Dear Supporters of Liberty,

I was ready to take a different story to the printer for this month’s issue when a copy of Andre Marrou’s speech before Alaska’s State Legislature crossed my desk. One look at it and I knew that this was something you had to see. It’s a personal commitment of mine to give you, the Liberty Pledgers, the inside “scoops” when I can find them.

This speech is of high historical value, not just because of what Mr. Marrou says, but also for who and what he is. You realize, I’m sure, that this man is living history. He is not the first Libertarian to reach the legislature of a State (he’s the third, actually), but at present he is our only such representative. The legislatures of individual states are as high as we have climbed on the ladder towards Washington D.C.. All of our elected Libertarians rate study by fellow Libertarians, first to observe the impact of our political philosophy in the arena they work in, and second - to bask in history as it occurs. Literally everything our representatives do is our history, our “Shots heard ’round the world.”

This speech may not tell you anything you don’t already know, as a well-read Libertarian, but it will give you a feeling of what Andre Marrou’s job is like, what challenges he and we face, and how alone he is, surrounded by a mob of Democrats and Republicans.

So, without further ado:

Mr. Speaker:

I note that the two sponsors of SCR31 are the only current legislators who were delegates to the Constitutional Convention in Fairbanks during the winter of 1955-56. For this, they are to be applauded.

However, I do not share their apparent view that the Alaska Constitution is a perfect document, never to be changed. To the contrary, it contains some alarming variances from most American State Constitutions.

Operating under the current Alaska Constitution, our state government and bureaucracy has grown to be by far the largest and most expensive per capita in the history of the United States of America. Furthermore, it has maintained this unenviable position for the last several years. Our state government spends several times, per capita, what any other state government has ever spent. Furthermore, the bureaucracy employs several times as many bureaucrats as any other state ever has, on a per capita basis.
JUST THE TICKET for the baby boomers?

By David Boaz

WASHINGTON — Sen. Gary Hart, a likely Democratic presidential candidate in 1988, has reiterated his opposition to trade protectionism, a stance not calculated to improve his strained relationship with labor leaders. Rep. Jack Kemp, a possible Republican candidate, has noayed his New Right allies by speaking out against the South African government and keeping quiet about abortion and school prayer.

Is Mr. Kemp moving to the left? Is Mr. Hart throwing away his chances for the nomination? It seems more likely that both have studied the demographics of the next election and decided to tailor their appeals.

The key is the baby-boom generation. Baby boomers don’t fit on the traditional liberal-conservative spectrum used since the New Deal. Hart attracted them in 1984 by running to the left of Walter F. Mondale on cultural and foreign policy issues while seeming to attack his New Deal economics from the right.

When younger voters gave Hart early primary victories, journalists examined this phenomenon. A Harris poll found baby boomers more in favor of defense cuts and deregulation, and more opposed to government ‘stupidity’ than older voters. They were more inclined to call themselves independents.

This differing perspective is rooted in the life experience of the boomer generation.

Consider a voter who will be 37 in 1988. He doesn’t remember the Depression and World War II. He was 14 when the bombing of North Vietnam began, and he is trying to avoid the draft when the number of American troops in South Vietnam peaked, 23 when President Richard M. Nixon resigned, and 29 when inflation hit double digits under President Jimmy Carter.

Vietnam, Watergate, the cultural revolution of the 1960’s, stagflation — all gave this generation a very different view of government. Government 18 and trying to avoid the draft when the number of industries than older voters. They were more inclined to call themselves independents.

This view pushed baby boomers in a libertarian direction. They became committed to civil rights and personal freedoms, skeptical of government’s ability to shape the economy and concerned about the arms race and foreign intervention.

The Democratic poltist Patrick H. Caddell says, “They’re relatively conservative — anti New Deal, suspicious of big government as well as big business — but they’re very liberal on social and cultural issues.” To Rep. James B.0. Buckley, “The younger generation is pro-choice on everything.’’

Candidates who have tried to appeal to this constituency have included Democrats Jerry Brown. Gary Hart, Bob Dole, Jimmy Carter, all more liberal than mainstream Democrats on some cultural and foreign issues and more conservative on economics Republicans. Rep. John B. Anderson, who ran for president in 1980, also attracted support from baby boomers.

All of them talked also about austerity, sacrifice and an era of limits. They combined what Kemp calls the painful ‘root school of economics’ with social liberalism, not quite the right combination for baby boomers.

Instead of fiscal conservatism and social liberalism, I suggest a different perspective for baby-boom voters: opportunity and tolerance. They want optimism, a growth-oriented future.

The GOP needs to combine its fiscally conservative constituency with the baby boomers instead of the social reactionaries, creating a forward-looking rather than backward-looking coalition.

Clever Democrats would challenge this approach by moving toward an opportunity-oriented economic policy, thus trying to add the baby boomers to their traditional peace and civil liberties contingent.

Imagine a candidate with the upbeat free market views of Hart, and the cultural and foreign-policy liberalism of Hart. And, you have a campaign that could attract younger voters into either party and shape the political future for a generation. But such a candidate would have to overcome powerful interest groups.

The future of American politics may be determined by whether the candidates can liberate themselves from the grip of the AFL-CIO before the Republicans break free from the Moral Majority.

Boaz is vice president of the Cato Institute, a libertarian public policy research organization.

Libertarians can add to Oregon’s politics

The Libertarian Party of Oregon lost its place on the Oregon election ballot three years ago and is trying to regain it through a petition drive that needs at least 60,175 signatures.

We hope it succeeds. That’s not because we think the Libertarians will ever win an election — at least not any time soon — nor even because we agree with a lot of what Libertarians say. The Libertarian Party, however, offers a challenge to the two established political parties that might be able to generate some new ideas.

In the 1982 general election, none of the Libertarian candidates got enough votes to give the party an automatic berth on future ballots. Minor parties can serve as the gadflies of the political establishment and, while not actually winning elections, sometimes can influence the direction of government policies or focus attention on issues that Democratic and Republican candidates would prefer to ignore.

Minor parties also can be their own worst enemies, advocating positions so far beyond what people will accept that they lose all credibility. Libertarians have fallen into that trap at times.

The Libertarian philosophy generally holds that the less intrusion into people’s lives by government, the better.

Libertarians take that position to such an extreme, however, that they usually alienate, if not downright appall, those in the political spectrum that would normally be expected to support it.

Actually, there probably is no ‘normal’ when it comes to Libertarians. Their positions cut across political lines. In 1980, for example, Libertarians wanted to abolish ‘victimless’ crimes, repeal gun-control laws, abolish draft registration, eliminate zoning and land-use planning, end minimum wage laws, stop intervention in other countries’ internal affairs and cut military spending.

‘Just about everyone should be able to find things both to support and oppose in that list,’

Minor parties also need credibility candidates to give their ideas exposure and then they have to convince the media and others they’re serious. That’s tough and sometimes unfair.

We hope the Libertarians make it back on the ballot. They could add something to Oregon politics.

Encyclopedia lists ‘NOT-SAFE’

The National Organization Taunting Safety and Fairness Everywhere (NOT-SAFE), based in Montecito, has been listed by the Encyclopedia of Associations of Detroit, Michigan.

The entry says NOT-SAFE, founded and directed by Montecito resident Dale Lowdermilk, started in 1980 and has 975 members including members of Congress, corporate executives, journalists, scientists and professionals who advocate free-market and libertarian principles.

The organization ‘provides platform from which problems of government ‘stupidity’ can be attacked with wit, satire and overkill,’ the entry says.

The entry adds that NOT-SAFE maintains two committees, the Coalition to Ban Cruelers and the Committee to Rename Obscened American Cities. NOT-SAFE emits ‘Quagmire,” a semi-annual publication. The organization’s annual convention/meeting is “always February 30” in Montecito.

Democrats decreasing

NEW YORK — The number of voters who consider themselves Democrats has dropped almost 25 percent since 1971, the middle of the Carter administration, according to an ABC News-Washington Post telephone poll of 1,250 voters showed that 31 percent usually consider themselves Democrats, compared to 27 percent who usually consider themselves Republicans. Thirty-six percent consider themselves independents, according to the poll, which has a margin of error of plus or minus 3 percent.

Lowdermilk listed in Who’s Who

Dale Lowdermilk of Montecito, air traffic controller and Libertarian satirist, has been listed in the 20th edition of Who’s Who in the West.

The entry says he has two children, received an associate of arts degree at Santa Barbara City College and was a student at the Geological Institute of America. He has been an air traffic controller at Santa Barbara Airport since 1971, was president of the Santa Barbara Apartment Owners Association in 1983, and served in the U.S. Air Force from 1965 to 1971. He is the founder and executive director of the National Organization Taunting Safety and Fairness Everywhere (NOT-SAFE).
Privatization concept works well where used

I commend you for your excellent editorial on privatization (The State, Nov. 9), but believe that privatization is a concept that will gain momentum for it works.

Liberarians have been calling for privatization for many years. An increasing number of books, such as Robert Poole’s Cutting Back City Hall, give concrete examples of how the private sector can save the taxpayers millions of dollars while providing better services than government monopolies. These are not new ideas. Some communities have been privatizing for many years. Private prisons already exist. Private mail works where it is allowed. Some communities have competing electric companies, and it works fine. Private schools in big city slums give hope to “difficult” children by teaching them how to read and write after the public schools have given up on them.

They do this without one cent of the taxpayers’ money. As taxpayers become less willing to pay for wasteful government programs, Libertarian policies will become enacted, no matter who has political power. It’s very interesting to watch the news media criticize Libertarian ideas as “radical” and then later advocate those same policies. I could name a few other examples, such as the reform of the Blue Laws, but instead, I just want to see which Libertarian idea becomes fashionable next.

DAVID MORRIS
Education Chairman
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Columbia

Fallacy of Poll Standard
To the Editor:

“WHO Protect the John Andersons?” gives some clues, I believe, as to why, despite numerous get-out-the-vote campaigns, the United States has the lowest voting rate of any democracy.

You imply, for example, that a candidate can be considered serious only if he attains 15 percent in opinion polls. With such emphasis on polls, why bother with formal elections at all? More important, to what extent is seriousness with support at polls?

In 1980, Ed Clark, the Libertarian candidate, was asked by a reporter whether he would wage a serious campaign or deal with issues. The implication of this question, that supposedly serious candidates confine themselves to the superficial, is generally true, but surely The Times, at the time, demonstrated the mass media spectrum, can give more weight to ideas than images.

Other democracies have several major parties. But the so-called third-party candidates who question systematically the choices of the mass media spectrum, can give more weight to ideas than images.

As taxpayers continue to increase they will find that the money is going to be better spent on the problems of our country. Libertarians have been calling for privatization for many years. As taxpayers continue to increase they will find that the money is going to be better spent on the problems of our country. Libertarians have been calling for privatization for many years.

W.

What or whom we call “conservative” or “liberal” these days may bear little resemblance to those terms as applied scarcely a generation ago.

Newsgate magazine, in an article entitled “Old politics and new labels,” wrestled with the dilemma of political wrist and write recently and concluded that the rational answer to the question of describing today’s politicians was “interventionists” or “noninterventionists.” The former want to use government to achieve whatever social or economic ends they desire — whether it be Jerry Falwell to stamp out sin, or Ronald Reagan to redistribute national wealth. The latter are suspicious of government intrusion and prefer to leave such matters to the private marketplace or personal choice.

As Newsgate reports, “interventionists” appear to be on the ascendency in both major parties. The so-called “neoliberals” in the Democratic Party, personified by Gary Hart, are openly suspicious of using government to achieve economic ends. Republicans, such as California’s Congressman Ed Zschau, meanwhile, don’t want to see government to enforce social mores any more than they want government to direct the economy.

The labels of “conservative” and “liberal” don’t disappear from the political reporting or even from the political debate. But they may be redefined as both parties seek to become dominant among a new generation of voters disinterested in the ideological wars of the Cold War or Vietnam era.
JUNEAU (AP) — A proposal to repeal the pay raise lawmakers gave themselves in 1983—openly shunned by legislative leaders last session—is apparently headed for quick passage this year.

“I think you’ll see it zipping right along,” said House Majority Leader Don Clocksin, D-Anchorage.

A petition drive kicked off by the Anchorage Chamber of Commerce and completed by the Libertarian Party placed a repeal initiative on the upcoming November ballot.

It’s apparent, however, that lawmakers will beat voters to the punch and repeal the raise themselves.

Last year, the identical proposal stalled in committee.

“That’s a different ball game this year,” said Rep. Katie Hurley, a Wasilla Democrat who is one of the prime sponsors of the repeal legislation.

“There’s been a policy decision in the House, so things are moving.”

Another author of the repeal proposal says the sudden movement is partly due to campaigning legislation that would set up an independent salary commission.

“I frankly think that this pay raise is a good idea at this juncture in time,” said Rep. Pat Pourchot, D-Anchorage.

A healthy dose of political realism has also caught the attention of legislators, said Sen. Pat Rodey, D-Anchorage.

He said lawmakers will likely move to repeal the raise fairly quickly, rather than wait for voters to do it in November. If the pay raise is repealed by the legislature, the ballot initiative would be dropped.

Under legislation that passed the House and Senate judiciary committees in early January, voters would instead be asked to establish a salary commission. The panel would set pay for the legislature, the governor and lieutenant governor, and other appointed public officials.

From that point on, legislative pay would be set solely by the commission.

“There is no credibility on that issue unless it is handled independently,” Rodey said.

An interim panel set up by the legislature last session studied the pay issue and recommended creation of the permanent salary commission.

The temporary committee—composed of lawmakers and members of the public—also drafted a new pay plan for the legislature.

That proposal calls for dropping monthly pay to $2,500 and reinstating per diem payments of $109 a day during the legislative session.

In all, the plan would save the pay raise commission a minimum of $50,800 to $50,170 a year, according to estimates offered by Pourchot.

Several legislators, however, have said that proposal does not have adequate legislative support. In fact, it has already stalled in a House committee.

Editoral makes false assumptions

Editor: The editorial in last week’s Appeal (‘Pass No. 835’ makes false assumptions, fails to make critical distinctions, and it misrepresents the anti-prohibition position.

It says “They say that the problem (i.e. of marijuana) must be eradicated BECAUSE it has been with us for centuries.” That is incorrect. Libertarian say that prohibition must be abolished because it is immoral. The fact that prohibition has been with us for centuries, and that it has unilaterally and consistently failed, testifies to the unenforceability of an immoral law.

The libertarian foundation of morality is that no one individual or group (e.g. government) can claim a right to initiate force. The only possible moral justification for use of force is the defense of the inalienable and inalienable rights of individuals. The belief that “the Forfeiture Ordinance would restrict no civil liberties,” is an indefensible contradiction of the reality of law enforcement.

All that an advocate of prohibition can do is to argue that the violation of a civil rights by law enforcement is justified. The editorial attempts to do this by listing examples of how people are victimized by drug peddling and drug abuse. However, there is no example that was or can be offered to make the claim that non-abusive drug use by adults violates anyone’s rights. If the user “manufactures” his or her own drugs, then there can’t even be an implication in the crime of “peddling”.

Neither the editorial nor ordinance #835 makes the critical distinction between non-abusive drug use, on the one hand, and peddling and genuine drug abuse on the other. Yet if this distinction were made, the law could then be a morally justifiable weapon against the destruction of children’s “little bodies and minds” by irresponsible drug dealers (who are usually adolescents to begin with). Further, such a justified law would also have the support of most adult illegal drug users, as well as that of the users of legal drugs.

The editorial correctly asserts that “We are the victims when we are burgled to gain enough funds to purchase a ‘fix’...” but what are we really victims of? The statistics commonly cited are that the heroin addict’s daily habit (“fix”) costs about $100; to get $100 the junky has to steal $600 worth of fiscable goods. Law enforcement officials estimate that 1/2 to 5/6 of all property crime in the U.S. is committed by heroin addicts. The fact rarely mentioned is that the pharmacological equivalent of the “street fix” (i.e. the morphine still stock by some hospitals) costs little more than $1 including a sterile disposable syringe. The only factor that can make $1’s worth of chemical sell for $100 is prohibition. Can anyone believe that a junky would commit astronomical quantities of theft if he could pay for his fix by collecting deposit bottles?

The main false assumption made by the editorial is that the result of more property crime will be “no drug trafficking here”. Taking the profits and “instrumentalities” from any one dealer can only justify higher prices to attract people willing to take higher risks. Taking the property of people who have something to lose will only guarantee that the dealings will be done by those who have nothing to lose. Even the head of the federal Drug Enforcement Administration admits that as long as there is demand, there will be supply.

G.P. Francke-Weily
Silverton, OR

Appeal Forum

Legislative pay raise repeal gains steam

Fairbanks, AK

Daily News Minor

MILO FRIITZ

Fritz files for state Legislature

By Bert Grubb

Dr. Milo Fritz, well-known Alaska physician, will run again for the state Legislature against incumbent Andre Marron.

Fritz, who has retired and now lives in Anchor Point, announced this week he has filed as a Republican for Seat 5, District 5 of the state Legislature. He is no stranger to the state house, having served three terms in the past.

His most recent term was 1982-84, when he was defeated in his bid for re-election after a close race with Marron. Marron is a Libertarian.

Fritz and he is the most concerned at present with the building of a Trans-Alaska gas pipeline. There is an abundance of labor unemployement on the Kenai Peninsula is 19.5 percent, he noted, and Alaska needs a product like liquified natural gas which it can market. He added the liquification plant would be located on the Kenai Peninsula.

Such a project would provide many jobs, he added, and require expanded services to accommodate the workers.

One-sided debate

When I was asked by the University of Oregon Campus Libertarians to find a speaker opposed to Ballot Measure 5 (the marijuana initiative, which allows and grows and grows of marijuana for personal use), I did not think I would have any trouble, since there are numerous groups organized to combat alcohol and drug abuse whom I fervently support.

However, I have been unable to find a single speaker willing to discuss the subject with Dr. Fred Oerther, a Portland physician who believes that marijuana users are not criminals. (At present, possession of small amounts of Oregon is a misdemeanor punishable by fine, but growing even one plant is a felony which can carry a 25-year sentence).

It seems to me that since this subject will be on the ballot, the public would want to know more about it. Yet not only have I found no one to speak in opposition, but I occasionally met with ridicule and hostility by bigotry on the part of some opponents. (It may be that there is no rational case for jailing anyone’s rights. If the user “manufactures” his or her own drugs, then there can’t even be an implication in the crime of “peddling”.

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G.P. Francke-Weily
Silverton, OR

Appeal Forum
Alaskan City Resists Taxes, Police And Zoning Despite Fast Growth

Wasilla Keeps Pioneer Image. And Planners Go Packing: The Airstrip vs. the Road

By Ken Wells Staff reporter of the Wasilla Daily Journal

Wasilla, Alaska—When Mayor Howard Brooks bought a house on an acre of land near Anchorage, 45 miles to the southwest, he found Wasilla had experienced one of the fastest growth rates of any town in the U.S. from a sleepy outpost with 200 residents and one traffic light 10 years ago, Wasilla now has 9,000 people and 20,000 crowd the outskirts within five miles of Main Street.

Crazy-Quilt Growth

The growth has been impulsive, with shopping malls, foot-face outlets and a main highway cut into a four-mile commercial strip that looks as if it were transplanted from suburban Houston. Everywhere residents are plunked gravel mines, junkyards, airstrips and rifle ranges.

Residents have put up with much of the surrounding Matanuska Valley simply haven't much use for planning, zoning, building permits, or even for police. In a state with only 500,000 people, half of them in Anchorage, Wasilla is one of very few suburbs. And it definitely isn't your typical suburb with well-maintained lots and white picket fences. Many of the residents fled onerous rules and regulations elsewhere, so rugged individualists and small-town loyalists join the crowd. They have quite a few tales of how it's not the wild, woolly West.

"The mayor, the manager of Matanusa Borough, and a lot of the county government, agree. "To be a planner here," you have to laugh. You can't be lumped in.

Hereditarian Idea

Last year, when the borough proposed a comprehensive zoning plan to rein in the valley's chaotic development, hearings turned into "a kind of mob-rule thing," said Howard Brooks. "The borough and town officials turned into "a kind of mob-rule thing." They build a house. They put in a power line, but that's their only concern."

Although the town has a spurning policy, residents have to choose whether to live in a city that growsurb at a rate of 500 people a month. "People want to live in urban style, drug-free Wasilla," said L.J. Yukon, a 1986 city council candidate. "If you want to stay in Wasilla, you'd better be one of the town's few marines."

With state revenues being battered by oil and gas, and with growth continuing unabated, town planners and city officials, such as documents turned over by a federal judge, are now unable to talk to their clients. "It's a shortcut to getting convictions," said Silverglade. "We're talking about subpoenas for non-privileged information," said William F. Weld, U.S. attorney for Massachusetts.

The mayor penned his resignation letter in the campus of science, estimate.

Alaskan City Resists Taxes, Police And Zoning Despite Fast Growth

BOSTON (AP) Defense lawyer Harvey Silverglade calls it the "judicial equivalent of a world war." Harvard Law School professor Alan Dershowitz warns that "we're going to see a rip-roaring battle out there." Silverglade and Dershowitz are among those drawing the battle lines with federal prosecutors over their use of subpoenas to force witnesses to talk about information about their clients to grand juries.

Despite attorneys and some civil libertarians view the subpoenas as a threat to the attorney-client privilege, which is derived from the English common-law principle that what is said between an attorney and a client is private.

Police and government prosecutors insist they are after only information that would not violate any attorney-client privilege, such as documents turned over by a client to a defense attorney that are not available elsewhere.

"It's a shortcut to getting convictions," said Silverglade, who claims federal prosecutors used one of his clients as an informant. "If all people confess their crimes to their lawyers," he says. "We're talking about subpoenas for non-privileged information," said William F. Weld, U.S. attorney for Massachusetts.

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To make matters worse, the Alaska State Government now owns significant portions of the commercial business sector of the economy. Alaska is the only state which owns a railroad. Alaska is one of the few states which owns a ferry system, and ours is the largest. Alaska is the only state which owns a dairy and milk processing plant, selling these products in the open market on the shelves of grocery stores. In addition, the State of Alaska now owns several fish processing plants and a bedding plant nursery.

By any measure, the Alaska State government is by far the most socialistic in the history of our country. It is time for this to change.

Towards that end, I introduced during the first session an even dozen house joint resolutions to change our Alaska Constitution. These measures are designed to shift power and resources away from state government and into the hands of private, individual citizens.

In my opinion, the 3 worst provisions of the Alaska Constitution are:

1. It prohibits the people from initializing petitions to propose constitutional amendments and to address appropriations. Alaska is one of the few states which so severely restrict initiative petitions. Indeed, certain initiative petitions proposed by the people have been disqualified by the courts simply because of the Alaska Constitution, even though the people desired them.

2. The Alaska Constitution prohibits the people from electing an Attorney General and a proposed position of State Auditor. Alaska is one of the few states to prohibit the election of such a high office.

3. The Constitution prohibits individually held mineral rights on lands patented since statehood in 1959. Thus, most mineral rights in Alaska are controlled by the state bureaucracy. To my knowledge, Alaska is the only state which prohibits its citizens from owning mineral rights under the lands to which they hold title. Furthermore, the reservation to the state of these mineral rights is one of the most onerous pernicious clauses in the entire body of the Alaska Statutes.

Mr. Speaker, private property is the essence of a free society! It is what being an American is all about – having the freedom to do what you want on your own land! But in Alaska, thanks to the statehood act and our constitution, private real estate barely exists. Approximately 90% of the state is publicly owned. This means most of our lives and lifestyles are dictated to us by public policymakers and bureaucratic planners. Is this the land of the individual?

Therefore, Mr. Speaker, I must sadly and regretfully characterize the current Alaska Constitution as being the most socialistic, pro-government, anti-individual-liberty constitution in all the 50 states. I am not proud to say this, but it is true.

Since the purpose of this resolution is to interest young people in the State Constitution, I would like to remind them of Article XIII, Section 3, which allows the voters to call a Constitutional Convention every 10 years. Since it is doubtful that any legislature will ever call a convention that might transfer some legislative powers to the people, the only way we will ever fix some of the constitution’s deficiencies is for our young people to understand it.

To that end, I have proposed the Amendment to SCR 31.

Well, one thing’s for sure, Mr. Marrou calls a spade a spade. He’s our Lone Ranger in the Legislature, and, hopefully some of those other “legislators” are listening.

See you next month!

Mr. Andre Marrou