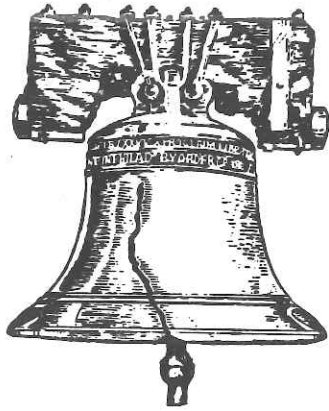
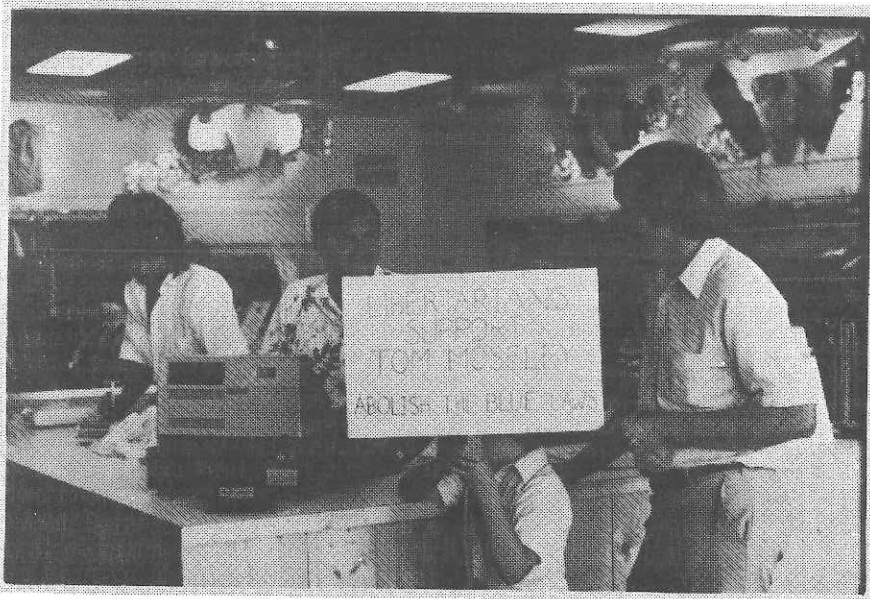


July 1985



# Sandhills Libertarian Gazette

A NEWSLETTER FOR LIBERTARIANS IN THE SOUTH CAROLINA MIDLANDS



Bill Griffin (right) and his son Dennis join clothing merchant Tom Moseley (center left) and sales clerk Ron Hoffman (far left) in a protest against South Carolina's 303-year-old Blue Laws. The poster, made by Jan Chapman, reads: "LIBERTARIANS SUPPORT TOM MOSELEY - ABOLISH THE BLUE LAWS."

## Stiver to Speak at July Meeting

Dr. James Stiver will be the featured speaker at the July 22 Libertarian Party meeting in West Columbia. All interested persons are invited.

Stiver is Professor of Philosophy at the University of South Carolina and is an eloquent advocate of libertarianism. He spoke at the 1982 S.C.L.P. Convention and has appeared on local cable TV programs. His talk at the July meeting will be entitled "Why I am a Libertarian."

The meeting will be held on Monday, July 22 at Quincy's Family Steak House on the Charleston Highway (U.S. 21, 176, 321) in West Columbia. Please come at 6:45 P.M. to eat supper. The meeting will begin at 7:30 P.M. Dr. Stiver is an excellent speaker, and everyone is encouraged to attend. Bring your friends, too.

## Libertarians Protest Taxes and Blue Laws

This spring, dozens of Libertarians across the state organized protests against income taxes and the Blue Laws, obtaining some publicity in the process. April 15th found several groups of Libertarian Party members organizing the traditional Tax Protest Day at various post offices. Some non-members who hate taxes joined the protest and provided valuable assistance. Thousands of flyers were handed to individuals, many of whom were angrily rushing to the post office to mail their tax forms. Many of these persons have written to the Libertarian Party requesting more information.

Tax Protest Day received some publicity in Columbia and Charleston. Bill Griffin, who co-ordinated the event in Richland and Lexington counties, was interviewed by WIS Radio, WOIC Radio, and WLTX-TV before the event, and an on-the-scene interview of Mark Johnson at the Columbia post office was broadcast that evening on the South Carolina Educational Radio Network. In Charleston, Joan DiGiovanni appeared on one TV station's

evening news on April 15. There was also brief mention of the event in a few newspapers. Hopefully, these efforts have resulted in thousands of South Carolinians learning that there is an alternative to the tax-and-spend policies of the Democrats and Republicans.

For years, Libertarians have spoken out against the state's Blue Laws. One of the most notable proponents of Blue Law repeal in recent months has been Tom Moseley the owner of a Columbia clothing store. On three separate occasions, Moseley opened his store on Sunday in defiance of the Blue Laws, and each time he was arrested and spent the night in jail. On April 21 (the third, and last, time he opened in defiance of the law), four Lexington County Libertarians (Bill Griffin, Bill's son Dennis, Jan Chapman, and David Morris) showed up to support him. The Libertarians marched up and down the sidewalk carrying a sign made by Jan Chapman (see pictures on page 1 and 3). Jim Marable of WIS TV showed up, along with persons from a couple of radio stations, and the Libertarians were featured on the evening news that night as well as the morning news the next day.

(continued on page 3)

## Is the 16th Amendment Null and Void?

Former TV news announcer John Wrisley dropped a bombshell when he spoke at a Libertarian Party meeting in Columbia on April 1. Wrisley, an advocate of the free market and a member of the Committee for Monetary Research and Education, described some interesting information he had recently received. This information seems to indicate that the 16th Amendment to the U.S. Constitution was never properly ratified by the states. If this is correct, then there is no federal Income Tax!

According to information obtained from Mr. Wrisley and from other sources, a man named Bill Benson spent most of 1984 going from state to state gathering information about each state's actions concerning the ratification of the 16th Amendment between 1909 and 1913. Benson, formerly a criminal investigation agent with the Illinois Department of Revenue, also spent four days doing research in the Library of Congress and the National Archives. In the Archives, he found a book containing all federal materials related to the ratification of the amendment. Apparently, Benson now has in his possession a mountain of certified documents from the 48 states and Washington. He has thoroughly reviewed them all and has concluded that there is no 16th Amendment to the U.S. Constitution! Benson and Red Beckman have put this information into a book entitled The Law that Never Was.

One of the duties of the U.S. Secretary of State is to certify that constitutional amendments are properly ratified. According to Benson's documents, Secretary of State Philander Chase Knox knew on February 15, 1913 that the 16th Amendment had not been properly ratified, because he had on his desk a memorandum that informed him of the following:

"In the certified copies of the resolutions passed by the legislatures of the several states ratifying the proposed 16th amendment, it appears that only four of these resolutions (those submitted by Arizona, North Dakota, Tennessee, and New Mexico) have quoted absolutely accurately and correctly the 16th amendment as proposed by Congress. The other thirty-three resolutions all contain errors either of punctuation, capitalization, or wording. Minnesota, it is to be remembered, did not transmit to the Department a copy of the resolution passed by the legislature of that state. The resolutions passed by twenty-two states contain errors only of capitalization or punctuation, or both, while those of eleven states contain errors in the wording...


Furthermore, under the provisions of the Constitution a legislature is not authorized to alter in any way the amendment proposed by Congress, the function of the legislature consisting merely in the right to approve or disapprove the proposed amendment."

Mr. Knox, after having this information for ten days, fraudulently certified that the 16th Amendment had been properly ratified.

Two attorneys - Lowell Becraft of Huntsville, Alabama and Andrew Spiegel of Chicago - along with concerned individuals in many states, have expressed their support for Benson's efforts to disseminate this information to the public. In a letter to Benson, Spiegel asserts that "The documents you have obtained establish that a fraud of massive proportions was perpetrated on the people of this country in 1913 by Secretary of State Philander C. Knox and his staff. The documents establish that Knox and the Solicitor - his lawyer - knew the states HAD NOT ratified the amendment as proposed by Congress...The absence of the Sixteenth Amendment means that...the sections of the Internal Revenue Code relating to the income tax are null and void, since they are based upon the 16th Amendment."

Spiegel goes on to say that "The enormity of the problem this situation presents to the federal government is obvious. The courts will have difficulty accepting these facts and throwing out the income tax as we know it. The courts, which are supposed to be the staunch guardians of our Constitutional rights vis-a-vis the government, will be hard-pressed to live up to that role. This is especially true in the event that individual judges and prosecutors persist in enforcing a law that never really was a law, but which has been assumed to be a law for over seventy years. To the extent that such individuals persist, they may well become co-conspirators in the fraud which was perpetrated on the American people in 1913."

It will be interesting to see what happens as this information is used in court cases. Meanwhile, anyone who is interested in learning more about this should obtain a copy of Benson's book. It is also important to tell your friends, neighbors, and relatives that if they are ever on a jury in an income tax case, they have the power of JURY NULLIFICATION (see January 1985 issue of the Sandhills Libertarian Gazette). In other words, they can find the defendant "not guilty" if they believe that the law is invalid or unjust.



**MR. TAXPAYER,  
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AMENDMENT...**

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16th  
AMENDMENT  
NO  YES   
\*BALLOT\*

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THE IRS DOES NOT HAVE A LAW!! THE 16TH AMENDMENT IS NULL AND VOID!!

Documents have now been uncovered in Washington, D.C. and in all of the 48 States that voted on the 16th Amendment in 1913 which prove conclusively that the 16th Amendment was NEVER legally ratified...These documents (which have all been certified as true and authenticated records), prove that a CRIME, FRAUD, and DECEIT were perpetrated upon We The People of the United States.

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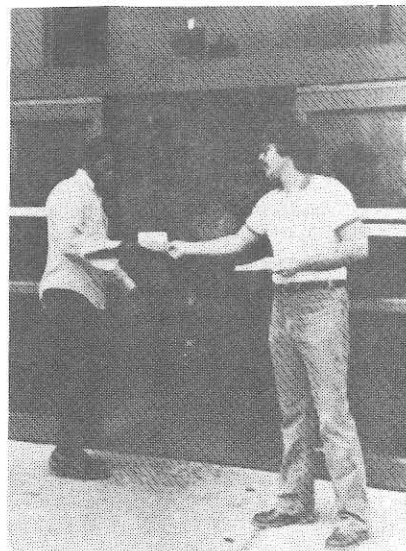
LIBERTARIANS PROTEST TAXES AND BLUE LAWS  
(continued from page 1)

Of course, the Blue Laws were partially abolished, but Libertarians won't be satisfied until they are totally repealed. In addition, despite all the talk in Washington about "tax reform", one thing is certain: taxes will not really be cut any time soon. Another thing is certain: Libertarians will be protesting taxes for a long time!



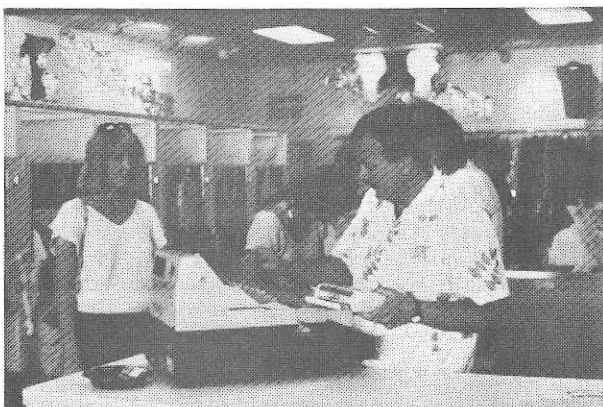
Kim Smith of S.C. Educational Radio interviews Mark Johnson at the Columbia post office on April 15.

\* \* \* \* \*



TAX PROTEST DAY: Bill Griffin, Mark Johnson, and Laura Henry hand out flyers to discontented taxpayers.

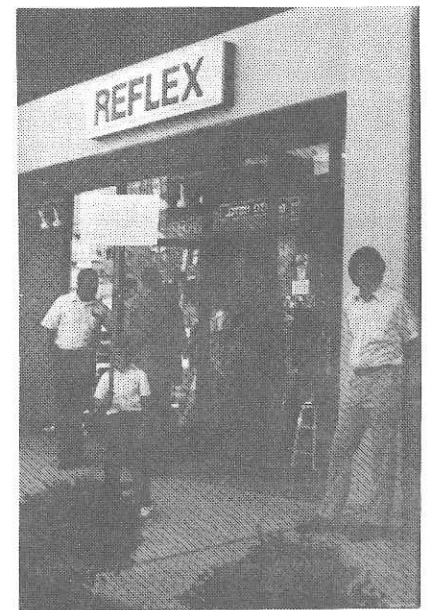
SPRING FEVER  
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A real freedom fighter! Tom Moseley breaks an unjust law by selling clothes on Sunday.



Bill Griffin and Jan Chapman parade the poster up and down the street in front of Moseley's store.



Bill's son Dennis joins the protest and offers valuable assistance. We need more young freedom fighters like him!

# What did the Holocaust teach us?

President Reagan's controversial visit to a World War II German soldier's cemetery and a concentration camp should give us pause to ask what we've learned from the Holocaust.

Unfortunately, little appears to have been learned from this tragic episode of man's inhumanity to man. As a result, we betray the sacred memory of millions who died in gas chambers and fighting Hitler.

Many of us are tempted to attribute the Holocaust to a defect in German moral character. However, prior to the collapse of the Weimer Republic, Germany was one of the most hospitable countries for Jews in their entire history of persecution. Jews were accepted. And while they comprised just one percent of the German population, they accounted for 10 percent of the doctors and dentists, 17 percent of the lawyers, and 27 percent of Germany's Nobel Prize winners.

In America, German-Americans were among the first Abolitionists and were fervent supporters of Lincoln and the emancipation of blacks. Philosophers like John Stuart Mill, in writing about personal liberty, got much of their inspiration from German philosophers such as Goethe and Humbolt.

With such a rich history of respect for liberty, the question is what happened? Clearly, part of the answer is that Hitler was a maniacal racist. But maniacal racists are everywhere, including the U.S.

## Minority View

Walter Williams



What happened in Germany was the rise of Marxist socialism. German scholars such as Fichte, Rodbertus, and Lassalle were not only the more important contributors to Naziism, but acknowledged fathers of socialism. According to them, the individual has no rights; just duties. Another socialist architect of Naziism, Leansch, said, "Socialism is coming...and to assist the growth of a new conception of State and Society...Socialism must present a determined opposition to individualism." In *Mein Kampf*, in praise of the Aryan, Hitler said, "He willingly subordinates his own ego to the community..."

While not word for word, we've all heard identical collectivist statements from American politicians, dogooders, and most recently the Catholic bishops in their "Pastoral Letter," which said, "it is the very essence of social justice to demand from each individual all that is necessary for the common good."

The basic requirement of socialism — both the socialism of Hitler's National Socialist German Workers' Party or the socialism of Karl

Marx (himself a German) — is the subordination of the individual to the state. This requires unlimited growth of government. One major reason for Hitler's success was that considerable collectivization had already taken place in the form of government control over unions, businesses, and other aspects of German life. Hitler's maniacal racism was not as successful as he would have liked, because the state machinery was not without its defects. Jews changed their names and otherwise disappeared. But if Hitler had an agency like our IRS, with its massive detailed information on all of us, Jewish extermination might have been complete.

Since World War II, there have been calls for bigger government, more controls, and abrogation of private property rights in America. Of course there's the temptation to say, "It can't happen here!" That's precisely what Bismarck, or a Jew living in Germany during the Weimer Republic, might have said.

America today is nothing like Nazi Germany. However, there are two important facts to remember: 1) even if you take tiny steps in a direction, one day you'll get there; and 2) civility is fragile.

May we never forget what happened in Nazi Germany. May we never turn our backs on the lessons of history.

*Dr. Williams is Professor of Economics at George Mason University. The above article is reprinted with the permission of Heritage Features Syndicate, 214 Massachusetts Ave., N.E., Washington, D.C. 20002.*



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## The Politics of Famine

by Murray N. Rothbard

The media focuses primarily on the horrifying shots of starving children, and secondarily on the charges and counter-charges about which governments--the Western or the Ethiopian--are responsible for relief not getting to the starving thousands on time. In the midst of the media blitz, the important and basic questions get lost in the shuffle. For example, why does Nature seem to frown only on socialist countries? If the problem is drought, why do the rains only elude countries that are socialist or heavily statist? Why does the United States never suffer from poor climate?

The root of famine lies not in the gods or in our stars but in the actions of man. Climate is not the reason that Russia before Communism was a heavy exporter of grain, while now the Soviet Union is a grain importer. Nature is not responsible for the fact that, of all the countries of East Africa, the Marxist-Leninist nations of Ethiopia and Mozambique are now the major sufferers from mass famine and starvation. Given causes yield given effects, and it is an ineluctable law of nature and of man that if agriculture is systematically crippled and exploited, food production will collapse, and famine will be the result.

The root of the problem is the Third World, where (a) agriculture is overwhelmingly the most important industry, and (b) the people are not affluent enough, in any crisis, to purchase food from abroad. Hence, to Third World people, agriculture is the most precious activity, and it becomes particularly important that it not be hobbled or discouraged in any way. Yet, wherever there is production, there are

also parasitic classes living off the producers. The Third World in our century has been the favorite arena for applied Marxism, for revolutions, coups, or domination by Marxist intellectuals. Whenever such new ruling classes have taken over, and have imposed statist or full socialist rule, the class most looted, exploited, and oppressed have been the major productive class: the farmers or peasantry. Literally tens of millions of the most productive farmers were slaughtered by the Russian and Chinese Communist regimes, and the remainder were forced off their private lands and onto co-operative or state farms, where their productivity plummeted, and food production gravely declined.

And even in those countries where land was not directly nationalized, the new burgeoning State apparatus flourished on the backs of the peasantry, by levying heavy taxes and by forcing the peasants to sell grain to the State at far below market prices. The artificially cheap food was then used to subsidize food supplies for the urban population which formed the major base of support for the new bureaucratic class. The standard paradigm in African and in Asian countries has been as follows: British, French, Portuguese, or whatever imperialism carved out artificial boundaries of what they dubbed "colonies," and established capital cities to administer and rule over the mass of the peasantry. The new class of higher and lower bureaucrats lived off the peasants by taxing them and forcing them to sell their produce artificially cheaply to the State. When the imperial powers pulled out, they turned over these new nations to the tender mercies of Marxist intellectuals, generally trained in London, Paris, or Lisbon, who imposed socialism or far greater statism, thereby aggravating the problem enormously. Furthermore, a vicious spiral was set up, similar to the one that brought the Roman Empire to its knees. The op-

pressed and exploited peasantry, tired of being looted for the sake of the urban sector, decided to leave the farm and go sign up in the welfare state provided in the capital city. This makes the farmer's lot still worse, and hence more of them leave the farm, despite brutal measures trying to prevent them from leaving. The result of this spiral is famine.

Thus, most African governments force farmers to sell all their crops to the State at only a half or even a third of market value. Ethiopia, as a Marxist-Leninist government, also forced the farmers onto highly inefficient state farms, and tried to keep them working there by brutal oppression.

The answer to famine in Ethiopia or elsewhere is not international food relief. Since relief is invariably under the control of the recipient government, the food generally gets diverted from the farms to line the pockets of government officials and subsidize the already well-fed urban population. The answer to famine is to liberate the peasantry of the Third World from the brutality and the exploitation of the State ruling class. The answer to famine is freedom and private property.

*Dr. Rothbard is Professor of Economics at the Polytechnic Institute of New York, Brooklyn. He is also editor of the Journal of Austrian Economics, which is published by the Ludwig von Mises Institute of Auburn University. The above article is reprinted with the permission of the Mises Institute (Washington office: 322 Massachusetts Ave., N.E., Washington, D.C. 20002).*

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# Come to the Statue of Liberty Triathlon

Bicyclists, runners, and swimmers will compete on Saturday, July 13 in the Statue of Liberty Triathlon in Chesterfield County, S.C. to raise money for repairing the Statue of Liberty. John Harllee, a long-time Libertarian activist from Florence who is currently S.C.L.P. Secretary, will direct the race. The triathlon is sanctioned by Triathlon Federation USA.

Competitors may register from 8 to 10 on the morning of the event at the campground at the intersection of U.S. 1 and S.C. 145 about 1½ miles north of McBee. Entry fee is \$5, whether for one event or all three. Awards will be made in 4 classes (boys 17 and under, men 18-35, senior men 36+, and women) in each event: 20 mile cycle race, 5 mile run, ¼ mile swim, and also for the best combined score for those entering all three.

Participants will receive a tee shirt commemorating the Statue of Liberty, which will be 100 years old next year. The Libertarian Party is providing volunteers to operate the event.

"We picked this location because the bicycle course, S.C. 145, has the best paving and the least traffic we could find," declared John Harllee. "The usual method is to pick a course for the benefit of spectators; we have set this up for the benefit of the participants. We have also taken the unusual step of allowing participants to compete in only one sport if they wish; this has horrified some purists, but the national association didn't blink an eye. We believe this will encourage greater participation."

For more information about the triathlon, contact John Harllee, Rt. 10, Box 52-A, Florence, S.C. 29501 (669-8345). Volunteers are needed to help John direct this event.

## PROCLAIM LIBERTY THROUGHOUT ALL THE LAND, UNTO ALL THE INHABITANTS THEREOF!

### Liberty Bell, 1751

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Freedom requires responsibility. Each individual has the responsibility to respect the rights of others, to accept the consequences of his or her own actions, and to accept the ultimate responsibility for maintaining his or her own life.

### SCHEDULE OF EVENTS

- July 13, Chesterfield County - Statue Liberty Triathlon (see article on this page).
- July 22, West Columbia - Dr. Stiver will speak at Quincy's (see announcement on page 1). Please come, and bring your friends.
- August 14-18, Phoenix, Arizona - 1985 Libertarian Party National Convention. Many famous Libertarians will speak there.
- September 21, Columbia - South Carolina Libertarian Party Tenth Anniversary Celebration. Mark your calendar now! Details will be announced later.
- October 18-27, Columbia - S.C. State Fair. The Libertarian Party will have a booth in the Moore Building. Bill Griffin will co-ordinate the event this year. Volunteers will be needed. If you have ideas, please call Bill (755-9304).

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