 states were held. 28 Governors, including Chris Christie in N, officially recognized the week long commemoration.

In NJ it was kicked off by an School Choice Summit hosted by Bob Bowdon of Choice Media. The kickoff included many interesting speakers of several political affiliations who spoke about educational reform and the problems with government monopoly on education.

The week closed with a showing of *The Cartel* at the NJ Liberty HQ in Hightstown. This movie is a documentary of the educational system in New Jersey. After the movie there were a couple of speakers who talked about the problems with the current educational system in NJ.

Minutes of December, 2012 Steering Committee Meeting

by Emerson Ellett, NJLP Secretary

The teleconference convened at 1:06 pm. Present: Jay Edgar, Ken Kaplan, Joe Siano, Emerson Ellett, Ray Cragle, Frank Warren. Absent: Kevin Ferrizzi, Chris Thrasher, Vinko Grskovic, Sheryl Heichel, Bill Sihr. Also on the line was member Don DeZarn.

Secretary's report: The minutes of the September Steering Committee meeting were approved.

Treasurer's report: As of November 30 the party had \$14,381 in all three accounts, most of it (\$11,755) in the General Fund. Since then Joe has written a \$200 check to Tavern on the Lake, the 2013 convention venue; and about \$300 in dues renewals has come in.

Newsletter - The editor's position is open; and Jay will seek a replacement.

Membership Report – Paid membership is one or two shy of the 2009 high, 182. Jay will send a letter to the prospect list, which has about 350 names.

Bill of Rights Day - The Second Amendment Society and Liberty on the Rocks held commemorations December 15 in honor of the day in Trenton and Hightstown respectively.

Convention - The convention is scheduled for Saturday March 16 at Tavern on the Lake, Hightstown. Jay will contact Tatania about her availability. Neil Schloss wants to present his Libertarian Magic Show. As to Judge Napolitano, he has an agent and is probably unaffordable.

Alternative Political Parties Coalition - Pat Noble, Socialist Party, has proposed a coalition of alternative political parties. The Reform Party is interested; the Constitution Party is not. A motion that the NJLP join the coalition, on the condition that there be one representative and one alternate from each member organization instead of 2, and that the representatives cannot obligate their organizations to spend money, but would need to take any financial matters back to their organizations for approval, carried. Ken Kaplan and Jay Edgar respectively are our representative and alternative representative to the coalition.

Restoring Freedom Conference - The NJLP will participate in the event, planned for Martin Luther King Day on the steps of the State House in Trenton.

2013 election planning - All 40 senate and 80 assembly seats are up for election. About 12 people, 3 of whom are members, have expressed interest in running. Candidate screening will be conducted at the Jan. 19 Steering Committee meeting.

Legislative action - S.1977 (marijuana decriminalization, of less than 15 grams). Ken will contact a member who

may be interested rallying support for the bill. A.861 (Obamacare nullification) - Emerson will put together a one page summary. Red Light Camera Ban - Jay will look into it.

Research on legislation will inform our membership, and enable us to issue press releases on these matters.

Future meetings dates were announced. The meeting was adjourned at 2:03 pm

NJ Weedman Arrested

by Jay Edgar

One of the scheduled speakers at [our convention](#), NJ Weedman, has been arrested. [NJ Weedman](#), whose real name is Robert Edward Forchion, Jr., was recently unanimously found [Not Guilty](#) by a jury in Mount Holly for distribution. He was however found guilty of marijuana possession. Right after his trial [the DEA called and threatened The Weedman](#), demanding that he close up his California dispensary.

Ed had plans to tour around speaking at various events on a "[Jury Nullification tour](#)", our convention being one of the first speaking opportunities for the tour.

My life was saved by Jury Nullification and I want to give back to society by helping other marijuana defendants across the country. Enlightening the local public to a Constitutional tool for "WE THE PEOPLE" to win this war on drugs with legalization! - NJ Weedman

In December of 2012, NJ Weedman [filed a lawsuit against the San Bernadino Sheriff Department](#). On December 17th, 2010 the San Bernadino County Sheriff Department seized 422 marijuana plants from his grow operation in Los Angeles County. His grow operation was legal in Los Angeles. The San Bernadino Sheriff had neither jurisdiction nor the law on their side when they seized his plants. No charges were ever filed against the NJ Weedman nor the Liberty Bell Temple, Inc. in this case.

On January 16th he was sentenced to two years probation for the possession charge. On January 30th he was in the process of traveling to Los Angeles for a cancer treatment when he was arrested at the Philadelphia airport just before boarding a plane. He had either 20 or 30 days time in which to file the appeal, however his arrest was only fourteen days after his sentencing. Unfortunately due to his confinement he most likely will not be able to appeal his sentence.

He currently being held at the [Philadelphia Industrial Correctional Center](#) awaiting extradition to Burlington County.

NJ State DOT Releases Red Light Report

by Jay Edgar

The State of NJ Department of Transportation [released a report](#) studying accident data of various red light installations of a year prior to installation to one year after. It found:

Combining all RLR locations and comparing the Pre-Camera installation 12-month time period versus the Year 1 installation 12-month time period, the data indicate that total crashes are up 0.9%, however, more severe right-angle crashes are down 15%, while same-direction (rear-end) crashes are up 20%. Crash severity cost increased by an estimated \$1,172,800.

The crash severity cost was based on a five categories: fatality, disabling injury, evident injury, possible, injury, and property damage only (no injury) with each of these categories assigned a dollar figure.

Is the small increase in revenue worth the loss of privacy and increased rear-end collisions? Two of the original sponsors of the 2007 bill are still in the Assembly, Brian Stack (Senate, District 33) and John Wisniewski (Assembly, District 19). Perhaps they thought that Orwell wrote 1984 as an instruction manual?

Our society is growing more and more totalitarian. The government [tracks our air travel](#), [routinely scans our license plates](#), tracks and analyses our financial lives, collects our calling records, [tracks our social networking activities](#), and tracks and reports our political donations. With our personal data being digitized, government and businesses alike will be tempted into gathering and using this data. We should not tolerate politicians who do not protect our privacy.

LFB Dismisses Ethics Complaint Against Badge-Flashing Voorhees Deputy Mayor

by John Paff

On January 22, 2013, Thomas H. Neff, chairman of the New Jersey Local Finance Board (LFB) notified me that my ethics complaint against Voorhees Township (Camden County) [Deputy Mayor Mario DiNatale](#) was dismissed by a 3 to 1 vote. (The LFB has six members, but only four were present at the [January 9, 2013](#) meeting where the vote was taken.)

I had complained to the LFB on January 17, 2012 after reading a January 11, 2012 [Courier Post](#) article entitled "[Abuse of badges may cost them badges](#)" by Jeremy Rosen. The article reported that Berlin Township (Camden County) police officer Wayne Bonfiglio had stopped Deputy Mayor DiNatale on January 5, 2012 for having a rejected red inspection sticker and improperly tinted windows on his vehicle.

According to a January 5, 2012 e-mail that Bonfiglio had sent to Voorhees Police Chief Keith Hummel, when he

approached DiNatale's car, DiNatale held a police badge out the driver's side window. Bonfiglio, who "could not believe that a police officer would openly display his badge on a stop in front of witnesses" asked DiNatale if he was a police officer. According to Bonfiglio, DiNatale "simply replied, 'Voorhees Township Police.'"

Bonfiglio, who knew all the Voorhees police but didn't recognize DiNatale, challenged DiNatale's claim that he was a police officer. At that point, DiNatale explained that he was the Voorhees Deputy Mayor and had received a police badge because served in a "liaison role" as the Township Committee's public safety director.

According to Bonfiglio, he didn't issue DiNatale any summonses "out of respect for [Chief Hummel]. Rather, he told DiNatale to remove the tint from his windows and get his vehicle inspected. He also opted to send his e-mail to Voorhees Police Chief Hummel.

After reading the article, I concluded that DiNatale's actions constituted a violation of N.J.S.A. 40A:9-22.5(c), which states: "*No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.*" I felt, and still feel, that flashing a police badge to get yourself out of a ticket falls squarely into the category of using one's official position to secure an unwarranted privilege or advantage.

Yet, the LFB decided to give DiNatale a pass because he had sent an e-mail to [Berlin Township Police Chief Joseph Jackson](#) on January 16, 2012 (after the article was published in the [Courier Post](#)) "requesting that the appropriate tickets be issued to [him]." DiNatale's magnanimous gesture (i.e. deigning to accept a traffic summons, just like us common folk), in the LFB's eyes, warranted mercy.

After receiving the LFB's dismissal letter, I submitted an [Open Public Records Act \(OPRA\)](#) request to Berlin Township for the e-mails back and forth between DiNatale and Berlin Police Chief Jackson, as well as copies of the traffic tickets that were ultimately issued to DiNatale. In response, I was given a copy of DiNatale's e-mail to Jackson and was told that no summonses against DiNatale were on file. I conclude from this that while DiNatale may have asked to be ticketed, he didn't actually receive any tickets.

So, the way I understand the LFB's view of the ethics law, if a public official is caught trying to use his or her official position to beat a traffic ticket, he or she will be excused from an ethics violation provided that he or she, after being caught, contritely asks for the ticket to be issued. It matters not, however, whether any tickets are actually issued against the public official. Rather, it's the thought that counts.

NJLP Job Openings

by Jay Edgar

We have a few job openings in the party. The position of newsletter editor is currently vacant. The newsletter editor gathers libertarian news, party announcements, and any other information of interest to libertarians and publishes the newsletter you have in your hands now. There is a small payment per edition to the editor. The job of Membership Chair is currently vacant. The Membership Chair processes new memberships, renewals, and prospect contacts by entering them into our database. In addition the Membership Chair sends out renewal notices to expired members.

In addition, I'd like to create the position of Social Media Chair to ensure that we make the most out of social media marketing and promotion. Lastly, we are always looking for candidates for public office.

If interested in any of these positions contact me at chair@njlp.org or at our upcoming convention so we can discuss the position. If you have an interest or skills in a position in the party let me know and we may be able to create a position for you.

Supreme Court Guts Fourth Amendment

by Jay Edgar

On February 19th the Supreme Court unanimously ruled that police can conduct warrantless searches based on the police interpretation of a search dog. The court ruled that the dog doesn't even need formal certification.

In 2010 the University of California, Davis conducted a test of the effectiveness of drug and explosive testing dogs. Out of 144 searches of an empty room the dogs alerted 123 times - an 85% false positive result.

The courts have been watering down our Fourth Amendment rights for quite some time. Almost always over the possession of a banned substance that shouldn't be illegal anyway.

- *Carroll v. United States*. In 1925 the Supreme Court ruled that automobiles can be searched without a warrant as long as the officer had probable cause. the search was limited to only the items the officers had probable cause to suspect. The rationale was that citizens do not have a reasonable expectation of privacy in an automobile and that because an automobile may be moved a search may be necessary to preserve evidence. The case stemmed from federal officers pulling over a vehicle they thought contained alcohol.
- *Frank v. Maryland*. In 1959 the Court ruled that Health Inspectors did not need a warrant to inspect a private home. This was reversed in 1967 in *Camara v. San Francisco Municipal Court*.

- *Terry v. Ohio*. In 1968 the Court ruled that police may perform pat downs on suspects on the street if there is a reasonable suspicion that the suspect is armed and dangerous.
- *Chimel v. California*. In 1969 the Court ruled that police can not perform a warrantless search of an entire home when the occupant is under arrest. They can only search the area within immediate reach of the suspect.
- *Chambers v. Maroney*. In 1970 the Court ruled that a warrantless search may take place even if there is no reason to believe the car may be moved. In this case the police had secured the car and arrested the driver.
- *New York v. Belton*. In 1981 the Supreme Court ruled that the passenger compartment of an automobile may be searched without a warrant regardless of probable cause if the occupant of the automobile was under arrest.
- *California v. Carney*. In 1985 the Court ruled that motor homes also qualified under the *Carroll* automobile exception. The "element of mobility" was cited as the rationale.
- *California v. Houghton*. In 1999 the Court expanded the *Carroll* decision to include containers in the automobile regardless of ownership (e.g. a passenger's purse).
- *Board of Education v. Earls*. In 2002 the Court deemed mandatory drug testing of government school students as constitutional provided the students were participating in extracurricular activities in any way.
- *Arizona v. Gant*. In 2009 the Court reversed itself and held that police may not conduct a warrantless search a vehicle if there is no possibility of loss of evidence or danger to the officers or the public.

This is just a sampling of the many decisions that have been made by the courts. The vast majority of court decisions weakening our Fourth Amendment protections came after prohibition was enacted. Prior to 1900 there were only five cases concerning the Fourth Amendment that the Supreme Court had ruled on.

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 persons or things to be seized.

Letters To the Editor

Our members write many letters to the editor on a variety of subjects. If you have a letter published, send it to us so we can republish it. The following letters were published in various newspapers in the state.

Libertarian View of Gas Price Hikes

by Mark Richards

It is truly amazing how ignorant most people are of basic economics. A case in point would be the outrage over increased gas prices in the wake of Hurricane Sandy. Price gouging by service stations was the battle cry of politicians and journalists who foster the economic ignorance of the general population.

What is called price gouging is in fact a basic market mechanism to limit demand in times of shortage. If gas stations had kept their prices at pre-Sandy levels, there would have been even more of a mob scene at the pumps than there was. By allowing prices to rise, the marketplace limits demand and ensures a continued supply. Isn't it better to temporarily pay more for something and know it will be there or be "protected" by government price controls than either run out or have it rationed by some bureaucrat?

Our corpulent governor, Mr. Christie, who is supposed to be a Conservative Republican, is evidently as ignorant of the free market and how it is supposed to function as many in the media are.

The gas in the tanks at any station is the property of the owners and they should be able to sell it at any price they choose; it doesn't belong to society or the public. In a free society all economic exchanges, just like all personal social interactions, must be based on voluntary consent by all participants. The alternative is a collectivized "command" economy, also known as socialism or fascism.

In times of natural disasters there is nothing wrong with people helping others, provided it is done privately and voluntarily. Forced giving or sharing by government edict can never be justified; it is theft pure and simple!

While one can feel sympathy toward those who lost oceanfront homes at the Jersey Shore, let's remember that most of those homes wouldn't have been built there were it not for Federal Flood Insurance. So you see, government to a certain extent helped create this situation, proving once again what we Libertarians have known for years: "Government isn't the solution; it's the problem!"

In Defense of the Electoral College

by Dave Schneck

In their editorial "Time to abandon Electoral College" the Asbury Park Press writers wrongly dismiss the value of our electoral system, referring to it as "a little known

vestige of another time". It is to our own detriment that it is little known today because if the people understood the Electoral College they would realize that it was important to us when it was created and it is just as important to us now. They would defend it from attack.

The Electoral College was part of the compromise made between the large states and the small states at the Constitutional Convention in 1787. It was also part of the deal made with the states that later joined the Union. If we remove that provision that is so important to smaller states, then we must allow them to peacefully secede if they fear they will not be adequately represented in future presidential elections. A deal is a deal. The Constitution didn't come with an expiration date.

What the Press editorial writers fail to understand is that the founders feared pure democracy and rightly so. As a matter of fact, only the House of Representatives was supposed to be popularly elected. Senators were supposed to represent state governments. The "checks and balances" that the writers correctly praise also included, in the minds of the founders, checks and balances between the power of the majority and the minority, both between conflicting interests among the people and conflicting interests between the states. In the pure democracy that the Asbury Park Press is promoting the rights of the minority, particularly their property rights, are routinely ignored by politicians whose only concern is winning the next election. One feature common to all poor countries is their governments' disregard of property rights and contract rights. If we do the same thing as them we will see the same results.

The Electoral College also makes our presidential elections easier to manage. While many elections have been very close in the popular vote, the electoral system usually produces clear winners. If we switched to simply counting total votes, in a close election every voting precinct in the country would experience the same mayhem that Florida went through in the 2000 election. It could result in a national crisis at a time when we really don't need any more problems.

Think of the Electoral College as the World Series of elections. In the baseball World Series we don't count the total runs scored over the series of games that are played. It is the games themselves that count and winning or losing each game is important to the players and to the fans that watch the games. Presidential elections are the same way. We don't want New Jersey to simply deliver a blob of votes to a national election. We want to have our

own election right here that we can all our own. That was the deal we made in 1787. It is part of the glue that holds this nation together. We should continue to honor it today.

Even in Tragedy, Cherish Freedoms

by Mark Richards

As expected the media, the politicians, the simple-minded Hollywood celebrities, and countless others have all jumped on the anti-gun bandwagon in the wake of the tragedy in Newtown, Conn.

When a school shooting happens, they no doubt see another golden opportunity to demand that the American people part company with their Second Amendment liberties! Suppose those school children had been on a bus going on a class field trip and the bus was involved in a horrific highway accident, would the media, President Obama, Mayor Bloomberg, Senators Lautenberg, Feinstein and Schumer all be carrying on as they have been for the past week? I think not! Those innocent children would still be dead and their families grieving, but to the anti-gun crowd their deaths wouldn't be that tragic since it was a highway accident and no guns were involved!

Their maudlin concern over dead children is enough to make one ill. Our government enforced United Nations sanctions against Iraq in the 1990s and thousands of Iraqi children died. During World War II, the U.S. and its allies incinerated thousands of German, Japanese, and Italian children during air raids on non-military targets. Nobody seems to be upset over that then, or now. Or how about Waco in 1993 when the Federal BATF and FBI killed kids who were in the Branch Davidian compound along with their parents? Oh well, they were just weird religious nut-jobs anyway! Care to go back further? How about December 1890 when the U.S. Seventh Cavalry shot down members of the Sioux tribe of the Lakota Nation at Wounded Knee, S.D.? Most of the dead were women, children, and old men.

There is a pattern here, namely that governments (most assuredly including our own) have lots of blood on their hands. Tragic as these school shootings are, they pale in comparison to the body counts racked up by governments throughout history. Guns do not cause crime or murder anymore than knives, forks, spoons, and plates cause obesity! Inanimate objects such as guns have no ability to act on their own, so who then should determine who can have guns and who can't?

Given the huge amount of people who have been killed by governments through the ages, it's a pretty safe bet to say that the military and the police shouldn't be the only ones to have firearms. The anti-gun zealots bemoan the fact that there are well over 300 million guns in private hands in America. I, for one, rejoice in that fact.

We Libertarians have long known that if the Second Amendment can be taken away or weakened, all of the other parts of the Bill of Rights can be as well. Don't let the media and government liars use a tragedy to make you part with your freedom!

Libertarian for Liberties

by Mark Richards

Letter writer Gary Stewart of Riverdale is on target in saying the government is trying to turn our country into a bunch of timid, fearful people who will "rat out" anyone who might be a security risk based on their appearance: Sounds an awful lot like profiling to me!

The government and its media allies will seize on anything to get the American "sheeple" to give up their liberties. Mr. Stewart asks, "Am I the only who feels this?"

No, Mr. Stewart isn't alone. In the recent election in November, the Libertarian Party presidential candidate, former New Mexico Governor Gary Johnson, received over 1,270,000 votes nationwide and other Libertarian Party candidates received over 15,755,000 votes.

The Libertarian Party is organized in all 50 states and has been around since 1971. The LP website is www.LP.org and its phone number is 202-333-0008. The fax number is 202-333-0072. I've been a member since 1980 and have never regretted joining. I hope residents will do likewise.

A Well Regulated Militia

Written by Joe Siano

Gun control advocates of use the "*well regulated*" phrase in the Second Amendment as a pretext to assert that the government reserves the right to dictate what if any arms its citizens may own and under what conditions they are permitted to acquire, use and dispose of them. By employing textual criticism, this argument can be easily debunked.

Textual criticism involves understanding the words of antique documents in the sense that they were used in the era that the document was authored.

For instance if writer of century ago were to refer to the decade of the 1890s as the "gay '90s" or the capital of France as "gay Paris", we understand that this has nothing to do with same sex relationships. Gay in this sense conveys the notion that this decade and this city were exuberant, happy and high spirited.

In such a fashion, a recent reading of Adam Smith's *Wealth of Nations* shed new light on the Second Amendment for me.

Although Smith was a stout proponent of free markets, he was no anarcho-capitalist. Smith believed that there were legitimate functions for government to undertake. One of

these functions was the common defense of the citizenry from foreign invaders.

Defense requires a fighting force and Smith segregates these forces into two broad classes. These are standing armies and militias. Standing armies are professional forces, whose sole profession is fighting and who continually, drill, study and practice the arts of warfare in preparation for battle. Militias by contrast are amateur armies composed of tradesman, merchants, farmers, mechanics, etc, etc. These forces come together only periodically, like our National Guard and Reservists, as their livelihoods depend on the practice of their sundry occupations. They cannot afford much time away to foe martial exercises.

Smith uses the word “*regulated*” to convey a condition cohesiveness, discipline and preparation for combat on the part a fighting force. In one passage he observes: “*Regularity, order, and prompt obedience to command, are qualities which, in modern armies, are of more importance towards determining the fate of battles, than the dexterity and skill of the soldiers in the use of their arms.*”

Further on he returns to the concept of “*regulated*” when he concludes that in, “*the history of all ages, it will be found, hears testimony to the irresistible superiority which a well regulated standing army has over a militia.*” Thus he contends that a well trained and disciplined (i.e. regulated) army will be superior to a group of rag tag amateurs. Hence we often hear this well trained / disciplined / regulated force referred to as the “*Regulars*” as opposed to the “*Reservists*” even to this day.

Now we know that America’s Founders were suspect of large standing military establishment. [George Washington writes](#), “*Altho' a large standing Army in time of Peace hath ever been considered dangerous to the liberties of a*

Country, yet a few Troops, under certain circumstances, are not only safe, but indispensably necessary. Fortunately for us our relative situation requires but few.”

In the same document he lays out his defense proposal for our new nation. The first two points are as follows:

“*First. A regular and standing force, for Garrisoning West Point and such other Posts upon our Northern, Western, and Southern Frontiers, as shall be deemed necessary to awe the Indians, protect our Trade, prevent the encroachment of our Neighbours of Canada and the Florida's, and guard us at least from surprizes; Also for security of our Magazines.*

“*Secondly. A well organized Militia; upon a Plan that will pervade all the States, and introduce similarity in their Establishment Manoeuvres, Exercise and Arms.*”

Thus he uses the word “*regular*” to describe well trained and disciplined forces in paragraph one. In paragraph two Washington employs the phrase “*well organized*” as a synonym for “*well regulated*”.

Thus when we read the Second Amendment that “*A well regulated militia, being necessary to the security of a free state*” it could just as easily read “*A well trained, ordered and disciplined militia, being necessary to the security of a free state*”. That makes complete sense. An untrained, undisciplined and disorganized force won’t do much good.

Hence the second clause, “*the right of the people to keep and bear arms, shall not be infringed*” clearly means what it says. It states with unqualified certainty that no governmental entity, be it federal, state or local, has the right to prohibit law abiding citizens from procuring, keeping, using and trading weapons for self defense or any other peaceful purpose.

The New Jersey Libertarian

Winter 2012/2013 Volume XXXVIII, Issue 1
©2013 The New Jersey Libertarian Party
ISSN 1093-801X
Editor, VACANT

NJL Advertising Rates

Full page	\$60
Half Page	\$30
Quarter page	\$20
Eighth page (business card)	\$10

The *New Jersey Libertarian* is the official semi-monthly publication of the New Jersey Libertarian Party. Opinions, articles and advertisements published herein do not necessarily represent official NJLP positions unless so indicated. Material appearing in the *NJL* may be reproduced, as long as credit is given the author, the *New Jersey Libertarian*. Contact us at: *New Jersey Libertarian* c/o Editor, P.O. Box 56, Tennent, NJ 07763 or editor@njlp.org.

2013 NJ Libertarian Party Convention

The NJLP Convention to be held at Tavern on the Lake in Hightstown, New Jersey.

The Convention will be held on March 16th. The Party's Business Meeting will be held from 9:00 AM until Noon and will be open to all. Registration will be required for the afternoon events which will include lunch and guest speakers, Our convention package will also include coffee and refreshments that will be available all day.

Registration for the Convention will be \$35 until March 9, 2013. After March 9 (including at the convention), registration will be \$40.

Tentative Agenda:

8:30 – 9:00 Gather for Continental Breakfast

9:00 – Noon NJLP Business Meeting (all our welcome, only NJLP members may participate)

- nomination of 2013 Candidates
- election of NJLP officers
- Discussion of NJLP Business

Noon – 1:00 Luncheon

1:00 – 5:30 Speakers and Entertainment including:

Tatiana Moroz: Lover of Liberty, Singer, Songwriter

Neil Schloss: "Constitution Magic Show"

Ray Lehmann- "Federal Flood Insurance is All Wet"

Jim Tosone - "Improv Means Business"

Gigi Bowman- Patriot, founder of LibertyCandidates.com, candidate for NY State Senate

Chris Cantwell - Comedian, Activist, Shameless Agitator

Note that the morning business meeting is free. You do not need to register for the meeting.

When March 16th, 2013 9:00 AM – 5:30 PM

Location: Tavern on the Lake
101 N. Main Street
Hightstown, NJ

Contact Email: convention@njlp.org Register online at <http://njlp.org/convention>.

NJLP Convention Form: Check here to use address from mailing label

Name: _____

Address: _____

Town: _____ State: _____ ZIP: _____

Email Contact: _____ Phone Contact: _____

Full Convention Package (\$40; \$35 if paid prior to March 9th) _____

Reserve your place by sending payment to: NJLP Convention, P.O. Box 56, Tennent, NJ 07763



The **NJ Libertarian Party** needs your contributions, both money and time. Donations to the State Fund shall be used to support state and local candidates for political office. Your generous contributions are greatly appreciated.

All donations to the NJLP State Fund must meet the requirements for an Ongoing Political Committee. You must be a US citizen or a permanent resident alien. All donations to the general fund must come from your personal funds.

Name: _____
Street Address: _____
City: _____ St: _____ Zip: _____
Employer: _____
Occupation: _____

I wish to support the NJ Libertarian Party by donating to the NJLP State Fund. Enclosed is my contribution of:

\$250 \$100 \$50 \$10 Other: \$ _____

Make checks payable to "NJLP State Fund."

Send checks to: NJLP Treasurer

PO Box 56

Tennent, NJ 07063

NOTE: We respect your privacy and will keep the identity and amount of our supporters' donations confidential to the extent permitted by our insane laws. Individual annual contributions to Political Committees like the NJLP State Fund are limited to \$25,000 per calendar year, and contributor information for donations over \$300 must be reported. We do not report contribution information for any donation unless required by law



New Jersey Libertarian Party

P.O. Box 56

Tennent, New Jersey 07763

www.njlp.org