

# Article



"A throat, mouthpiece, spout." Opinions expressed herein are those of the writers and not necessarily endorsed by the Henry George School.

HENRY GEORGE SCHOOL OF NEW JERSEY

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J U N E - J U L Y 1 9 7 2

Much has been said and written about the constitutional guaranty of equality as set forth in the fourteenth amendment to the U.S. Constitution. Historically, the amendment was passed after the War Between the States, after the slaves had been emancipated.

## E Q U A L I T Y

In the era after the war, when "carpet-baggers" had corruptly used the newly enfranchised former slaves to take over many governmental functions to their own enrichment, some governmental units resorted to repressive actions or laws to restore what they deemed "More normal conditions."

The majority of people in the Northern states had an aversion to the extremes of corruption and repression and succeeded in having Congress pass the fourteenth amendment to the Constitution which was adopted by the states.

The amendment did not make it a governmental function to guarantee equality (even equality of opportunity) but it was couched in negative language, forbidding the passage of laws which abridge the rights of any citizen by reason of his race, place of origin or previous condition of servitude. Its purpose was to obtain "equality before the law" of all citizens, certainly not to bring equality of income, or make it a function of government to furnish equality in education, housing or a myriad of other things that, at present, the government is expected to offer.

The Constitution and its Amendments, in original purpose, was to establish a government of "checks and balances" which would prevent the Federal Government from interfering with the life liberty and property of its people.

In framing the Declaration of Independence, the framers debated the purpose of independence from the British King concerning the language to be used. Some wanted it to read "to secure the blessings of life, liberty and property..." Some wanted to abolish involuntary slavery. They finally compromised by using the words "to secure the blessings of life, liberty and the pursuit of happiness."

In interpreting the Constitution, the U.S. Supreme Court has followed more the spirit and the language of the Declaration which is in purposeful words than the Constitution which largely de-limits the functions of government.

It is interesting to compare the Constitution with the Ten Commandments in which one is in positive language, telling us what should be done (Honor thy father and mother...) and the rest are prohibitions - (Thou shalt not...)

Congress has enacted many laws which make it a positive function of government to afford equality of education, housing, health, economic sufficiency etc. for all its people, which, in the opinion of this writer are unconstitutional, even though the Supreme Court has sanctioned them.

(Continued on next page)

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The Federal government and the States have assumed many functions which were formerly considered as prescribed. In so doing, taxation at all levels has increased to such extent that a taxpayers revolution is being seriously discussed.

We have come a long way from the former concept of government and state sovereignty.

Alexander M. Goldfinger

# SENSE & NONSENSE

The Amish scored a notable victory over the educational bureaucrats when the Supreme Court ruled 7 to 0 that this religious sect was exempt from state compulsory education laws requiring children to attend school beyond the eighth grade.

The Amish whole life style is religious, and as is well known they live a very plain life, with few, if any, of the so-called conveniences of life, as autos, radios and telephones. For some reason they are considered queer for not adopting such modern instruments of torture. Possibly they are just more intelligent than most people. Certainly their moral and ethical standards are so high they put us all to shame, and as for taking care of themselves, the Court pointed out that not one Amishman had ever collected unemployment or welfare payments from New Glarus, Wisconsin, which brought the suit.

The state had argued that highschool training was necessary to prepare citizens to vote and participate intelligently in the political process. Such an argument could only have made people laugh. Are the politicians making a mess of things today and different than the politicians who were elected when there were no compulsory attendance laws?

The Supreme Court has not hesitated in the past in going beyond the limits of cases brought before them and has issued rulings which amounted to legislation. Since they were so concerned with freedom, and considered compulsory attendance a "severe interference with religious freedom" for the Amish, why did they not consider the freedom of all of us? To be forced to attend school is a violation of the freedom of all. Whether the aim of the compulsion is good or not is beside the point. It is not only wrong but it doesn't work. Our compulsory school attendance laws have resulted not in a high level of education in the country, but instead in the creation of a powerful teachers' bureaucracy, which appears more concerned with maintaining its privileges than in educating. Mississippi and South Carolina are the only states which do not have compulsory attendance laws. Does one detect much, if

any difference, in the educational level of the people living in those states than in other states?

It will, no doubt, be a long time before the compulsory education attendance laws are abolished as to attack them is synonymous with attacking motherhood. They will however eventually be outlawed or merely whittled away when the costs of our socialized education system reach a point where the people simply refuse to pay any more.

In the meantime, a fine group of people who stood up for their rights gave a lesson to all of us to stand up for our rights.

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Russia, the socialistic paradise, is defending private ownership of homes. Izvestia, the Government newspaper, chastised government agencies for their high-handed treatment of homeoqners. It pointed out that more than 20% of the urban population and 75% of the rural population--over 100 million people--live in private houses. It is encouraging private ownership obviously as a means to ease the chronic housing shortage. But, it makes a distinction between private enterprise and private personal property. In other words, private property in consumer goods is consistent with socialistic doctrine but private property in business and capital is not.

Of course, this is not true for under socialism everything is supposed to be owned by the state. It is just practical realities are forcing the Russian government to weasel their way out of their dilemma by re-interpreting socialism to suit their needs. But if private housing is so necessary in the socialistic heaven that the government must chastise the bureaucrats who attack it, it is one of the most damning indictments of socialism.

This is just another example of the fact that you cannot stop private enterprise. It is as natural as breathing, and will always erupt at the slightest opportunity.

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Just in the event you did not notice it, this is the June and July issue of THE GARCOYLE. The next one to be published will be August-Sept., and should go out early in September.

So, do have a good summer. Enjoy your vacation - take care of your health, and be ready to go again for spreading of the G E T school - the one spreading truth about Government-Economics-Taxation.

The New Jersey school office will be open all summer however should you desire to contact us.

Anyway - HAPPY DAYS!

# ORDER AND CIVILIZATION

As violence increases throughout the land, the clamor is ever greater for "law and order". While the growth in crime is the proximate cause for this demand for order rising almost to a fever pitch, there is a more subtle and possibly greater need for order. But the order is not that of a policeman standing with a gun, poised to enforce responsible behavior upon people. It is the order of people who act responsibly and with due consideration for the rights of all because for them, it is the natural and logical way to act and which they do almost without thinking.

As man's knowledge increases, as the division of labor becomes more minute, almost every field of human endeavor becomes more complex. This complexity is easily mastered by men for each man is concerned with only a small segment of it, and as such it and as such it is entirely within his competency to manage. But, it all presupposes that those cooperating with him are acting responsibly, are acting orderly.

The activities of a highly developed society might be likened to the feats of those daring aerialists who perform in the circus. Each member of the troupe depends on the others to perform their parts in the act in a responsible and careful manner. If not, any one of them and possibly all may be dashed to the ground. As the acts become more sophisticated, an ever greater sense of responsibility is incumbent upon all.

Similarly, as civilization expands, an ever greater degree of responsibility for orderly cooperation with one another becomes increasingly more necessary. Civilization becomes not merely more varied and complex but it might be said to become more "delicate".

For example, the first airplanes carried only one or two people. When a plane fell, only a few would be harmed. Today, a jetliner carries hundreds. If one falls, it is a major tragedy. Airplanes now can do more, fly faster and are vastly more complex, but they are also more "delicate" in that they require ever more highly skilled and responsible people not only to pilot, navigate and maintain them, but to ride in them. As they have grown larger, they have become extremely vulnerable to irresponsible people commandeering them by threats of destruction to the crew and passengers.

No "order" imposed on people by the policemen's gun can prevent hijacking. Neither can the "order" of the policemen prevent assassination of prominent

people. Rather, what is needed is the order which responsible people place upon themselves almost without thought.

Civilization requires this highly developed sense of responsibility if it is to function and grow. But this sense of responsibility comes from people who are actually aware of their individual integrity, who are engaged in living their lives constructively, who are pursuing their aims with due regard to others.

But are all people like that? Implicit in all our activities, whether walking down the street or driving a car, is the assumption that most people are. But, then, why are so many acting irresponsibly? They are not all unbalanced. On the contrary, many hijackings, for instance, have been perpetrated by apparently highly intelligent people, either for material gain or to further some cause in which they believe.

This willingness and even flaunting of irresponsibility is largely the child of the lack of opportunity to develop one's talents. Witness our hippie culture and our juvenile delinquents. Many if not all feel that they do not have the opportunity to express themselves, to utilize their talents. Ergo, as a reaction irresponsibility and disorder, becomes the accepted mode. The visible evidence of this sense of irresponsibility may be the slovenly and disorderly dress of the hippies. The true measure of it is in the spiritual emptiness and irresponsible behavior in their everyday lives. And why are opportunities not available? Because the land, the gift of Nature to all mankind, is enclosed and treated as though it were private property. Land represents opportunity. Restrict access to it and you restrict opportunity. Restrict opportunity and people deprived of being permitted to use their abilities become frustrated, dejected, and irresponsible.

Civilization requires order--the order of responsible people voluntarily cooperating with one another. The attainment of this order will never come from the policeman's club. It can only come from eliminating the injustice which prevents people from having access to the land. Unless men do this, civilization cannot possibly advance instead it must and will decline.

OSCAR B. JOHANNSEN

NOTE: Mr. Johannsen has consented to make a brief presentation of "MONEY" at the Third Thursday Discussion on June 15th at East Orange Headquarters of the Pleistocene Howlclub. After the questions of the group on the subject. All who can are cordially invited to come out for an evening which should prove very interesting and helpful.

SALT OF THE EARTH

Optimist: One who makes the best of it when he gets the worst of it.  
 Communist: One who has given up hope of becoming a capitalist.  
 Man: The only animal that laughs.  
 After all, he is the only animal that has a legislature.  
 Government: Something that needs more pruning and less grafting.

Small town: Where the folks know all the news before the paper prints it, but where they buy the paper to see if the editor got the stories the way they heard them.

Sensible girl: One who is not as sensible as she looks because a sensible girl has more sense than to look sensible.

June: The month of weddings and cooking.

July: The billing follows.

Tightwad: So stingy that when the boys give three cheers, he only gives two.

Isn't it true that back of every successful man is a proud wife and a surprised mother-in-law.

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 Boss: Where's the cashier?

Asst. Cashier: Gone to the races.

Boss: Gone to the races during business hours?

Asst. Cashier: Yes, it's his last chance to make the books balance.

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 Lady: And what will you do, little girl, when you get as big as your mother?

Little girl: Diet.

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 She: The Jones must be very rich, judging by the clothes they wear.

He: You can't tell. Some of the most gorgeous flowers haven't got a scent.

FOR LAND'S SAKE

TAX ONCENTIVE - Rio De Janeiro, Brazil, April 29 (AP) - "State government authorities have announced plans to reduce taxes for home owners who contribute to the beautification of Rio by planting trees on their property."

Points in the right direction; don't tax what man must make or do to have.

MOO SAID - "Mao had discovered the latent revolutionary dynamism of the peasantry, and insisted that in China the basic conflict was between peasants and landlords, not between factory-workers and industrialists."

From book-review on "Legacy of the Long March," by Frank Cannon, The Wall Street Journal, April 4, 1972

TAX BITE: My husband, disgruntled by the tax increase on our summer cottage, wrote on his check paying the taxes: "Cottage For Sale." On the tax receipt from the county treasurer came this reply: "Don't want your cottage - taxes are too high." Mrs. A.D. Otmar (Reader's Digest 6-71)

PLANNER SCORES PRIVATE LAND: "If Napoleon III could cut boulevards through the medieval tangle that was Paris in the 1850's and Juscelino Kubitschek could will into being a new state capital in the Brazilian boondocks, why is there such a place as Newark, New Jersey?"--Henry George News, May 1972.

The GARGOYLE hopes to make FOR LAND'S SAKE a regular feature. Readers are invited to submit "clips" or copy, with or without comment. Thank you, in advance.

RAE SILVERMAN

does it again! She has arranged for another showing of ONE WAY TO BETTER CITIES - this time Battle Hill Civic Association meeting Tuesday, June 13th at Battle Hill School, Union, N.J. Many thanks Rae.

Where do we go from here?

In the process of recycling paper used for GARGOYLE, do you pass your copy along to someone else before it is dissolved?

MR. REAL ESTATE

In the St. Louis area, if not nationally, or inter-nationally, Roy Wenzlick and Real Estate are synonymous. He was quoted in the St. Louis Globe Democrat recently - "Low taxes (on land) have been largely responsible for builders leapfrogging and constantly building farther out in metropolitan areas." "FHA figures show that in 1966 land costs on average were 54¢ per square foot - 1970 - 77¢ and 1971 - 98¢ per square foot". The article was headed: "Taxes May Help Prevent Land Hoarding".

SAD - BUT TRUE

Not long ago, the "Farmer-Stockman" printed a picture of a deserted farmhouse in a desolate, sand-swept field then offered a prize for the best 100 word essay on the disastrous effects of land erosion.

A bright Indian lad from Oklahoma bagged the trophy with this terse graphic contribution:

"Picture show white man crazy. Cut down trees. Make too big tepee. Plow hill, water wash. Wind blow soil. Grass gone. Door gone. Window gone. Squaw gone. Whole place gone to hell. No pig. No corn. No pony."

Indian no plow land. Keep grass. Buffalo eat grass. Indian eat buffalo. Hidg make plenty big tepees. Make moc-casin. All time eat. Indian no hunt job. No work. No hitchike. No ask relief. No build dam. No give dam. "White man heap crazy."

(From "The Answer" No. 72)  
 GOOD GOVERNMENT - Feb. 1972