



NEW JERSEY LIBERTARIAN

NEW JERSEY LIBERTARIAN PARTY • P.O. BOX 56 • TENNENT, N.J. 07763

* * * APRIL 1986 * * *

CALENDAR OF EVENTS

April 8-- Sign making party at Rich Duprey's home for Tax Protest Day Rally. Food and refreshments to be served. Call 201/445-6098 for info.

April 12 & 13-- LP of Pennsylvania '86 convention at King of Prussia, PA. Call LPP Chair Ralph Mullinger at 215/963-0127 for info.

April 15-- Tax Protest Day Rally in Hackensack. Group will meet at Rich Duprey's home. Call 201/445-6098 for details.

April 26-- Freedom Seminar from 9 AM to 5 PM at the AMDO Institute in Wayne, N.J. just off Routes 23 & 46. Cost: \$5. Given by Kevin Cullinane of the Freedom School, Campobello, S.C. Call Fred Stahl at 201/633-1366 for information.

May 3-- NJLP State Committee meeting at 3:00 PM in Rick Hoegberg's home in New Brunswick. All NJLP members are invited and welcome to attend.

May 3-- LP of Connecticut convention with Rothbard, Turney, Katz, and more. Call LPC Chair Tom Ross at 203/389-8200 for info.

July 4-- Anyone interested in joining a rally being organized for the Statue of Liberty Rededication in Jersey City, should contact Rich Duprey at 201/445-6098.

Every Wednesday-- Libertarian Discussion Club, 6:30 PM, Patti's Restaurant, 37 Bartlett St., New Brunswick. For directions call 201/249-7649 (Rick).

Every Tuesday-- NJ Americans for Constitutional Taxation (ACT) meeting, 7 PM, in the garden room at Shore Point Inn, Route 35, Hazlet.

NJLP MEETINGS

By Len Flynn

This was a busy month for the NJLP -- three meetings: the NJLP Convention with both a General and State Committee meeting on March 22 and a subsequent Steering Committee conference call on April 1. Under the new leadership of Chairman Rich Duprey, the NJLP is well on its way for 1986!

The NJLP annual convention meeting began by electing Rich Duprey as the new party Chairman and reelecting Steve Friedlander as Vice Chairman, Rick Hoegberg as Treasurer, and Len Flynn as Secretary. Chosen as At-large Representatives were Stuart Swirsky, Christie Brazil, and Carl Peters over Ken Kaplan, Chris White, and None of the Above (NOTA).

Unanimously approved as NJLP candidates for 1986 were Jerry Zeldin (Congress, 1st district), Rick Hoegberg (New Brunswick, local office), and Rich Duprey (Waldwick town council). The membership approved a motion authorizing the Steering Committee to approve NJLP candidates up to the filing deadline (April 10).

NOTA got quite a beating in the party elections this year, nearly all votes were unanimous for the (live) candidate. Apparently the membership rejects the common political slogan that "nobody can do the job better" -- at least for NJLP positions and candidates!

There was a discussion about obtaining the right for New Jersey voters to register as Libertarians and a committee was formed -- Rich Duprey, Mark Rogers, and Len Flynn. The membership unanimously approved a motion to charge the committee with investigating and acting on this issue. Mark volunteered his legal services pro bono (free) to pursue this effort with the state election bureaucracy and, if necessary, the courts.

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MEETINGS...

Chairman Duprey proposed that the NJLP prepare a libertarian newspaper for publicity and outreach. He noted that the Vermont LP doubled its membership twice using a tabloid newspaper, and the Vermont party was transformed from a moribund to an active political organization.

The membership unanimously approved spending up to \$800 to prepare an initial 10,000 copy NJLP newspaper. Volunteers to assist this project were Pat Fallon, Mark Rogers, and Stuart Swirsky.

Pat reported that computer networking was a promising means of disseminating libertarian ideas. He has uploaded Cato and other libertarian position papers onto the Compuserve network through his home computer. Pat's report to the Steering Committee is available on request to him.

Before adjournment the members approved formation of a 1987 Election Strategy Committee. Mark Rogers will be Chairman. The 70 minute general meeting ended at 5:15 PM.

At 5:25 the NJLP State Committee met to focus on the petition drive for 1986 candidates. Present were Duprey, Friedlander, Hoegberg, Flynn, Brazil, Swirsky, Zeldin, Kerr, and Fallon. Absent were Peters, Meinshausen, and Polombo.

The committee approved Stuart Swirsky as NJLP candidate for Monmouth County Sheriff and Dan Karlan for Congress in the 5th district. (Dan later withdrew.)

Since the state has moved the filing date up two weeks from April 24th last year to the 10th in 1986, immediate and intense petitioning is critical to obtaining ballot status for our candidates. **CALL ANY PARTY OFFICER OR THE CANDIDATES TO VOLUNTEER -- HELP IS URGENTLY NEEDED NOW!**

Rick Hoegberg reported contact with both John Schafer and Paul Nelson to retrieve NJLP video tapes and books, respectively. Stuart Swirsky is preparing a terrorism article for the N.J. Libertarian. Rick will reimburse Rich Duprey upon receipt of an invoice for the Draft Registration brochure Rich prepared, as was authorized at the 1/22/86 State Committee meeting.

Rich and others will check other state LP newspapers to learn about preparing these publications. Anyone knowledgeable about assembling newspapers should contact Rich and help us out.

The meeting adjourned by exhaustion at 6:15 PM. The group scheduled a Steering Committee conference call for 9:15 PM on 4/1/86 to monitor petitioning progress.

At 9:15 PM on April 1st the Steering Committee conference call was held with Duprey, Hoegberg, Flynn, Brazil, and Swirsky plus Jerry Zeldin present. Absent were Friedlander (sick) and Peters (phone still out).

After discussing the details of the petitioning effort, the committee members agreed to call Rich Duprey after 3 PM on Monday 4/7/86 if any petitioning efforts are short of signatures.

A motion was approved authorizing Rich Duprey to spend up to \$150 in order to prepare quality NJLP letterhead for 1986. Len Flynn will send file copies of old NJLP letterhead to Rich and Jerry Zeldin for their information. The meeting ended at 9:50 PM.

LETTERS

2/23/86

Dear Editor,

I disagree with Rick Hoegberg's distinction between the rule of law and the rule of men. Rick's definition of the rule of law is that: "What's on the books does conform to the Constitution, and if properly implemented would constitute rule of law." His definition of the rule of men is: "people in current positions of power get away with doing whatever they like. And what they like is to ignore the Constitution." Rick equates the rule of law with conformity to the Constitution. This is inaccurate. The rule of men exists where people allow themselves to be ruled by the whims of particular individuals, like kings or chiefs or

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some dictators (most notably Adolf Hitler). The rule of law was originally created to undermine the rule of men. It is an outgrowth of the ideas of individual sovereignty and natural rights, but like the rule of men, it is simply another method of allocating political power.

In the United States, we currently live under the rule of law. Most people agree to abide by the law, and we are ruled by men acting, not as individuals, but as officials (elected or otherwise) empowered by law to carry out certain functions. The real question which Rick attempts to address is: What is the law?

As a practical matter, the law is whatever people are willing to live with. It comes from many places: constitutions, legislation, court decisions, administrative decisions, executive orders, treaties, police department policy, etc.

In the United States, the Constitution is the supreme law of the land, which means simply that all other laws must not contradict any part of that Constitution. If they do, then they are not laws. The judiciary decides whether a law or its application is in conflict with the Constitution, and what consequences result from that conflict. Judges tell us what is and is not the law. Rick implicitly agrees with this contention. He quotes from a number of judicial opinions to tell us what the law is.

The U.S. Constitution is not the law. What the majority of the Supreme Court says the Constitution says is the law. That is the political and legal reality in the United States. It is the manifestation of the rule of law, not of the rule of men. To paraphrase Mark Rogers, "the law is what the judge says it is."

For a libertarian, the rule of law is no better than the rule of men. After all, it is men and women who make the law. It is the concept of rule itself that is repugnant, not whether it is by men or law.

As for the Constitution, Alexander Hamilton once said, "the sacred rights of man are not to (be) rummaged for among some old parchments or musty records. They are

written, as with a sunbeam, in the whole volume of human nature, by the hand of Divinity itself, and can never be erased or obscured by mortal power."

In liberty,
Dan Maiullo

To the Editor:

THE TAX TACTICS DEBATE: POSTSCRIPT

The debate over how libertarians should deal with the IRS has raged in these pages over the course of the last three issues. The long-awaited confrontation between the forces of rational resistance and the forces of frontal assault ended at the Battle of Moffa's Farm. The result: a remarkably reasonable consensus that we are walking the same path at roughly the same speed, and we are probably better off sniping the swine than charging their tanks armed with old dictionaries and copies of the Internal Revenue Code.

But Rick Hoegberg once again got me thinking. Just as his first letter sparked this donnybrook, Rick asked a question after the debate between Dean Allen and I that is bound to start another little debate. If we don't charge the IRS panzers head on, how do libertarians deal with taxes? What strategy is appropriate?

I should have been better prepared for this highly appropriate inquiry. And I thank Rick once again for jump-starting my thought process. Here are concrete suggestions:

1. Real estate. There are many good books written for educated laypersons wishing to invest in real estate. I think it's the best investment around. And it may not require too much capital. It takes a bit of reading to get familiar with real estate investment, but in my opinion it is well worth it.

2. Tax-free municipal bonds. This one raises some ideological problems for libertarians. Tax-free municipal bonds offer more choice in selecting how the government will get your hard-earned money, while lowering the amount they take. Tax-free bonds

are frequently used by the government to fund relatively innocuous things like sewers, parks, schools, etc. At least local governments are not going to fund right-wing dictatorships or build cruise missiles with your money. In fact, so many people have fled other investments for tax-free municipal bonds that Sen. Bob Packwood (R-Ore.) has proposed repealing federal income tax breaks for these investments! So they must be hurting the federal treasury.

3. Incorporate yourself. This is not always beneficial, but it grows in appeal as your income increases. Again, there are numerous books written for laypersons about incorporating yourself. Corporations are also fairly good shields from personal liability and they create another layer of records between yourself and the state.

The bottom line is that libertarians should concentrate on making money. I think this is just as important as getting candidates to run on the libertarian ticket. Many oppressed groups (Chinese, Japanese, Jews, Armenians, Mormons) with cultural or ideological barriers separating them from the mainstream have parlayed their ideological solidarity into economic power. Playing risky tax games or moving furtively in the underground economy will generally cut your income (or leave a big portion of your income subject to seizure by the IRS).

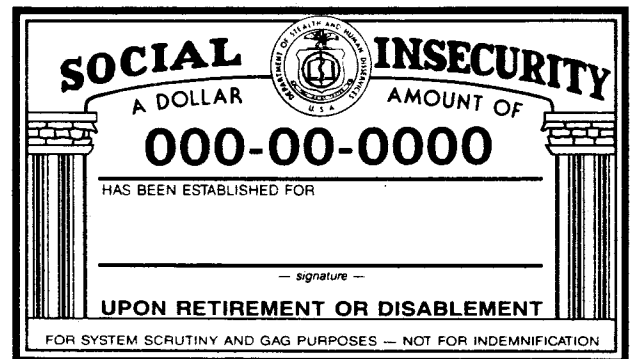
I know there is a reluctance in the movement to learn about government rules and regulations. At first glance it looks a little like coping into the system. But the system exists, and for the most part, we must exist within it. A is A. As fouled up as American government is, it is more liberty soiled by statism than statism embroidered by liberty.

We should use the system's rules defensively, to protect as much of our money as possible from seizure (that is the definition of tax planning) without giving one ideological centimeter. Using the law to keep your own money is not the same as accepting a subsidy. Learning a wee bit about tax law (the way it is really interpreted) from the many

books written on tax and investment for the educated layperson can really help you to keep more of your own dollars in your pocket. Combined with appropriate professional advice, we can use our dollars to pry a little more liberty from the state and build a more secure, independent future for ourselves and our families. This process requires both effort and risk, but freedom is not free. In the long run, the more money one has, the fewer things one leaves at risk.

Mark Rogers

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A libertarian surprise party
By Rick Hoegberg

A rather pleasant event was put together by the Ludwig Van Mises institute a few weeks ago in the Big Apple. The occasion was a surprise party for Murray Rothbard's 60th birthday. Held at the Halloran House on Lexington at 57th st, it was one of those New York type convention places where it's impossible to find or park near.

Inside was beautiful though, & quite exciting to see all sorts of libertarian hotshots like Bergland, Ernsberger, or Fucetola. There were 20 big round tables in a big mirrored room (the walls that is), & way up at the front (I was right at the back; late) a stage where the VIPs sat. This is all in the evening I'm talking about now.

Apparently, if you had 25 bucks to spare, you could attend an all day conference with talks about economics, politics etc by liberty oriented people. However, with just the dinner & evening activities going for 50 bucks/person or 90 a couple, I decided I had better things to do till dinner. There's some economic term with the word marginal in it that describes that.

Dinner was tasty, though characteristic of posh places, a bit skimpy. Fortunately, I wasn't too bashful to do an Oliver Twist, & I got a second dinner.

So what happened? Well after dinner, we were treated to a one act play which Murray wrote, entitled "Mozart was a Red". While I consider myself an Objectivist, I was quite amused by the teasing of some notable objectivists as portrayed by the story of Murray meeting Ayn Rand, her husband & Mr & Mrs Branden. Actually, interrogation might be a better word, for Murray's inquisitors seemed less interested in finding out what Murray thought than in having their suspicions confirmed. Naughty Murray didn't meet good standards of reasoning for instance by refusing to join them in smoking

cigarettes, relying on mere whim "but I don't like smoking". Of course these absurdities came to a climax when Ayn Rand left the room in disgust because Murray said he liked Mozart. "But Mozart was so anti life! Every note just drips with hatred." It should be on channel 13.

Then the speakers came on. First was Mrs Ludwig Van Mises who with a magical combination of frailty & spiritedness spoke about how her husband & Murray had been like a father & son which sounded touching. Then the roasting started. I can't remember all of the jokes because by then I'd had several gin & tonics, but we all had a good laugh. My favorites were one by Bergland who said several libertarians were thinking of opening a restaurant & naming dishes after famous libertarians, but all they could think of for Murray was "Manicotti steak". It took me a minute to get that (Man, Economy & State) which is why I liked it. I guess because I felt I graduated to a higher mentality by arriving at getting it, rather than getting it immediately. My other favorite was by Nando, apparently a favorite student of Murray's. Nando reports that Murray is always cracking jokes as he teaches class, many of them obscure, but ignoring the dumbfoundment of most of the class, carries on regardless. When Nando asked Murray why he did this, he said "Well I figure if they get it, great. If they don't, fuck 'em." That brought the house down. Can't say Murray is stuffy.

Speaking of bringing the house down, at one point a man at the back ie near me started heckling. At first we all thought it was staged, but I noticed he was mean looking & drunk, & I even was afraid he was some crazed collectivist terrorist (redundant I know) who figured he might do in a lot of libertarians at once. I was ready to tackle him if he got any wilder, but it turned out he was just a drunk dope.

There was a birthday cake too, &

PARTY...

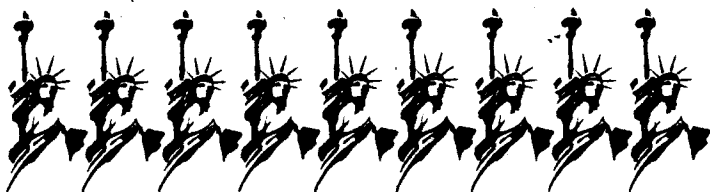
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FREE ENERGY

By Rick Hoegberg

we all sang happy birthday. It was the first time I'd been at a big get together where everyone knew the name, so it was sung as loud as the rest of the song. Then he blew all 60 candles out which I guess tells objectivists something. I didn't get any cake.

Well, it was fun, but I hope when Murray's 70, the price is less. He's a great guy though.



REMINDER

There are several handy pocket sized paperback books & pamphlets the NJLP is pleased to offer for sale at a very modest price.

From the Foundation for Economic Education (FEE);

* The Law by Frederic Bastiat @ \$1.00

* The Mainspring of Human Progress by Henry G Weaver @ \$1.00

From Jim Lewis, our 1984 Vice presidential candidate;

* Liberty Reclaimed @ \$1.00

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Uh oh. Have we another perpetual motion crazy here? I don't know. But things aren't always what they appear...

For me the story starts a couple of months ago when I got a call from an Evan Soule of Georgia. He's an attorney who has been promoting an inventor named Joe Newman. If you've used a set of weights made in the last 10 years, you can thank Joe Newman for thinking of putting the nice plastic coating on them that's now standard.

Anyway, Evan sent me a whole lot of literature & a VHS tape on Joe's latest invention. Apparently, working in his backyard, Joe has done something that dumbfounds all the high falutin' physicists & engineers that have seen it, intrigued all of the local media, & inspired businessmen from far & wide to invest about a million bucks to help him build better prototypes. There's a snag though. The US patent office won't give Joe a patent, so he's in litigation, & even has a Congressman who's introducing a special bill to Congressionally grant Joe a patent.

Oh, what's the gadget? Just some thing that seems to put out more energy than is put in.

At least, the engineers & physicists seem to be unable after doing exhaustive tests to deny it.

Actually the thing seems to be doing a little $E=mc^2$ & converting part of itself into energy.

Now I know it's hard to believe, but watching the video tape, it's hard to imagine so many engineers & physicists being amazed & excited unless there's just some little thing to it.

Anyway, there's a book for sale which explains how it's done, even how to build your own. I've ordered one, & will settle for myself what the story is. Of course, if you hear I've told PSE&G to take a hike, & I never stop at gas stations anymore, you might have reason to wonder...

If you're interested, I have a copy of the tape, & general information.

NAME	HOME	OFFICE	PHONE
Jerry Zeldin	Laurel Springs	Congress, 5th Dist.	609/783-4306
Stuart Swirsky	Englishtown	Sheriff--Monmouth	201/545-4722
Richard Duprey	Waldwick	Town Council	201/445-6098
Rick Hoegberg	New Brunswick	" "	201/249-7649

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NATIONAL LP MOVES

The national Libertarian Party headquarters has moved to a new location. The new address is 301 West 21st Street; Houston, TX 77008 and the new phone number is 713/880-1776.

Unmeet Meetings

To this libertarian the article about the decline of the town meeting (page one, March 7) was sad news. However, Jefferson's description of it as "the wisest invention ever devised by the wit of man for the perfect exercise of self-government" could hardly be applied to meetings deciding how much to take from whom for redistribution to whom. Divvying up the economic pie is more safely done at a far remove.

CHARLES M. HART

Cranford, N.J.

Wall Street Journal

March 26, 1986

The implement in crime is irrelevant; people kill people

To The Editor:

On March 12 you carried a letter by Sarah Brady on handgun control, which opposed the passage of the McClure-Volkmer Bill (S.49). A response to her letter is warranted. Mrs. Brady believes that because her husband was shot along with President Reagan, that somehow the gun itself is to blame. John Hinckley shot them, not the gun by itself. Shooting at the President and his aides is definitely a crime, so what makes Mrs. Brady think Hinckley would obey any law about guns?

Plenty of people have suffered injury and loss in automobiles; should we make cars harder to get? What about all the crimes that occur without guns? Recently, a female student was savagely attacked in a bathroom of Brooklyn College by a knife-wielding looney; fortunately, despite multiple stab wounds, she survived. Is she somehow less a victim because her attacker used a

knife, not a gun? The implement used in the crime is irrelevant; there should be concern that the attack happened without this young woman having the means to protect herself, thanks to New York's assinine gun laws.

Next, Mrs. Brady tries to assure us that, despite her love of gun control, she is a 'conservative.' What a joke! If that's conservatism, I'd hate to see left-leaning liberalism. I know her type of 'conservative' all too well--vote Republican and then go play golf, the nation will be saved.

She then trots out the line that gun control has the support of all the major police organizations. Unfortunately, most of today's police have been absorbed into the liberal establishment and are nothing but badge-wielding toadies of that establishment. Twenty or more years ago, police were truly worthy of support and respect. Today, thanks to Federal aid, sensitivity training (or group dynamics), plus being forced to take "relevant

sociology" courses in college, the story is quite different. Pray tell where was Mrs. Brady and all of her respectable Republican 'conservative' friends when our local police forces were being subverted and co-opted by the disease of liberalism. Police can't be (and shouldn't be) unless you want a police state everywhere, so the frontline citizen defense is private gun ownership. Any attempts to weaken that line of defense, no matter how inconsequential it may seem, must be opposed on principle. I applaud the NRA in its fight for the McClure-Volkmer Bill, and urge all gun owners and sportsmen to support its passage, contacting our legislators to support it, as well. Our Congresswoman Marge Roukema opposes McClure-Volkmer; maybe we should tell her what we think of her voting record by retiring her! Let's get off our duffs and pull ourselves away from the 'boob tube' long enough to do something worthwhile.

Mark Richards

West Milford Argus

March 23, 1986

NJ LIBERTARIAN

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