

New Jersey Libertarian

NJLP Convention Elects New Officers

The 2004 NJLP Convention resulted in the following new officers:

State Chair	Victor Kaplan,
chair@njlp.org	
Vice-Chair	Emerson Ellett,
vicechair@njlp.org	
Secretary (open)	
Treasurer	Lou Stefanelli,
treasurer@njlp.org	
At-Large 1	Ken Kaplan,
atlarge1@njlp.org	
At-Large 2	Len Flynn,
atlarge2@njlp.org	
At-Large 3	Ray Lehmann,
atlarge3@njlp.org	

The following counties also elected new officers:

Monmouth	Ken Chazotte, Chair Dr. John Taylor, Vice Chair
Middlesex	Susan Schubert, Chair
Somerset	Frank Warren, Chair
Union	Scott Langer, Chair
Sussex	Tony Federici, Chair

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Throughout this issue is a selection of quotes. All are the thoughts of Kenn Gividen. If you enjoy them you can read the entire collection, titled "Is is: *A collection of thoughts by Kenn Gividen*" at http://www.angelfire.com/indie/aaahome/bbbkennsqu

It's a Win!

NJLP's Dr. John Taylor Wins Seat on Highland Boro School Board



NJLP member Dr. John Taylor has earned a seat on the Highland Boro school board. This was Taylor's third attempt at winning office – and indeed, the third time was "the charm". Not only did the NJLP member win the election, he also took more votes than any other candidate in the non-partisan race.

Dr. Taylor is excited about the opportunity to serve. "The Highlands Elementary budget was one of the few that was defeated in Monmouth County, so I think that our results reflect the generally growing sentiment among voters that their property taxes are getting way out of control, and they're looking for some kind of change for relief. The budget defeat gives our new board a chance to really evaluate it and try to cut out the fat wherever possible. I also will not be shy about approaching higher-level authorities about looking for alternatives to the property tax for financing public education. My feeling is that one way to cure parental apathy and non-involvement in their child's education (a big problem in Highlands) is to make them more financially responsible for it".

School board elections can be some of the most bitterly fought, especially in tax-choked states like New Jersey. However, the number of voters is often limited to parents and politically active individuals, so vote totals can be deceptive by not indicating the often-fierce battles involved. On the other hand, low voter turnout means fewer "converts" are necessary to turn the tide. Dr. Taylor's win is the perfect first step into local politics, and he has promised the NJL periodic updates on his progress, and will be sharing some of the lessons he's learned in how to win local office. Our hearty congratulations, and our gratitude for fighting the good fight.

From The Chair By NJLP State Chair Vic Kaplan

My name is Vic Kaplan, and I want to take this opportunity to congratulate all elected Party officers. While I am a novice when it comes to being a Party officer, nonetheless I will be surrounded with experienced freedom fighters like Emerson Ellett, whom I thank for his service as a Chair. I also want to thank Liz Macron for organizing a wonderful convention.

I intend to make membership growth my number one priority during my term as Chair. Membership growth means increasing visibility for the NJLP. This means reaching out to groups and organizations that share our commitment to liberty.

I intend to discuss with State Chairs from other states what works, and what doesn't work. It is through my discussions with State Chairs as well as NJLP officers that we can begin to set out our goals and strategies for the year ahead.

We must show to our former members and small "I" libertarians alike, that we mean business. The majority of voters are dissatisfied with the direction this state is heading to, and it is time to transfer this dissatisfaction to membership growth.

2004 is a presidential election year. This means that the NJLP can be expected to receive an increase in inquiries. We will have to show that we mean business to this new blood, as well.

Student organizations, rock concert events, taxpayers' groups, antiwar groups and gun groups: these are some of the places that I would like to see targeted.

All suggestions on how we can increase visibility for the NJLP are welcome. You can contact me at vikaplan@hotmail.com (I check my e-mail every day) or call 908-887-0669

In liberty,

Vic Kaplan

One of the issues the LPSMC has been working on was reported in the March 8, 2004 New Jersey Law Journal -John Paff

Battle of the Forms

The judiciary's effort to standardize municipal court practice still has a few wrinkles to be worked out, as recently came to light in a Hunterdon County town.

The Readington court treated citizen-initiated complaints differently from those by law enforcement. At least some citizen complaints were processed on an affidavit of probable cause -- not on the complaint-summons form approved by the Administrative Office of the Courts. So complaints were not docketed in the statewide database, unless probable cause was found.

Last September, Howard Schoen, chairman of the Libertarian Party of Somerset and Middlesex counties, complained of a double standard -- especially as concerns complaints of police misconduct. Not docketing citizen complaints meant that "if a police officer is continually being charged with using excessive force, there is no way to connect the incidents," he said. Some complaints "were going into a black hole."

Readington has since mended its ways. At a Feb. 20 meeting of municipal judges for Hunterdon, Somerset and Warren counties, Presiding Judge Robert Pollock Jr. emphasized the need to stick with the state form. He says he will address the issue tonight at a meeting of the state's 15 presiding municipal judges.

http://www.law.com/jsp/nj/inadmissible.jsp

Did you know...?

...that the great guys at Wallnet offer a terrific bunch of online tools for Libertarians?

If you're interested in discussion, check out www.liberty-talk.org, where items of interest are posted, polls are conducted, and you can

get the opinions of other NJLP members and post your own. Liberty-talk.org does a great job of collecting articles and posting those found by subscribers.

Also, if you haven't already done so, now is the time to sign up for the announce mailing list. This list is for up-to-the-minute

information on your party. You can subscribe either through the interactive menu button on the NJLP state web site (www.njlp.org) or by sending an email to announce-request@njlp.org with the word "subscribe" in the body of the email.

FYI

Member dues: \$15.00; newsletter cost (production plus distribution): \$1.50 each. If you're getting the hard copy NJL, your dues are spent on the first 10 issues.

We know that some members don't have computers, and are glad they can avail themselves of the hard copy NJL. Also, some members religiously share their hard copies, in order to utilize them as an outreach tool.

However, if you can go without the hard copy and read the newsletter on the web (njlp.org) you can free up your dues for other things. Please consider it! If you decide to opt for a web-only email, please contact Membership Coordinator Robert Hull at rhull@wallnet.com

2004 Convention Speakers Address Challenges, Status Quo

by Alex Pugliese

The New Jersey Libertarian Party convention started with a reception where all gathered to converse with one another and the next day ended with much food for thought and renewed purpose.

Dr. Mary J. Ruwart, author of *Healing Our World* led off the convention talking about the Food and Drug Administration. Ms. Ruwart explained how through the use of excessive regulations, the FDA has caused the price of medication to increase over the years since 1962.

Dr. Ruwart went on further to explain that to reduce the price of prescription drugs, these regulations must be eliminated for they have not only increased cost but have caused deaths as well.

Dr. Imad-ad-Dean Ahmad, President of the Minaret Of Freedom Institute and long time libertarian activist, warned of the challenges ahead for the Libertarian Party.

"There are some new people who have joined the party recently who are pro-free market, but are also pro-interventionism," said Ahmad "They're interested in eroding our traditional position of noninterventionism when it comes to the matter of foreign policy."

"We had the experience of the Roman empire. Rome started out as a republic, then it became an empire, and then it became nothing. When you over extend yourself [militarily] you begin to decline."

The United States has troops in 135 countries. The U.S. Department of Defense admits to having 96 military installations in U.S. overseas territories and 702 military installations in foreign countries.

"There is a slippery slope," said Ahmad "As soon as you say government is good at anything, people start saying it is good at something else. Spread it out."

"The purpose of any government should be the freedom of their people, their constituents. It is not going and imposing on other people. Every time the U.S. has gone elsewhere, we have threatened our own security."

Dr. John Berthoud, President of the National Taxpayers Union and the National Taxpayers Union Foundation, addressed the convention on "The Great Revenue Scam."

"The supporters of bigger government premise their argument on the idea that government is virtuous," said Berthoud "They tax us for the benefit of the public. Members of Congress and elected politicians at the state level say 'we are working to improve your lives and are not acting in our self interest.""

But warned Berthoud "Often times you can dispute that when you look at the spending side of the ledger: rampant waste, proliferation of pork barrel spending, and the inability of a government program ever to be decreed it has outlived its usefulness. So time and again all through the spending side, it indicates much more that politicians act in their own self interest."

Berthoud cited as recent examples the U.S. Congress passing the Omnibus Spending Bill that passed with great amounts of money for pork barrel projects directed to Congressional districts and the Transportation Bill that is moving in Congress which has great amounts of money for projects in local districts purely for self interest politics.



Dr. Mary Ruwart



Dr. John Berthoud

Continued on Page 13

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FOR IMMEDIATE RELEASE

Contact: Jeanne Nolan 917-642-3904 KenForCongress.com

LIBERTARIAN PARTY NAMES KEN CHAZOTTE TO REPRESENT NEW JERSEY 12TH U.S. CONGRESSIONAL DISTRICT

Candidate Receives Unanimous Nomination at Annual Convention



MARLBORO, NJ (April 5th, 2004) - The Libertarian Party today announced its unanimous support for Ken Chazotte as candidate to represent New Jersey's 12th Congressional District. Votes were cast at the party's annual convention in Atlantic City for Chazotte, who was also elected Chair of the Monmouth/Ocean County party organization. Its full board includes Dr. John Taylor of Highland, NJ, and Ginny Flynn of Morganville, NJ.

"Ken is a very enthusiastic and hard-working candidate who has the leadership skills and character needed to serve in Congress," said Emerson Ellett, outgoing Chair for the New Jersey Libertarian Party. "He keeps American's best interests at heart and his dedication to keeping our country free, safe, and prosperous make Ken a real asset to the citizens of New Jersey."

"I am running because I strongly believe in the principles of individual liberty, personal responsibility, free markets, and limited government," says Ken Chazotte. "I will fight to create and retain jobs by reducing the tax and regulatory burdens that make it attractive to send jobs overseas, to remove the influence of special interest groups from Washington, to overhaul Social Security in a way that benefits all Americans and to reduce the ineffective and unseemly partisan bickering that ultimately harms us all."

Chazotte is an independent computer consultant and resides in Marlboro Township in Monmouth County with his wife, Dana, and their son, Jack. The district is comprised of towns within Hunterdon, Mercer, Middlesex, Somerset, and Monmouth counties.

The Libertarian Party, founded in 1971, is the third largest political party in the United States. Millions of Americans have voted for Libertarian Party candidates in past elections throughout the country.

Libertarians believe the answer to America's political problems is the same commitment to freedom that earned America its greatness: a free-market economy and the abundance and prosperity it brings; a dedication to civil liberties and personal freedom that marks this country above all others; and maintaining a strong national defense while pursuing a foreign policy of non-intervention, peace, and free trade as prescribed by America's founders.

"I am proud to live in New Jersey's 12th district. With your help, we can make a difference on November 2," concludes Ken Chazotte.



Somerset, Hunterdon and Warren Courts told to keep records of citizen complaints

SOMERVILLE - In a February 23, 2004 letter, Presiding Municipal Court Judge Robert C. Pollock, Jr. ordered municipal court judges in Somerset, Hunterdon and Warren Counties to plug up a loophole that allowed citizen complaints against police officers to not be recorded on the court's statewide computer database. Pollock's directive was in response to a September 2003 inquiry filed with his office by the Libertarian Party of Somerset and Middlesex Counties (LPSMC).

The LPSMC made its inquiry after member John Paff witnessed a September 4, 2003 "probable cause hearing" arising out of criminal assault charges filed by Hillsborough resident Kevin Teeple against Readington Police Officers Grace A. Fumero and James Ayotte. Paff attended the hearing after hearing from Teeple's mother, Linda Teeple, that her son was beaten by police during an August 19, 2003 traffic stop. (see sidebar story: *Teeple v. Fumero and Ayotte.*) Readington Municipal Court Judge Edward R. Martin ultimately found that Teeple did not have probable cause and dismissed the complaints against the two officers.

On September 17, 2003, Paff visited Readington Municipal Court Administrator Linda Bergen to review the documents relating to Teeple's complaint against the officers and to ask why the matter was not listed on the computerized docket sheet that was posted outside the courtroom on September 4^{th} .

Paff noticed that Bergen took Teeple's complaint against the officers on a locally-drafted "Affidavit of Probable Cause" form instead of the state -approved "CDR-1" or "CDR-2" forms used when police officers file complaints against citizens. While each of the "CDR" forms are assigned a docket number by the court's statewide computer system, the local "Affidavit of Probable Cause" forms used by Bergen for all citizen-initiated complaints are not entered into the computer system so they do not receive a docket number. Since the court's docket sheet posted outside the courtroom is computer-generated, Bergen's use of the local form explains why Teeple's case was not listed on the September 4th sheet.

From speaking with Bergen, Paff learned that citizeninitiated complaints, such as Teeple's, are not entered into the court's statewide computer system (called the "Automated Complaint System" or "ACS") unless and until probable cause is found to exist. Accordingly, citizen-initiated complaints which do not pass the probable cause test are not recorded on the ACS and are, for all practical purposes, forever hidden from public view and inquiry.

On September 23, 2003 the LPSMC filed an inquiry with the Superior Court's Municipal Division Manager's office challenging the Readington Court's use of the locally-drafted "Affidavit of Probable Cause" form. The LPSMC maintained that Bergen's use of the local form violated court rules and the party insisted that all complaints, both citizen and law-enforcement initiated, be entered onto the ACS so that a permanent record of these filings could be maintained. By John Paff

On the evening of September 4, 2003 I accompanied Hillsborough resident Kevin Teeple to Readington Township Municipal Court for a "probable cause hearing" on his assault complaints against Readington police officers Grace A. Fumero and James Ayotte. On August 28, 2003, Teeple had filed criminal complaints in Readington Municipal Court against the two officers for their conduct arising out of an August 19, 2003 traffic stop.

A computerized docket sheet listing the evening's cases was posted outside the courtroom, but Teeple's case wasn't listed. About 9:30 p.m., after all the other cases were disposed of, Readington Municipal Court Judge Edward R. Martin called Teeple's case. At that time, Teeple, his mother and I were the only people in the courtroom other than the judge, the clerk and a few police officers.

Teeple testified under oath that Fumero had originally stopped his vehicle because of an improperly mounted license plate and an air-freshener hanging from the rear-view mirror that Fumero claimed obstructed his vision. Teeple claimed that the traffic violations were merely a pretext and that Fumero, who suspected that Teeple had stolen some saddles, pulled him over to learn the whereabouts of a horse that Teeple was caring for.

Teeple testified that after he refused to answer Fumero's questions about the horse's location, she became enraged and verbally berated him with comments such as "Shut your mouth—I'm the law and the boss and you have no rights." Then, according to Teeple, she told him that he was under arrest without specifying a charge.

Teeple, who has a fused spine from a previous hit and run accident, testified that he told Fumero that the condition of his spine did not permit his hands to be cuffed behind him and requested that they instead be cuffed in front of him. According to Teeple, Fumero ignored this request and pulled his arms behind him and over his head causing his shoulder to pop out of its socket. Despite Teeple's screams of pain, Fumero still kept pulling on his arms.

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Publisher John F. McManus

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Dear Editor:

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Dear Editor:

Don't censor 'The Passion' Tim sure letter writer Kathy Yasika did not to validate my letter of March 3rd with her DEAR EDITOR:

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At the outset of this letter, let me state that I am not a religious Am I correct in assuming that Ms. Yas zealot of any kind and have no government ownership and control of the "theological axe" to grind regard. 5 If that is the case and she favors gove ing Mel Gibson's new movie ership of the airwaves but the renting about the crucifixion of Christ, "The Passion." My concerns are over the notion that all art and entertainment must have the "approval" of self-appointed guardians of contemporary in of

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self-righteous, conservative religious bigots to be all for censorship, but where oh where are the tolerant, open-minded liberals on this one? The broadcast media of radio and TV are private businesses, and since liberals love government regulation and conmedia of radio and TV are private ousinesses, and since liberals love government regulation and con-trol over the marketplace, I guess that would explain their silence on this ir silence on this. The first five words of the First Amendment are: ongress shall make no law.... What is so hard to

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tyranny in history possible. If you are offended by something you hear on the radio or see on TV, complain to the sponsors and let the marketplace settle these things, not turn almighty state. Better yet, switch channels or turn off the TV and read something. The Constitution might be a good start. on the TV and read something. The Constitution might be a good start. We Libertarians can't win this fight to restore indi-vidual liberty presently rights and economic free MEF don't violate the i of someone else) i. I believe in individual might be a good start. I believe in individual liberty, property rights, and economic free-thoice on ALL issues of involved. What are you waiting for? stone of the free em Riverdale's mayor cla get involved. What are you waiting for? Mark Richards West Milford of choice on ALL issues, is why I ceased being a "co ative" 30 years ago and be

owever, as he began to sing again, I temorarily forgave him and began dreaming again only to be startled once more when he finished. After the second song he praised Russia! He vacillated back and forth that way until I became so disgusted that I left by the time he was half way through the concert. refused to listen any longer. I had no idea a the time that he was a Communist. Some time after returning home I learned that he was one, and I can certainly verify the fac letters to the that he "sang" the praises of Russia!

MARGARET BROGLEY Van Buren, Arkansa

The Draft

I wish to commend your magazine for run ning William Norman Grigg's article "Re viving the Draft" in your January 26 issue As an uncompromising Libertarian individ ualist I am opposed to conscription of an is one of our kind, at any time, for any reason. Our live and bodies belong to ourselves, not to som party's most collectivist abstraction called "the State" "the Nation."

Compulsory service for the "greater good writers. The of course has been a trademark of virtual every tyranny from the dawn of time. It's t accident that the introduction of conscriptic this photo is in America ran in conjunction with th growth of the state in other areas, startin with the Lincoln regime's war on the Con stitution from 1861 to 1865 and in the 20 century with the administrations of liars ar charlatans like Woodrow Wilson and FDR MARK RICHARJ

West Milford, New Jers

Job Loss Remedy

I want to extend my thanks to Willi lasper and the entire magazine staff f isika is let the xcellent ongoing exposé on America sses. What our elected officials are Ith their pport. this once great nation is treasonous , and only proper remedial action bein chment for dereliction of duty and te violation of the Constitu

> Send your lette Box 8040, Aj editor@theney received, not a nay be edited

Write On, Mark!

When it comes to getting Editor printed, NJLP member Mark Richards successful collection in just a selection of those he had printed in February and March. and the text of three is on the facing page. Mark's letters are informed. well written, and each and every one has the magical "L Word". Great job, Mark!

believe in!

Don't censor "The Passion"

Dear Editor,

At the outset of this letter, let me state that I am not a religious zealot of any kind and have no "theological axe" to grind regarding Mel Gibson's new movie about the crucifixion of Christ, "The Passion". My concerns are over the notion that all art and entertainment must have the "approval" of self-appointed guardians of contemporary American culture.

It is an insult to the intelligence of potential viewers of Gibson's film that they will come out of the theatre as raving anti-Semites because some Jews who lived 2000 years ago demanded the death of Jesus. What about Italian-Americans, shouldn't they object to this film as well? After all, it was Roman soldiers who actually carried out the crucifixion to appease the mob. No intelligent person believes that the descendants of people who lived in ancient times are responsible for what their forebears may or may not have done.

While groups like the Anti-Defamation League of B'nai B'rith have stopped short of calling for outright censorship of Gibson's film (at least for now) they do reflect an ominous trend in America which is to claim to be "offended" in some way in order to pave the way for future outright censorship.

The ADL, of course, has no monopoly on this kind of thinking; they are no different than the "family values" crowd that wants the FCC to come down hard on CBS because of the Superbowl's halftime show. If anything is "obscene", it isn't Janet Jackson's breast exposure, but rather the existence of an unconstitutional agency like the Federal Communications Commission! The first five words of the First Amendment are "Congress shall make no law...". What don't these speech stiflers understand?

This abysmal ignorance of what a free society is all about is even reflected in local issues. Consider the case of the mayor of Riverdale who claims on one hand to believe in free enterprise but also wants to restrict property rights in order to preserve a "historical" house.

The use of one's own property as one sees fit (as long as you don't violate the property rights of someone else) is the cornerstone of the free enterprise that Riverdale's mayor claims to believe in!

I believe in individual freedom of choice on ALL issues, which is why I ceased being a "conservative" 30 years ago and became an uncompromising Libertarian instead. Freedom is the one thing you can't have for yourself unless you are willing to let others have it too.

Mark Richards

The New American, March 22, 2004

The Draft

I wish to commend your magazine for running William Norman Grigg's article "Reviving the Draft" in your January 26 issue. As an uncompromising Libertarian individualist I am opposed to conscription of any kind, at any time, for any reason. Our lives and bodies belong to ourselves, not to some collectivist abstraction called "the State" or "the Nation".

Compulsory service for the "greater good" of course has been a trademark of virtually every tyranny from the dawn of time. It's no accident that the introduction of conscription in America ran in conjunction with the growth of the state in other areas, starting with the Lincoln regime's war on the Constitution from 1861 to 1865 and in the 20th century with the administrations of liars and charlatans like Woodrow Wilson and FDR.

Mark Richards

AIM Community News, February 29, 2004

The real obscenity is the erosion of civil liberties

Dear Editor,

In the Feb. 22 issue of *AIM Community News*, there were responses from five area residents regarding the Super Bowl halftime show. Not one of the respondents seemed to care that the Federal Communications Commission (FCC) has the authority to stifle free speech.

Even when it may be in poor taste, who is to say what is "tasteful" anyway? "Taste" is very subjective and not everyone is "offended" by the same things.

The real obscenity wasn't the brief exposure of one of Janet Jackson's breasts; no, the real obscenity is that back in the 1920's the First Amendment to the Constitution of the United States was circumvented by the passage of the Federal Communications Act, which set up the FCC. The American public was evidently as apathetic about the erosion of their liberties eighty years ago as they are today!

One would expect the usual bunch of prudish, self-righteous, conservative religious bigots to be all for censorship, but where oh where are the tolerant, open-minded liberals on this one? The broadcast media of radio and TV are private businesses, and since liberals love government regulation and control over the marketplace, I guess that would explain their silence on this.

The first five words of the First Amendment are: "Congress shall make no law..." What is so hard to understand about that?

The FCC, like 99 percent of the bureaus, agencies and commissions of the federal government, is blatantly unconstitutional and should be repealed – forthwith. What is wrong with the American people that they sit back and let these politicians and unelected bureaucrats run their lives for them?

Don't tell me it's "patriotic" to support the government; that's the kind of thinking that made every tyranny in history possible.

If you are offended by something you hear on the radio or see on TV, complain to the sponsors and let the marketplace settle these things, not the almighty state. Better yet, switch channels or turn off the TV and read something. The Constitution might be a good start.

We Libertarians can't win this fight to restore individual liberty, property rights, and economic freedom unless more of you get off your backsides and get involved. What are you waiting for?

Mark Richards

Editor of the New Jersey Libertarian:

The most fundamental principle society's existence requires each of us to respect is exquisitely simple: *My property must end where yours begins*. Since socialists, dictators, terrorists and other criminals contemptuously reject this principle by word and deed, it's worth pondering what a truly propertyless world would actually be like: If the entire concept of property suddenly vanished from the mind of every single human being on this planet...we would be instantly reduced to the amoral level of insects, taking whatever we desired and killing anyone who got in our way. The much dreaded end-of-civilization would have finally arrived.

How could the sudden absence of this venerable custom result in such a catastrophe? Because property's quintessential idea, the prohibition of force and fraud, is the unique foundation upon which the entire edifice of human morality rests, especially justice. In a very real sense, property and justice are essentially identical.

Illuminating the vital importance of property as the moral limit to each of the many just liberties we've secured over the centuries are F.A.Hayek's words in *The Fatal Conceit*: "...If several property is the heart of the morals of any advanced civilization, the ancient Greeks seem to have been the first to see that it is also inseparable from individual freedom. The makers of the constitution of ancient Crete are reported to have 'taken it for granted that liberty is a state's highest good and for this reason alone make property belong specifically to those who acquire it, whereas in a condition of slavery everything belongs to the rulers' (Strabo, 10, 4, 16)."

Be completely honest with yourself: Does the mere mention of the word property annoy you, or make you angry? Do you believe mankind's basic morality can be built on need, virtue, desert, egalitarianism, political expediency, or some combination of these inherently subjective elements? Would you have even considered joining our cause if the only libertarians you ever encountered were ambivalent, indifferent, or hostile to property?

I have two suggestions if you've answered yes to any of these questions: 1) Give serious thought to leaving our movement this very instant so you can join your interventionist/socialist comrades at your local Republican/Democratic-Green party headquarters. 2) Unless the prospect of being infuriated fills you with eager anticipation, don't even consider reading the following letter I sent to Dr. Walter E. Williams on February 18, 2003:

"Dr. Williams:

In the first edition of *Human Action* Ludwig von Mises said: "Freedom and liberty are not to be found in nature. In nature there is no phenomenon to which these terms could be meaningfully applied." Although undeniably true when morality is implied with freedom, without this implication civilization must be explained very differently: Unlike freedom, morality is not to be found in nature. In nature there is no phenomenon to which the term morality could be meaningfully applied...

Freedom/Liberty: In essence do as you will if you can; a powerful, amoral impulse instinctively grasped by man and beast alike.

Justice: Respecting what belongs to others; righteousness (See Private Property).

Property: Abbreviated form of *proper title of ownership*; private ownership of the means of production (Aliases: Private Property, Several Property).

Private Property: The mutual acknowledgment of self-ownership; the antithesis of savagery and slavery; the pacific morality forbidding the use of force and fraud in the pursuit of any value; the reciprocal renunciation of aggression; voluntarism; justice; freedom's just delimitation; the decisive difference between propriety and trespass; consent; contract; employment-at-will; what makes Homo Sapiens truly unique in the animal kingdom; the only possible entitlement rule -of-law can protect without subverting the entire purpose of law; the crucial ingredient in capitalistic prosperity; tyranny's natural enemy; every true socialist's worst nightmare.

Socialism: Abolition of private property; might makes right; kill or be killed.

Interventionism: Partial abolition of private property (See USA, UK, Japan, etc.).

Social Justice: Stealing what belongs to others; wrongfulness; legalized injustice.

Freedom-From-Want: Entitlement to stolen goods (See Franklin D. Roosevelt).

Government Property(?): "Stolen goods." (See Murray N. Rothbard).

Election: "Advanced auction on the sale of stolen goods." (See H. L. Mencken).

Excluding yourself and a few other intellectuals, most libertarians consistently ignore one immutable reality: While unalloyed freedom never implies anything but itself, private property always implies the fusion of morality and freedom because it is virtually synonymous with justice, a sublime concept friendly to all liberties except the one it was conceived to oppose: The freedom to commit aggression against the property of others. For this reason alone, if I had to choose either liberty or justice I would instantly choose the latter, ground it firmly on the objective morality of private property, and let the myriad chips of freedom fall where they may. It was fidelity to this ancient, secular view of justice that provoked 19th century jurist Henry Sumner Main's famous dissent: "Nobody is at liberty to attack several property and to say that he values civilization. The history of the two cannot be disentangled."

Maine condemned attacks on property, while we condemn attacks on freedom. Assuming the preservation of civilization is the goal we share with him, which one most urgently needs defending: property, or freedom? If modern-day libertarians see liberty and justice as flip sides of that moral coin we call property, then there can be no doubt of the answer or how it's arrived at: Although my freedom can certainly be attacked with words, should I ignore such criticism and persist in disposing of my property as I see fit, then, since I'm a physical, corporeal being, living in a decidedly physical world...the only practical way my freedom to-dispose can actually be abridged (or even terminated) is by physically attacking my property, or by issuing a credible threat to launch such an attack. And the specific property such actions or threats are ultimately directed at is my life. It is therefore attacks on property which result in what is then experienced as attacks on freedom? not the other way around. This is why defending property must *always* be our top priority.

Despite the reticence of libertarians to publicly declare property their central issue, in any competent search for a common thread uniting all their positions the only one consistently found is determined support for voluntarism. The sole advantage of this pseudo-propertyless strategy is that it gives libertarianism an unthreatening aura of compatibility with the propertyless rhetoric so long a tradition in American politics. The fatal flaw in this strategy is thus unobtrusively hidden in plain sight: It is the very propertylessness of this rhetoric that so desperately needs challenging because its undisputed continuation prevents Americans from realizing just how inextricably intertwined property is with morality, liberty, justice, peace and prosperity.

In the last paragraphs of a November 26, 2001 letter explaining private property to ABC's Sean Hannity, I wrote: "...This is why all civilized people throughout the ages have outlawed the five basic attacks on private property: murder, assault, theft, fraud and trespass. This is why journalists are absolutely correct in characterizing the horrific events of September eleven as an attack on civilization itself; the essential facts are indisputable: The hijackers committed *fraud* when they knowingly purchased their tickets under false pretenses, *assault* when they overpowered the flight crews, *trespass* when they forcibly entered the cockpits, *theft* when they seized control of the aircraft, and mass-*murder* when they deliberately crashed the jets into the Towers and Pentagon. In committing these devastating acts of savagery against private property, they defiantly attacked the cardinal rule constituting the moral bedrock of civilization: *Thou Shall Not Commit Aggression*. What part of the word *crime* did the terrorists not understand?

I have but one suggestion to anyone ignorantly pursuing the partial or complete abolition of private property through legislative, judicial, or violent means: If you *really* want to know what private property is all about, **LOOK IN A MIRROR!**"

At the very core of what I was trying to tell Sean Hannity (and what I believe libertarians, in their various ways, already understand) is that, above all else, private property is about freedom *and* morality? not just freedom.

I'm certainly not accusing our fellow libertarians of dishonestly promoting some hidden agenda. The great Western tradition of freedom has been the unquestioned guiding star of libertarian thought for so many generations that a comprehensive strategy based on private property has never even been systematically developed, let alone tried. Yet, the more obvious it becomes over time that our pseudo-propertyless message is being rejected more and more frequently in favor of the *genuinely* propertyless hyperbole of demagogues, the more obvious it also becomes that we must begin to explicitly advocate classical liberalism's fundamental idea very soon? or watch helplessly as our dreams of a voluntaristic world are incrementally destroyed by the vicious predators increasingly stalking our streets and legislatures. For in the final analysis, even our most compelling economic and legal arguments will fail if the populace remains ignorant of property's profoundly important role as the uniquely irreplaceable bedrock of human morality.

Ever hopeful there are many other libertarians out there who will soon join you in openly defending mankind's noblest institution, I remain...

Sincerely yours

Warren T. Kupchik"

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Len Flynn gets "ink" for NJLP

Life Member Grills Panelists at Forum

Printed in The Times of Trenton April 17, 2004

Forum focus: Safety, intrusion

By GREGG A. BERNHARDT Staff Writer

WEST WINDSOR - Nancy J. Duff remembers opening her luggage after a recent flight from Texas and discovering it had been rummaged through and the heels had been broken off a pair of her shoes. Airline security told her the heels had metal rods inside for support that pose a potential safety threat.

William J. Atkinson came home on a recent evening to an irate wife who was forced to give a thumbprint at her bank in order to cash a check from her son.

Duff, associate professor of Christian Ethics at Princeton Theological Seminary, and Atkinson, an FBI special agent, were among the panelists yesterday at The Conference Center at Mercer titled "After the Events of 9/11: What Personal Sacrifices Are We Willing to Make to Keep Us Safe?"

The discussion, for which Duff served as moderator, questioned whether recent legislation imposing more intrusive surveillance on Americans in the name of safety has crossed the line.

The event was the third discussion in the Mercer County Community College Community Forum series. Sponsored by The Times of Trenton, the panels began in March to promote discussion of vital issues affecting the people of New Jersey and to present experts on all sides of the debate to explain complex issues. The discussion was followed by a question and answer session with audience members.

Other panelists were Hamad Ahmad Chebli, Imam of the Islamic Society of Central New Jersey; Harold Eickhoff, past president of The College of New Jersey; Deborah Jacobs, executive director of American Civil Liberties Union of New Jersey and Hui Chen, former assistant United States attorney in the Eastern District of New York.

"The forums are balanced, informative discussions on some of today's controversial subjects," said Lorna Strang, organization development specialist for the college's Center for Training and Development and coordinator of the program. "(Other organizations) will call us and ask `Where did you get your (panelists)?' The caliber of the panels is amazing. They have really been a lot of fun, and we are very grateful to them for volunteering their time."

Strang said the turnout for each discussion has been impressive and she hopes the program can find more sources of funding in the near future. Currently, expenses are offset by admission costs (\$25-35 per person) and the college.

"We currently have no real source of funding," she said. "We'd like to keep having three or four of these discussions a year and we're hoping that when people get word of the impact of the panels they will call us."

More than 50 people attended, including representatives of government agencies, educators, legislators and legal professionals, nonprofit organization representatives, students, the press and general public.

Steven Flesh, a second-year humanities and social studies major at MCCC, attended the panel for extra credit in a class, but said some of the issues raised really made him want to join the debate.

"I don't want to give up any of my civil freedoms for the sake of security," he said. "And it bothers me a little to hear (some of the panelists) criticizing the judicial system so much but not offering any kind of solutions. On the other hand, (other panelists) brought up some pretty good points. It's a good discussion."

Len Flynn, life member of the New Jersey Libertarian Party, was also eager to grill the panelists. He asked them, and the audience, how citizens could change the perception that civil liberties and security cannot coincide.

"The bulletin put out on campus for this very discussion for all to see read civil liberties versus national security," he said, turning to face the audience. "Why does there have to be a perception there is a contest?"

Other topics discussed included the fate of detainees at Guantanamo Bay, citizens' apathy for government and its effect on the fight against global terrorism and the Patriot Act.

We already have a Patriot Act. It's called The Bill of Rights.

- Kenn Gividen

10

Somerset, Hunterdon and Warren Courts told to keep records of citizen complaints

Continued from Page 5

Since the vast majority of, if not all, criminal complaints filed against police officers are brought by citizens instead of other police officers, the LPSMC reasoned that the court's failure to record citizen complaints on the ACS makes it impossible for anyone to determine how many complaints have been filed by citizens against police officers and other government officials. Such failure also makes it impossible for citizens to review the probable cause determinations made in these cases to see if they are reasonable or indicative of bias and corruption. In its inquiry, the LPSMC noted "one does not have to be overly cynical to suspect such abuse of authority since municipal judges are appointed and paid by the same municipal entities that employ the defendant police officers."

In the Court's February 23, 2004 letter, the LPSMC was told that Judge Pollock "has informed every Judge in Vicinage 13 of the importance of taking citizen complaints . . . on AOC approved complaint/summons forms [i.e. the CDR-1 and CDR-2 forms] and to discontinue use of any separate affidavit forms . . . as was the case . . . in Readington Township Municipal Court."

On March 1, 2004, the LPSMC asked the Administrative Office of the Courts to issue a similar directive statewide.

Look at any one of the countless thousands of photographs of black American slaves. Apparent is their poverty, their sorrow and their lack of weapons.

Kenn Gividen

Continued from Page 5

Teeple then said that he was pushed to the ground and felt the sole of Fumero's boot press against his spine. At this time, Ayotte arrived, took off one of the handcuffs, pulled on Teeple's arm and went to call an ambulance. During his testimony, Teeple was wearing a torso brace, a leg cast and had his arm in a sling— he attributed all of these injuries to this police encounter.

Teeple was later charged with disorderly conduct, resisting arrest, obstruction of justice and hindering his own apprehension. He was released on his own recognizance in lieu of \$1,500 bail.

After hearing Teeple's testimony, Judge Martin ruled that he would need to review the videotapes taken by the cameras mounted in the police cars before deciding whether to allow Teeple's assault charges against the two officers to move forward.

I felt that Teeple's testimony was compelling. I was also suspicious about the matter not being listed on the court's docket and being held to the very end of the session when no witnesses were present. So, I drafted a media advisory covering the hearing and faxed it that night to several area newspapers. That advisory resulted in news articles being published in the <u>Courier News</u> and the <u>Hunterdon County Democrat</u>.

In the <u>Courier News</u> story ("Hillsboro man claims cop assault," September 6, 2003, Crissa Shoemaker, Staff Writer), Police Chief James Paganessi expressed confidence that Martin would find no evidence of an assault. "I've seen the tape," he said. "When the judge sees the tape, he will agree excessive force was not used."

(Note: In the same article Paganessi stated that Fumero and Ayotte "had been cleared by the department through an internal investigation." Yet, in a September 22, 2003 letter to Teeple, Paganessi stated that the internal affairs investigation "determined that Ptl. Fumero's demeanor did not stand up to our department's high standard of conduct when dealing with antagonistic or uncooperative suspects [and that] appropriate administrative action will be taken . . ." Apparently, therefore, Paganessi was not telling the truth when he spoke to the <u>Courier News</u> reporter.)

At a subsequent hearing on September 26, 2003, with press in attendance, Martin said that he had viewed the videotapes and that there was no question in his mind that the officers acted appropriately and that no assault occurred. Accordingly, he dismissed Teeple's complaints against the officers.

On September 10, 2003, I filed an Open Public Records Act (OPRA) request with the Readington Police Department requesting 'to view and, if affordable, purchase copies of videotapes from patrol cars, or otherwise, of an incident between Kevin Teeple of Hillsborough and Officer Grace Fumero (and other officers) on or about August 19, 2003." On September 15, 2003, my OPRA request was denied by Readington Police Lieutenant Sebastion Donaruma. Donaruma stated that the tapes were "confidential" since they were part of an "ongoing criminal investigation."

So, in sum, the tapes would satisfy the question of whether the police acted properly or whether Judge Martin (who is appointed and paid by the same Township that hired and pays Officers Fumero and Ayotte) covered up for the officers. Unfortunately, however, the public is not allowed to see the tapes because they are "confidential."

To the Editor

Dear Editor,

While the spotlight so far has been on Presidential sweepstakes at this time not mentioned much is the upcoming races for the U.S. House. Most journalists are not focusing on it because they deem it is way too early-a viewpoint that I do not share. Nevertheless, one person that I wished were running in these contests but will not be is what I term "My Dream Candidate". That is, a candidate who does not exist but I wished he or she did.

"My Dream Candidate" would be a man or woman of moral character, particularly at a time when most voters, as well as the press, do not consider that very important. He or she would be scandal free and would be a principled person. He or she would also be intellectually honest, and not blinded by ideology, partisanship, special interests or political correctness.

On the issues of the day, "My Dream Candidate" would take positions that to some may be considered radical. He or she would be firm and resolute knowing full well there may be repercussions from those whom disagree. He or she will not be afraid to discuss and debate his or her position openly.

"My Dream Candidate" would support and advocate the following: He or she would be a fervid defender of human life: At a time when human beings are being killed off and snuffed out for the sake of utilitarian purposes, and this position being advocated by the press, the dominant media culture, the courts, public officials and others in society, he or she would defend the most vulnerable from attack: the unborn, the newborn, the elderly, the disabled. He or she would fight for the most important liberty of them all: the right to life. He or she would call abortion, euthanasia, infanticide what it really is. State condoned aggression and state condoned killing.

He or she would be a tax and spend cutter: At a time when Americ ans are paying 60% in taxes a year, and tax money is being spent on the expansion and growth of the federal government into the lives and liberties of the people, "My Dream Candidate" would advocate huge cuts in spending and huge cuts in taxes. He or she would also call for the elimination and privatization of departments, programs and government created corporations that have done nothing but squander tax money. For example, my candidate would call for the elimination of the National Endowment for the Arts, The Corporation for Public Broadcasting, and the National Endowment for the Humanities. "My Dream Candidate" would follow the advice of Thomas Jefferson when he stated "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical."

He or she would be a strong defender of civil liberties: At a time when the Bill of Rights is under assault by the left, the right, as well as the media, the courts and others, "My Dream Candidate" would stand up and defend the constitutional freedoms of all Americans. He or she would fight laws and policies concerning censorship. He or she would defend the free exercise of religion, religious speech as well as defend the right of individuals to worship in private or public. "My Dream Candidate" would defend the Second Amendment rights of individuals to own firearms. He or she would also call for the overthrow of the USA Patriot Act and similar laws that violate all fourth amendment protections and liberty.

He or she would be a defender of property rights: At a time when government is stepping on the rights of landowners as well as homeowners by passing regulations, seizing property through eminent domain laws, passing rent control laws, zoning ordinances and other infringements, "My Dream Candidate" would fight for the rights of owners not to be harassed by politicians and public officials. He or she would defend the right of private property with vigor and he or she would be the instrument that reminds and tells government that when it comes to the right of property owners, there is no trespassing.

He or She would support real education reform: At a time when public education is graduating students that cannot meet the demands of the 21st century, and are graduating students that are unable to read, write or do basic math, "My Dream Candidate" would advocate complete separation of education and state. No matter how many regulations and how much money government has thrown at the public education system over the years, nothing has worked, and it will never work. "My Dream Candidate" would privatize public education and would introduce and support tuition tax credits so that parents can choose among schools that fit their child's needs. My candidate would also support business and individual tax incentives to help fund education. He or she would also call for the elimination of the Department of Education.

He or She would support real health care reform: At a time when health care costs are soaring and is putting a financial strain on businesses, individuals and families, "My Dream Candidate" would come out and support Medical Savings Accounts. That is an account where an employer would make a deduction of 10 to 20% of pay and would place it into an account for emergency medical needs. Like other savings vehicles it would have an interest rate and it would grow at an annual rate. My candidate would also restructure tax policy making health care 100% tax deductible. He or she would further advocate deregulation of the health care industry by eliminating government mandated benefits, repeal the certificate of need program, and would favor expansion of the scope of practice for non-physician health care professionals. "My Dream Candidate" would also call for the elimination of the Food and Drug Administration, replacing it with a private sector organization. He or she would also call for the privatization of Medicare and Medicaid, which is expected to go bankrupt in 2030.

"My Dream Candidate" is just that: a dream. If a candidate like the one I've described existed, I would gladly pull the lever for him or her. Maybe one day that candidate will appear. I wouldn't bet on it though.

Alex Pugliese Kenilworth

To the Editor

Dear Editor,

My son was born 49 years ago. He was breast fed for several months until my wife became dry. We started giving him regular pasteurized milk. He developed a horrible rash all over his body and difficulty breathing in only 2 weeks. The doctor said we must give him goat's milk. A pint cost 89 cents. Today it would probably cost 9 dollars a pint. After I read Alex Pugliese's letter I thought about someone today with the same lactose problem that we had.

Let me describe how we avoided becoming paupers. After paying all the bills we had no money to give to the IRS. So I wrote a letter explaining my plight. The IRS wrote back telling me to skip this month's mortgage payment. I told them that I already had. They wrote back telling me to borrow from the bank holding my mortgage. My wife and I decided to sell the stock my grandfather gave us as a wedding gift. That 800 dollars gave us a welcome relief.

During lunch at work everyday I kept my coworkers entertained by relating my battle with the IRS. Then one day a guy from another department joined us. He said he was told about my battle and decided to educate me. He said, "Tell me where in the XVI amendment does it say wages?" Of course it does not. Everyone in my group said, "so what?" He shocked us all by saying that wages are not income but are the source of income and it has been years since he stopped giving any wages to the IRS. He then explained what we must do, and not chicken out.

First is to have your wife change back to her maiden name and file separately. Second is to change your W4 to 13 dependents, permitting the IRS to take only a couple hundred from your wages (and let them have it). Have your wife do the same. Third, pay all the taxes on income (dividends) from whatever source plus capital gains, gambling winnings, etc. They have more info than you do. Enter all the required information on the tax form except your wages, even if the form asks for that info. Just above the bottom where you entered the tax due write, "Wages are not taxable". And then sign your name, which is actually your confession that will be used against you. If you letter or stamp your name it will be returned to you with a threatening letter. If they do not have your signature you will be accused of failing to file and you will spend a year in Leavenworth prison, which is what happened to a friend of mine. They must have your confession to prosecute you. Also, the "judge" in tax court is an IRS employee. My personal advice is... any time they ask you a question it means they have the info and want you to confirm it. They will hassle you to answer. My friends, who have been there, told me that the answer in each case is to say "I STAND MUTE". Sometimes you will be charged with contempt of court and be fined, which is better than going to Leavenworth (a political not penal prison) for a year.

The year after my first filing omitting wages, I received a summons to appear in Tax court. I must admit that I was scared. I was so relieved to hear that I was charged with failing to disclose the 800 dollars I received selling the stock. I honestly believed that there was no tax due because my grandfather paid the gift tax. I was told that I attempted to defraud the government of the capital gains tax and had to pay a 100 dollar fine (which would be \$2000 today). I figured they were out to get me because I was a tax protestor. I have not had any problem since then. In fact I have not received the usual tax package from the federal government or the state government since 2002. I reluctantly admit that my son is terrorized by the IRS and keeps telling me that some day they will get me into prison. I say, "after 40 years?"

2004 Convention Speakers Address Challenges, Status Quo

Continued from Page 3

On the revenue side, Dr. Berthoud stated that the way government extracts revenue, it is operating by the Malcolm X dictum: "By any means necessary." Berthoud cited as examples of this corporate withholding taxes, taxation, protective tariffs, gambling revenue, and lawsuits against corporate America where government goes after industries for a variety of rationales. Dr. Berthoud cited as examples the tobacco companies where states sued for Medicare losses, and the fast food industry for causing obesity.

"Politicians want to make the benefits very visible and the cost invisible," said Berthoud "and the winners ultimately are them."

"When a government uses such deception at such great lengths to take our money, to me, you can dismiss their claim of being virtuous as preposterous. You cannot reconcile one with the other."

The convention ended with much fanfare and was considered a success by the organizers. А business meeting was held afterwards for the introduction of Congressional candidates and others running for public office. If this event was designed to give the New Jersey Libertarian Party a boost, it has succeeded in its purpose and in its aim. All in all, by the expressions of all those attending, members of The New Jersey Libertarian Party left the convention with their batteries charged.

Stan Ost

April/May, 2004

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Show your true colors in NJ

At long last, you can register as a Libertarian. Fill out the form below and mail it to your county election board.

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Minutes of the NJLP Steering Committee meeting of 24 February 2004

The meeting was called to order at the Ellett residence at 7:20 PM. All Steering Committee members were present (Kaplan arrived at 7:35). Present as observer was Ken Chazotte.

The Secretary read the report of the State Board meeting of 18 January 2004 (taken by Len Flynn in the Secretary's absence); the report was approved. The Treasurer presented his Assets and Liabilities report; the Budget to be presented at the Convention (required by the Bylaws) will be circulated electronically.

There was much discussion of the use of Libertarian Viewpoint (LV) for outreach to college students. It was generally conceded that the economics of this project do not warrant further action. The alternative of using ad copy based on ads by The Advocates for Self-Government was discussed. The list of post-high-school institutions in New Jersey were considered, and most were 'adopted' by the various people in attendance to collect information on the ad rates for each of the corresponding school's student papers. It was particularly noted that this approach has the advantage of scalability, that as money becomes available, a new college paper can be added to the outreach effort.

Boucher complained about the quality of the newsletter, and offered the observation that no newsletter would be preferable to a newsletter of the current quality.

There was discussion of the state of campaigns in NJ, and mention of some candidates already interested in getting approval at the Convention. In order to improve the chances of getting the approved candidates on the ballot, Flynn proposed (Hull seconded) a motion that, after some discussion, was formally discussed as **That the NJLP allocate \$35 per candidate for a petition coordinator to get each candidate on the ballot.** After much discussion, the motion failed 3-4.

The meeting was adjourned at 10:00 PM. The next meeting of the NJLP organization will be the business session of the Convention, March 13, at the Seaview Marriott.

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More from Kenn Gividen...

Slaves are those who work for another against their will. When I hire workers for \$10 per hour, I am forced to send \$3.50 of their pay to their slave master. Against their will, the employees are forced to give 35% of their work to the federal government. The Chinese government charges less for their slave labor. Consequently, American corporations are using Chinese slave labor rather than American slave labor. My pre-teenage daughter is a financial genius. In 2002 she earned \$68 billion more than Enron and all she did was baby sit part time.

Cuba has a oneman, one-vote democracy. Fidel Castro is the one man who gets the one vote

The Green Party is the old red party.

An animal rights activist decides to protest by throwing red paint on a person wearing animal skin clothing. He spies two people. One is a thin, middle-aged woman wearing a fur coat. The other is a burly Hell's Angel wearing a leather jacket. Who will the activist choose?

The Bible advises me to pray for those in authority. And I do. But no matter how hard I pray, they keep getting reelected.

