



THE NEW JERSEY LIBERTARIAN

February, 1992

INSIDE THIS ISSUE...

Convention Plans
Shaping Up

A "How-to" Article
on Using Cable TV

Ethics in the Courtroom

"August First"
Watchdog Committee
Formed

More on the
Fast-Growing Concept
of Jury Nullification

The "How-to" File:

USING CABLE T.V. EFFECTIVELY

By MICHAEL PIERONE

Having done some research into cable TV advertising here in Sussex county, the following represents options Libertarians elsewhere in the state may want to pursue in their own areas.

First, most cable systems have at least one aspect devoted to public access. In Sussex, it is Video-8. Many of these stations are actively soliciting public information spots. These vary from a repeated announcement in text to 30-second spots with video and sound. These spots can be produced with a home video camera or in the local station's studio. You may even be able to produce a spot on-site with their equipment for little or no cost whatsoever.

See "Cable TV" on Page 7

PLANS FOR 20th ANNUAL CONVENTION IN FULL SWING!

The 1992 Annual NJLP State Convention is scheduled for Saturday, March 7. Make your reservations *now* to ensure your place at what will be celebrated as the party's 20th anniversary bash!

Founded in the Fall of 1972, local libertarians were spurred to action by the candidacy of the LP's first presidential candidate--John Hospers. Too late to get his name printed on the ballot, they mounted a write-in effort that garnered several thousand votes. Since that fledgling effort, the NJLP has seen achievements most other state parties cannot lay claim to: the first Libertarian (Dick Siano) elected in the "lower 48" in a *partisan* race; an LP presidential candidate on every ballot since 1976; and a former NJLP member elected to the New Jersey State Senate (Sen. Randy Corman, R-19).

This year's convention will be a celebration of all of these achievements. A number of invited special guests include LP VP candidate Dr. Nancy Lord; CUNY Professor Dr. John Morgan; and Sen. Corman!

Tickets are *only* \$35.00 per person. For directions, call The Pines Manor at (908) 287-2222. The handy convention brochure inside gives complete details. Use it to mail your reservation *today*!

Saturday, March 7, 1992

9:00 a.m. - 9:00 p.m.

The Pines Manor

Route 27 & Talmadge Road
Edison, New Jersey

LIBERTARIANS KEY TO DEFEAT OF FORFEITURE BILL

Two bills that would have significantly broadened the state's power to confiscate private property as well as allow prosecutors to confiscate property connected with an indictable crime--even if that crime was later downgraded to a disorderly persons offense--died unceremoniously before they could be acted upon.

Thanks in large measure to the lobbying efforts of the Somerset-Middlesex Area Libertarians (SMAL) and NJ-NORML, the bills (S.289 and A.3985) were not posted for a vote in either house and the sponsors will be forced to reintroduce them.

The two organizations began their opposition drives when it was learned that S.289 passed the upper house in October, 1990, without a dissenting vote. Since that time, opponents have appeared three times before the Assembly Judiciary, Law & Public Safety Committee to testify against them.

At the last hearing, Assm. Gary Stuhltrager (R-3), remarked he had read SMAL's position paper on forfeiture and subsequently grilled Assistant Attorney General Ronald Susswein, S.289's prime advocate, with pointed questions about potential abuses of the statute. Even so, the bill was reported out of committee by a vote of 3-2, with the Republicans voting against it.

Stuhltrager, who has since been selected to serve as the committee's chairman, stated he was disturbed by the fundamental unfairness of the statute and the detrimental effect it could have on individual liberties. He suggested the entire validity of the law be reviewed in the new session.

**CONVENTION
REGISTRATION FORM
INSIDE!**

New Jersey Libertarian Party

P.O. Box 56
Tennent, New Jersey 07763
(908) 781-6171

Steering Committee

Chairman: Dan Karlan (201) 444-2846 (h) - (201) 818-8900 (o)
Vice-Chairman: Jerry Zeldin (609) 783-4306
Secretary: Len Flynn (908) 591-1328
Treasurer: Louis Stefanelli (201) 751-8675
Members-at-Large:
Joan Eden (201) 795-0173
Lee Altman (201) 944-2473
Spencer Layman (908) 583-2816
Don Hinkle (201) 377-2176

State Committee

Camden/Gloucester County: John Hill (609) 468-9571
Hudson County: Larry Eden (201) 795-0173
Mercer County: Carl Peters (609) 737-7667
Monmouth County: Ted Fiolek (908) 495-8988
Morris/Essex County: George Foster (201) 763-3467
Somerset/Middlesex County: John Paff (908) 873-1251
Sussex County: Tony Federici (201) 764-7289

County Chairs

Bergen County: Lee Altman (201) 944-2473
Camden/Gloucester County: John Hill (609) 468-9571
Hudson County: Don Meinshausen (201) 659-6786
Mercer County: Carl Peters (609) 737-7667
Monmouth County: Helen Radder (908) 938-2784
Morris/Essex County: Jonathan Shanoian (201) 694-0664
Somerset/Middlesex County: Howard Schoen (908) 572-0207
Sussex County: Mike Pierone (201) 827-5226

Coordinators

Operation Politically Homeless (OPH): Laura Stewart (908) 264-4492
Development - State: Sam Edelman (908) 906-0766
Development - Ocean County: Betty Florentine (908) 477-8496
Librarian: Emerson Ellett (908) 774-3684
Fully Informed Jury Association: Michael Pierone (201) 827-5226

The New Jersey Libertarian

Claudia Montelione, Editor
P.O. Box 913 · Matawan · New Jersey 07747
(908) 583-8721

The New Jersey Libertarian is the official newsletter of the New Jersey Libertarian Party and is published 12 times per year. Letters-to-the-editor, articles, and commentary are welcome and should be sent to the address above. For editorial and advertising material to appear in the following issue, it *must* be received by the editor no later than the 17th of the month.

Advertising Rates

Full Page	\$40.00
Half Page	\$30.00
Quarter Page	\$20.00
Eighth Page	\$12.00
Business Card	\$8.00
Inserts	\$25.00 per sheet

Guest EDITORIAL

All Politics are Local

By SAM PERELLI

All too often we hear our friends, neighbors and co-workers claim that they never argue politics or religion. A quick look at the state of our political and religious systems will no doubt clearly show that both suffer from a severe lack of interest and participation. Many people who do get involved in the never ending debate do so at the national or international levels. My experience over the years has shown me that the more politically sophisticated one wants to appear, the more one will have a tendency not to deal with local issues.

Important issues as municipal and school budget deliberations and important decisions affecting the direction in which our local elected officials lead the community are often overlooked. One needs only to review the dismal voter turnout figures over the past several years to prove that a "ho-hum, we can't be bothered" attitude has taken a firm hold. How politically safe it is to limit our discussions to the great issues of the fall of the Soviet Union, the Middle East crises, global warming, and so on.

The nature of most people, unless backed into a corner, is to not make waves by exposing personal opinions on local issues which might make you vulnerable to criticism from a neighbor or friend not agreeing with your position.

How safe it is to champion the popular point of view on an issue and to have the community applaud. How easy it is to view local politics as insignificant. How convenient it is to sit back and do nothing! The local political system is yours! It requires your voice to continue to serve you. When you fail to participate in the local political system, it then becomes the monster that you sit around and complain about!

Mr. Perelli serves as state chairman of United Taxpayers of New Jersey. He may be reached at P.O. Box 103, Cedar Grove, NJ 07009, or by calling (201) 890-0271.

Letters

Left? Right? Who Cares!

EDITOR:

I wish to object to Al Medwin's article which appeared on the insert to the last NJLP newsletter. While I agree with Al that we are not preoccupied with various left wing causes, I don't understand why it was necessary to classify a former LP member as a "criminal" merely because he gets elected as a Republican!

There are many groups and individuals working for individual liberty, and they are not all big "L" libertarians. I personally don't care what someone calls himself if they are ideologically libertarian. What's the matter, Al? Can a Libertarian actually be afraid of a little competition?

But this debate is not really to the point. We shouldn't concern ourselves with whether we spend too much time discussing what others perceive to be "left" or "right" wing causes, so long as they are truly *libertarian* causes.

As I speak, there are people sitting in prison *now* because of government abuses; Isaac Wright is a recent example. More of our friends and neighbors

will have their lives and property taken away from them each day that goes by. The ACLU occasionally gets involved, if the right violated is one they deem important enough, but we are the only people that support *everyone's* individual rights in *every* area. We need to become *the* advocacy group for individual rights and liberty. We have to actually get some of these people out of prison! If we don't do it, who will?

What group has a better approach than we? But you have to get them listening first. So long as we are perceived as unfeeling thinkers and theoreticians we will not make a difference. Yet we can make a difference to people like Isaac Wright, immediately. When you save one drowning man you also save his family, his friends, and to a certain extent their friends.

We must start saving these drowning men and women. If we don't know how, then we had better learn. The boat is sinking and we're *all* on it.

MICHAEL PIERONE
Acting Chairman
Sussex County Area LP (SCALP)
Vernon

Forfeiture Win an Issue to Build On

EDITOR:

Libertarians have achieved their first success in having S.289, the forfeiture bill, killed in the legislature. What's more, we have convinced the chairman of the Assembly Judiciary Committee, Gary Stuhltrager (R-3), that the legislature should be protecting our constitutionally guaranteed liberties instead of abandoning them in order to fight an ill-conceived "War on Drugs." Those in power are beginning to listen to us and take us seriously.

Even though S.289 is dead, the forfeiture statute is still a dangerous enemy. Just ask my neighbor, Greg, who lost his \$200,000 home and \$70,000 life savings because he grew a small quantity of hemp in his garden. Or, ask Mark and Kathy Schrama, a Sussex county couple, who are losing their home because they are accused of using it to "warehouse" a small amount of allegedly stolen property. In both cases, Greg and the Schramas have been

denied many constitutional protections granted to criminal defendants since forfeiture is a "civil" law, rather than a "criminal" one. This is plain tyranny!

We cannot wait around for the ACLU or other groups to lead the charge against this type of oppression. We have to fight it ourselves. It requires that each of us write, call and visit our legislative representatives. It requires that each of us write letters-to-the-editors of our area newspapers. It requires each of us to meet with people who have been victimized by the forfeiture law, get on talk radio shows and do whatever else is necessary to bring pressure to bear on those who make the laws.

Consider this letter an open invitation--an invitation to make a difference. Give me a call at (908) 873-1251 and I'll share with you what I've already learned about the forfeiture law and the experience I've had working with the legislature. By working as a group, we can turn the tide of tyranny and stop this madness. It's time to speak up!

JOHN PAFF
Somerset

He Feels Licensing Views Were Misrepresented

EDITOR:

I did not plan to write again on the topic of software designer licensing, but I feel that I was unfairly represented. My letter published in the December, 1991, issue of the *Libertarian* was approximately one-quarter of the letter I mailed. In that highly abbreviated form, the original meaning was lost.

Michael Pierone, the man who inspired me to write on the issue, got the impression that I was saying precisely the opposite of what I meant to say--as did Howard Schoen, who wrote a letter in the January issue. Following a phone conversation, Mr. Pierone and I discovered that, indeed, our views were much more alike than they were different. My only sin seems to have been taking too many words to express myself.

Had I known that my letter would be so savagely edited, I most certainly would not have sent it without editing it myself. In the future, may I suggest that such letters be published in full, returned to their authors or ignored.

I agree with every word of Mr. Schoen's letter. I fully support the Libertarian party because I feel it is the only one that comes close to representing my point of view. I apologize for having distracted my fellow libertarians from the all-important task of promoting our cause. Thank you for your attention.

MICHAEL KAPLAN
Cranford

Editor's Note: Mr. Kaplan's point is well taken, although we may disagree on whether his position was misrepresented. However, to avoid potential conflicts in the future, the following policies should be adhered to when writing to the New Jersey Libertarian.

New Jersey Libertarian Letters Policy

Letters-to-the-editor of the *NJ Libertarian* are greatly encouraged. All letters submitted should be typewritten, although legibly handwritten letters will be considered. Only one issue per letter should be addressed. Letters should be brief, concise statements of opinion.

LIBERTARIANS IN THE NEWS

The Times, 11/20/91

Legislative Scorecard: Bills Which NJLP Members Took Action Against

A-4967, A4968, S-3351 banning certain video games *died*.

A-4414 licensing of computer programmers & other "software designers" *died*.

S-289, A-985 increase in the ease & number of conditions under which the state could forfeit property from alleged criminals *died*.

The bicycle helmet requirement law, amended to apply only to children 14 or under *passed*.

Bill A-4703 which was the target of a letter writing campaign organized by the Political Awareness Committee of SMAL in favor of its passage *passed!* Women who have additional children while on welfare will get an increased "set aside" rather than an increased welfare payment.

'Democracy in action' not acceptable

A comment made Nov. 6 — "democracy in action" — is very un-American and unacceptable. Our government was founded as a republic, not as a democracy.

Democracy is majority rule, or mob rule. Democracy is the antithesis of the republic. It is license, it is redistribution of wealth, it is agitation, it is government control on everything and everyone from cradle to grave.

In short, it is what we supposedly went to fight against in World War I, World War II, Korea and Vietnam, which is socialism.

Democracy always results in some form of dictatorship. Our republic still stands, however. We as a people have given up our right to self-government to become a regulated society.

We are a numbered people from

two years of age. We are a licensed people, from marriage to driving and everything in between. We must ask our government's permission in the form of permits to build, fly, own, etc. Now that's democracy in action, which is promoted by this one-party system.

Earl Dickey
Trenton

Suburban Trends, 1/5/92

Bill of Rights has lost its meaning

To the editor:

So, Bill of Rights, you're 200 years old this month. The pundits are aglow, talking about how well you're doing for a document your age. I wish I could agree with them, but I frankly think you're washed up, a has-been. Most people don't even know what you are anymore, let alone why you were written. We're told your mysteries can only be understood by the chosen few anointed into the high priesthood of the judiciary. We common folk needn't concern ourselves.

Let's face it, you're little more than an inconvenience to the government officials whose actions you are supposed to limit. They legislate around you whenever they can, ignore you when they can't and honor you only when it suits their purposes. Sure, they are sworn to protect you but it's purely a case of the foxes guarding the chicken coop.

You want proof? Let's take the First Amendment. It says, "Congress shall make no law...abridging the freedom of speech." Yet we have laws prohibiting "obscenity," turning what used to be rude talk into "sexual harassment," regulating the content of "commercial" speech, and limiting what people can give to political campaigns, to name a few. Freedom of religion? We oppress religious minorities, like the Amish (Social Security taxes) and Native Americans and Orientals (ceremonial drugs), all in the name of state interest. Religious majorities have their troubles, too. We try to prevent any cultural association with public institutions, in effect, establishing Atheism as a state religion.

How about the Second Amendment? That says "the


right...to keep and bear arms shall not be infringed." The list of infringements that have been passed into law is longer than the whole Constitution. Even the Chief Justice of the Supreme Court says that anyone who supports this right is perpetrating a fraud. Apparently the clear and explicit language of this amendment and the mountain of historical evidence to the contrary are all the work of a deranged mind.

Let's try the fourth. It says "the right...to be secure...against unreasonable searches and seizures shall not be violated." If that's true, then why does the Federal Government make an annual military invasion of Northern California, holding people at gunpoint while they trample the grounds, without warrants, looking for marijuana plants? How can police take people's homes, cars and bank accounts on the suspicion (not proof) that they were involved in a crime? How can they confiscate someone's money simply because he likes to carry cash?

There's more, lots more, but I'm out of room. In short, you are almost a laughing stock. There's even a picture of you with the words "Void where prohibited by Law" stamped across your front. Your only hope is that people reading this letter who want to learn more about you will call the Libertarian Party at 908-781-6171 and find out what they can do to help you stage a comeback. For your sake and theirs, I hope they call.

Oh...and Bill, Happy Birthday.

Louis M. Stefanelli
Morris/Essex Libertarians



IS YOUR DOCTOR MAKING YOU SICK?

DRUGS ARE NOT THE ANSWER; THEY ARE THE PROBLEM.

A major university study reveals that over 3,000 deaths occur **each week** due to over-prescribed or mis-prescribed drugs.

So, perhaps a better way to good health exists in natural healing and health care.
For more information on the many alternatives to drugs available,

CALL 1-900-454-3258.

You will receive information on topics such as chiropractic, nutrition, and homeopathy. At the same time, find out why the "Big Brother" of medicine and government agencies are working so hard to suppress alternative health care methods.

Call now. Only \$1.19 per minute, \$2.29 for the first minute.

1-900-45 HEALTH

Help preserve your freedom in health care. Today.
Please have a pencil and paper ready.

NJ "ETHICS" COMMISSION HEARS FROM LIBERTARIANS

By CARL PETERS

Alerted by Bernie Laufgas, of The Public Watchdog, to a public hearing on "Ethics in the Courts" that was being held by a special Supreme Court commission in Trenton, the Mercer County Libertarians appeared and offered testimony.

A number of witnesses were heard from, although limits on time were imposed. William Gaston complained of a "gag law" whereby a lawyer finds he cannot complain of another lawyer's misdeeds because of the possibility of running into them again in the future.

Lawyers go from firm to firm seeking better atmosphere or new challenges and he may run into a lawyer about whom he once complained or the lawyer may become a judge later on and he "may face reprisal down the road."

Gaston said, "My complaints of malpractice were dismissed with no reason at all. I was ordered to never complain of my lawyer's damages to me by failure to handle my case properly, so I mailed the complaints to all members of each of 2 law firms which harassed me by not doing my case properly. *Ethics is a hoax and a scam!*"

Witness Harold Schwitzgabel recommended that lawyers' malpractice cases be judged by a "Master" not practicing law, while another witness, Louis Medvid, of Wrightstown, NJ, passed out quotes from a *Law Journal* article, "Here's the Beef" by the former Chief Justice of the US Supreme Court.

Judge Warren Burger, at a recent gathering of 24 lawyers and judges, stated:

"When we see costs of justice rising, when we see our standing in public esteem falling, something is wrong. If we ask the question: 'Who is responsible?' The answer must be: We are. I am. You are."

"The entire legal profession--lawyers, judges, law teachers--have become so mesmerized with the stimulation of the courtroom contest that we tend to forget that we ought to be healers of conflicts....Should lawyers not be healers? Healers, not warriors? Healers, not procurers? Healers, not hired guns?"

Medvid won a case in small claims court *pro se* (by himself). He says, "Lawyers, you can't trust them. They've

lied to me and denied it. My lawyer quit; the next one was too high."

Bernard Laufgas spoke next. He discovered what the state Division of Motor Vehicles and court judges don't want anyone to know: *that the DMV may not issue "points."* Only a judge has the legal power to issue "points" for traffic violations; therefore, any insurance increases due to points on a driver's license is illegal and can be fought and cancelled. Points are not automatic, nor are insurance rate hikes.

Laufgas noted that many dismissals happen. Judges and lawyers love to decide "failure to state a claim," "frivolous defense," or "frivolous prosecution," and thereafter charge you with all of the fees and costs of their own lawyers, experts, and time.

Bernie, who, together with The Public Watchdog brought a class action suit against the DMV because of this "points" situation, said that Judge Levy accepted a DMV lawyer saying that "shall" as used in the law is discretionary, and "With respect to points, the DMV has the authority of a judge." Laufgas also offered to serve on a full-time Ethics Commission.

Ezra Rosenberg testified next. He is the American Bar Association representative on Ethics. He had several "insider" recommendations, among which are elimination of the confidentiality of lawyers' papers in order to instill public trust. Rosenberg also mentioned the gag rule.

My turn came next. I told the Ethics Commission of municipal lawyers ordering several illegal bulldozings of my property, including topsoil, struc-

See "Ethics" on Page 6

SUE YOUR LOCAL BUREAUCRAT!

In an 8-0 ruling, the United States Supreme Court said that state officials who violate an individual's rights while performing their governmental duties may be sued and forced to pay monetary damages.

The Pennsylvania case now exposes overzealous bureaucrats to costly lawsuits when they are accused of violating a Civil War-era federal law aimed at preventing abuses of power.

COMING UP...

*A Calendar
of Libertarian Events*

Tuesday, February 4

Morris-Essex Libertarians meet at Jonathan Shanoian's home, 86 Beaverbrook Rd., Lincoln Park, 8 PM. Call (201)694-0662 for details.

Saturday, February 8

Steering Committee Meeting at the Karlan residence in Cranbury, NJ, 2 PM. Call (201)444-2846 for directions.

Tuesday, February 18

Libertarians of Monmouth County (LMC) meet at the Morganville First Aid Station, Tennent Rd., Morganville, 7:30 PM. Call (908)591-1328 for details.

Monday, February 24

Somerset-Middlesex Area Libertarians (SMAL) meet at The Holy Trinity Lutheran Church, 1640 Anwell Rd., Somerset, 7 PM. Mike Deak & Robin Phillips, Middlesex & Somerset editors of Forbes newspapers will reveal how newspapers "work" and how anyone can get better publicity. Call (908)873-1251 or (908)527-0207 for info.

Tuesday, February 25

Sussex County Area LP (SCALP) meet at 7:30 PM, topic & place to be determined. Call (201)827-5840 or (201)764-7289 for details.

Tuesday, March 3

Morris-Essex Libertarians meet. See Feb. 4 for details.

Saturday, March 7

NJLP State Convention! The Pines Manor, Rt. 27 & Talmadge Rd., Edison, NJ. General membership meeting 9 AM-12 Noon. "Brown bag" lunch from 12 Noon-1:30 PM. Convention program 1:30-6 PM Dinner and guest speaker. LP VP candidate Dr. Nancy Lord has been invited to speak! Reservations only \$35. Call (201)444-2846 to reserve your place today!

"Ethics" and "lawyers" don't mix

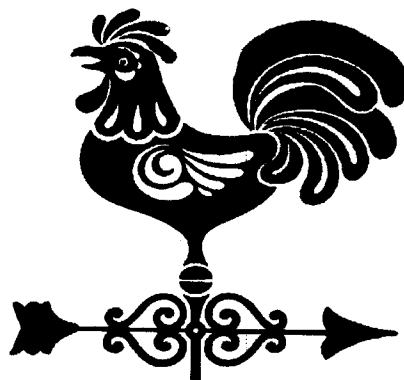
Continued from Page 5

tures, fences, walls, furniture, swings, septic tanks. Then, after charging for the illegal advice, got to handle the appeal. They got paid to defend the results of their own illegal advice. This victim was left with the choice of battling with a lawyer or without, depending on his wealth, which has been completely confiscated.

Frauds abound throughout the 28-year policy of unlawful harassment, complete with jailings, thefts, confiscations, denials of civil rights, torts, etc. I was given 5 minutes to speak; so much was left unsaid: quotes by Brandeis, legal references, materials robbed, etc.

No conclusions were drawn at the close of the hearing, but another session was scheduled for December 11 at the Rutgers University Cook College campus.

(Mr. Peters is the chairman of the Mercer County Libertarians and serves as the State Committee representative to the NJLP).



We know which way the wind is blowing.

All the world is embracing the ideas of individual freedom, free enterprise and limited government. They are the hallmarks of a just society, and they are the very ideas that the New Jersey Libertarian Party has been advocating for 20 years.

We've made it respectable to talk about privatization, drug legalization and a truly American defense policy.

Libertarians have advocated these ideas on liberty, because when you know which way the wind is blowing, you can set a whole world of people free.

**NEW JERSEY
LIBERTARIAN
PARTY**

"Making Liberty a Reality."

TAXPAYERS' GROUP TO MONITOR REFERENDA MOVEMENT

The United Taxpayers of New Jersey (UTNJ) has announced plans for the 1992 legislative session, dubbing the program the "August First Committee" which is the deadline for placement of any constitutional proposal on the November, 1992, ballot.

Sam Perelli, UTNJ state chairman, explained, "We will begin monitoring three major proposals. The clock will start ticking the moment the 205th legislature is sworn in on January 14th."

"The proposals are as follows," continued Perelli. "One, Citizen Initiative; two, Term Limitation; and three, the Taxpayer Protection Act."

Perelli explained that the initiative proposal would allow citizens to create new laws or challenge existing ones by gathering signatures to have a public question placed on the ballot, a process, he noted, already permitted in 25 states.

The term limitation proposal would build upon similar drives in

other states to limit the number of terms a politician can serve in office.

The third proposal, the Taxpayer Protection Act, would prohibit the passage of any new taxes or increasing current ones, without a three-fifths majority in both houses voting for it.

The committee plans to hold press conferences at the State House every 30 days to issue updates on the progress of the proposals.

For more information on UTNJ or the "August First Committee," call (201) 890-0271.



Planned Parenthood

OF GREATER NORTHERN NEW JERSEY, INC.
196 SPEEDWELL AVE., MORRISTOWN, NJ 07960
(201) 539-9580

CENTERS IN BERGEN, HUNTERDON, MORRIS, SOMERSET,
SUSSEX, UNION AND WARREN COUNTIES.

Paid for by D.M. Adler - member NJLP

IS ABORTION AGGRESSION?

Libertarian arguments against abortion and for parental obligation. Literature packet, \$3. (For information only, please send SASE.)

Libertarians for Life

13424 Hathaway Drive, #18
Wheaton, MD 20906, 301/460-4141
Doris Gordon, National Coordinator

FIJA making an impact

Continued from Page 8

laws, tax laws and other controversial legislation are unjust. When laws are passed at the behest of special interests, and legislators are nearly impossible to remove from office, the jury may be the last safeguard against oppression.

Advocates of jury nullification say that this right not only exists already but stands unchallenged. We haven't heard of it, they say, because the government prefers to ignore it, and any defense attorney who told a jury of its nullification right would be found in contempt of court by an angry judge.

If this is true, the fact by itself is almost enough to warrant reviving the right. A conspiracy of silence to prevent us from knowing of an important right is already a sign of a corrupt government, determined to rule as an elite, contemptuous of the governed--an attitude all too familiar to anyone who has had extensive dealings with bureaucrats and lawyers.

The great 19th century libertarian Lysander Spooner argued that the jury was the key to freedom. Unless the jury was free to pass judgement on the law as well as on the defendant, he pointed out, it would be reduced to a servile function. In that case, "government determines what are its own

Cable TV advertising is cost effective

Continued from Page 1

The Sussex LP routinely passes information along to Video-8 regarding the time and dates of our public meetings as a public service announcement (PSA). Video-8, in turn, puts this on the air on their scrolling text message board, repeating the announcement about once every 30 minutes.

Sussex is currently developing a 30-second spot devoted to forfeiture which it plans to use on Video-8 to get the word out, attract members and raise money. With luck, the Sussex LP will be able to use this same spot to advertise with Cable 1.

Advertising on cable is remarkably inexpensive. To reach 31,000 homes in Sussex county on CNN, TNT, ESPN, Lifetime Television, A&E, USA Netowrk, The Discovery Channel, and MSG Network costs from \$8.00 to \$10.50 per spot!

The party plans to try 14 spots per week for four weeks at a cost of \$588, excluding production, which costs another \$275 if we use their studio--or free if we can do it with a home video camera. Should this prove successful, Sussex plans to repeat the procedure with other topics, such as the Fully Informed Jury Amendment.

Investigate your own local cable companies. Cable TV advertising can be a very effective way to convey our ideas to the public. For those interested in assisting the Sussex LP's initiative (particularly with donations to test market this approach), contact the Sussex LP at (201) 827-5226.

(Mr. Pierone is the State Committee representative to the NJLP from Sussex County)

powers over the people, instead of the people's determining what are their own liberties against the government. In short, if the jury have no right to judge the justice of the law of the government, they can do nothing to protect the people against the oppressions of their government; for there are no oppressions which the govern-

ment may not authorize by law."

It sounds reasonable to me. Any decent law ought to be able to meet the test of satisfying the moral sense of any 12 citizens, because any 12 citizens, taken at random, are more trustworthy than several hundred politicians.

NEW JERSEY LIBERTARIAN PARTY

P.O. Box 56 · Tennent · New Jersey · 07763
(201) 781-6171

Membership Application

Name _____ County _____

Address _____

City/State/ZIP _____ Phone _____

NJLP Bylaws require that members either live or work in New Jersey

All memberships include subscription to the New Jersey Libertarian.

Premium membership categories provide needed funds for outreach and other educational activities.

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

X _____
(Signature indicating acceptance of above statement is required for membership)

☐ \$300 - Lifetime Sustaining

☐ \$ 35 - Supporting

☐ \$ 15 - *New Jersey Libertarian* only

☐ \$200 - Lifetime

☐ \$ 15 - Regular

☐ \$ 20 - National LP dues (1 year)

☐ \$100 - Patron

☐ \$ 5 - Student - School: _____

☐ \$ ____ - Additional contribution to NJLP. (thanks!)

☐ \$ 50 - Sustaining

☐ \$ 5 - Household*

☐ Please delete my name if NJLP list is rented

**For members of the same household as a primary member (except student). No newsletter.*

NULLIFY UNJUST LAWS

By JOSEPH SOBRAN

(Editor's Note: The following is reprinted from the Conservative Chronicle.)

WASHINGTON, AUGUST 20--Let's not be too smug about our superiority to communism. After all, the communists have just proven they know how to remove an incumbent from office. I wish we could say the same.

Our system has plenty of room for reform. In fact, it might best be reformed by simply reactivating some of its dormant features, notably the Second, Ninth and Tenth amendments, which used to be counted as articles of the Bill of Rights.

Another dormant if not comatose, feature of the Anglo-Saxon legal tradition, according to some libertarians, is the right of "jury nullification of law." This means that a jury may not only decide whether the defendant has broken the law, but whether the law itself is just. If the jury deems the law unjust, in other words, it may acquit even a "guilty" defendant.

Suppose a young man is arrested for smoking marijuana. The prosecutor seeks the maximum sentence of several years in prison. The defendant doesn't deny the charge. But his lawyer argues that smoking marijuana is

not an action anyone should be imprisoned for. Does the jury have the right to vote for acquittal?

Yes, and juries have always done so in the real world. When rabbit-poaching was a capital offense in England, juries refused to convict rabbit-poachers, no matter how flagrantly guilty, because the law itself was more monstrous than the offense. Nobody wanted to send a man to the gallows for stealing a rabbit. In effect, juries "nullified" the law.

The right of a jury to nullify is at least a de facto right, in that nothing can force a jury to convict anyone it wants to acquit. It would be an outrage to punish a jury for an honest verdict, however wrongheaded.

But the Fully Informed Jury Association goes further: it insists that the jury's nullification right is among our traditional rights. It says that the courts, which insist that defendants be informed of their rights, should also be required to inform jurors of theirs.

Based in Montana, the Fully Informed Jury Association thinks it has discovered the key to recovering our liberties: just tell every jury that it may, in effect, veto the law under which any given defendant is being tried.

If FIJA has its way, this information will become part of every judge's instructions to the jury.

At first, it sounds like a prescription for anarchy. Can we really let every jury sit in judgement on every law? Well, why not? No jury is going to decide that laws against murder, armed robbery and rape are unjust. But it might well decide that drug

See "FIJA" Page 7

Taking Raw Ideas . . .

**THE NEW JERSEY
LIBERTARIAN PARTY**

... and Making Them Well Done!

20 years in the Fight for Freedom

NEW JERSEY LIBERTARIAN PARTY
P.O. Box 56 · Tennent, NJ 07763

	S	M	T	W	T	F	S
M							7
A							
R							
C							
H							

Mark Your Calendars!
1992 NJLP State
Convention--
See Page 1 for Details!

