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Clark Appearance Raises Money for Ballot Status Drive

Candidate Wows Media

About 125 Libertarians and friends of the LP turned out at the Brown Palace Hotel in Denver on the 17th of November to hear Presidential candidate Ed Clark talk about the importance of achieving early ballot status in Colorado. The event was a huge success, as some completed petitions were turned in, along with pledges to complete many more, and more than \$1,000 was raised for the Clark campaign and the Colorado LP.

Before the evening address, Clark spent the entire afternoon and late morning in news conferences and interviews



Before the evening address, Clark spent the entire afternoon and late morning in news conferences and interviews with both broadcast and print media. Papers as far away from Denver as Longmont sent reporters to question Clark. The Rocky Mountain News printed advance notice of Clark's visit to Denver in their Saturday morning edition.


At an afternoon press conference, a cameraman for one local TV station shot extensive footage of Clark, as the accompanying reporter fired questions. The reporter remained for most of an hour, questioning the candidate on a wide range of issues and giving Clark a chance to go into substantial detail about both the Libertarian Party's platform and the specific programs which will be the focus of his campaign.

The student and alternative press lent extensive coverage to Clark's appearance, and one reporter stayed to sign a Clark nominating petition after asking numerous questions. In general, the questions were much more intelligent than those typically asked four years ago, reflecting the increased credibility and acceptance the LP has acquired in that time. Only one reporter asked "What about the poor people?"

The evening scene was festive. LP stalwarts, libertarians who haven't been active for months or years, and dozens of new faces filled the meeting room where Clark spoke. He was introduced by State Chair John Mason, and spoke for more than half an hour about the need for early ballot status and publicity, the recent LP National Nominating Convention, the other parties' candidates, and the issues of the 1980 campaign.

Following the thundering applause for Clark's speech, Campaigns Director Dave Nolan took the podium. He explained why the opportunities for libertarianism are so great in 1980, and asked those present to underwrite those opportunities with cash. The results were impressive, with enough checks and pledges of petition signatures collected to insure the early success of the ballot drive. Colorado is one of twenty states where the Clark-Koch ticket can secure a place on the 1980 ballot by January 1st.

Many people remained afterward for individual and small group conversations, even after Clark returned to his suite for one last interview.



ED CLARK addressing gathering at Brown Balace Hotel.

Presidential Debates in Financial Limbo

The League of Women Voters, which sponsored the televised debates between two Presidential candidates in 1976, has expressed uncertainty about its ability to put on such debates in 1980, because of a lack of funds. The debates are important to Libertarians because a concerted effort is already underway by the Clark for President Committee to get the League to include Ed Clark, as well as the Republican and Democratic candidates, in the debates, should they be held. Clark stated in September that his participation in the debates would substantially increase his national vote total.

The money problem is another creature of intervention by the Federal Election Commission (FEC) into the financing of political campaigns. Under the FEC's current rules, at least as they are currently being interpreted by the FEC and other "experts", the categories of people who can contribute money to pay for the air time for the debates is severely limited. Unions, corporations, and, perhaps most importantly, television and radio stations, are now prohibited from such sponsorship.

This means that the stations and networks are prohibited from offering the League the necessary airtime at any discount, while at the same time the most obvious sources of large contributions to buy that air time are also cut off.

Both the League and the National Association of Broadcasters (NAB) have protested the current state of affairs, but the Senate recently specifically refused to allow the FEC to permit contributions by corporations and labor unions.

The net result, which may turn out to be a back-handed benefit for the Clark campaign, is that the League may well

have to choose between cancelling plans for the debates altogether and conducting a fund-raising campaign aimed at individuals to pay for them. Comments could be addressed to Senators and/or the FEC urging a change in the rules to allow air time discounts. The predictable intransigence of government agencies, however, as well as Libertarians' philosophical dissatisfaction with having rules in this area at all may indicate a different course of action as preferable.

Those who wish the debates to be held, and also want Ed Clark to be allow-

ed to participate, should consider writing to Ruth Hinerfeld, who heads the League's Voter Education Fund, and offering direct financial support of the debates, contingent on Clark's inclusion. A check with this specific notation can be sent, or a promise to send a check at a later date, upon verification of participation by Clark. Letters should be sent to:

League of Women Voters
1730 "M" Street, N.W.
Washington, D.C. 20036

Petition Drive Well Underway

As this issue of *Colorado Liberty* goes to press, substantial progress has already been made toward the goal of collecting 5,000 valid signatures and getting the Libertarian ticket of Ed Clark and David Koch on the 1980 ballot in Colorado. Increased activity will be needed, however, to finish the ballot status drive by the end of 1979 as originally planned.

At the CLP Cocktail Party on the 10th of October, the petition drive was kicked off and pledges were turned in for over 3,000 of the necessary signatures. More pledges were made on the 17th of November, following Ed Clark's speech to Colorado LPers in Denver. Campaigns Director Dave Nolan reports, however, that many people are behind schedule in completing their pledges, although a few have made exemplary and even spectacular progress.

Many of the people who received a petition form in the mail along with the October/November issue of *Colorado Liberty* have not yet been heard from. It

is hoped that many of them will fill one or more petitions and send or bring them in.

State chair John Mason and Nolan are both organizing petition activities on December weekends (see Calendar & Announcements). If necessary, activities will be extended into January.

Colorado is one of twenty states targeted by the national Clark for President campaign to put the Clark-Koch ticket on the ballot by the end of the year. In eight of these, the LP already has permanent ballot status as a party. Drives to accomplish the same purpose are nearing completion in Utah, Vermont and California (see related story in this issue). Petitioning is required in the others, including Colorado.

Early ballot status in many states represents our best leverage in attempting to convince the League of Women Voters to include Ed Clark in their televised Presidential debates. It will remain the top priority of the CLP until the drive is completed.

No Foreign Policy, Again

by Patrick L. Lilly

The holding of 60 Americans hostage in the American Embassy in Tehran by Iranian students is a shocking and inexcusable act of terrorism. Such an action, however, should come as no real surprise, considering the nature of the existing government in Iran, with whose obvious approval the "students" acted. But the worst, most disheartening aspect of the whole sordid affair has been the responses of most Americans, both in and out of the government, responses which bespeak virtually zero understanding of both the political and moral issues which the overrunning of the embassy brought to a head.

Most distressing has been the response of militarist, pro-Shah groups in this country who have used the event as an excuse to call not only for the rethroning of the deposed tyrant, but for U.S. military intervention. Such an action has a superficial appeal, since it could be argued that the American government had previously undertaken a responsibility to defend those American citizens involved from just this kind of thing.

What the takeover really shows, however, is the utter foolishness of ever making such a promise. It obviously can't be kept, unless we're really willing to take on the whole world. And once Americans quit depending on their government to keep all the anti-American sentiment in the world off their backs, we'll see fewer Americans heading off for the obscure corners of the world to play their individual parts in carrying out the scatter-brained policies of the Pentagon and the State Department.

Perhaps even sillier, the pro-Shah forces here have called for the uncritical deportation of Iranian students living in this country. And in an apparent attempt to at least appease them, our illustrious President has ordered the deportation of Iranian students who are "not complying with the terms of their student visas".

A beautiful piece of political double-talk, that, since anyone not complying with the terms of his or her visa has been subject to deportation all along. But it's a good thing from a civil liberties point of view that that's all Carter ordered. It confounds the imagination to realize that these screaming "patriots" could think that merely being an "Iranian student" makes one responsible for the events in Tehran. Such a proposal goes even beyond racism, indicating a willingness to pre-judge and punish people for belong to any kind of group whatever, once anyone described that way ("Iranian students") commits an act of violence.

It also stretches credulity to see that there are plenty of Americans who think that just because the Ayatollah Khomeini is a theocratic dictator of the worst kind, a new regime of the deposed Shah would somehow be a good idea. He was a brutal dictator, too, just not a theocratic one.

The result of all this fuzzy thinking both in and out of Washington is that we may well have only two alternatives, both of which are terrible: Either the Americans in Tehran, most of whom can at least plead good faith and are not guilty personally of any acts of coercion, will be left to the tender mercies of the religious zealots now controlling Iran, or

the hawks will succeed in sending our military forces blundering in to yet another distant country where we are not welcome to avenge the slur to their "national honor".

The timid suggestion of Colorado's Senator Gary Hart that we simply start using ten percent less oil to get ready for a new Iranian shut-off is, of course, just as misdirected as all the rest, although it does have the minimal virtue of not leading us into another Vietnam.

We simply can't afford another Vietnam, no matter what the excuse. But it seems hard to conclude that we could afford to recognize an open season on our many embassies and their occupants, either. Since both our "prestige" and our mismanaged armed might have now proven ineffective to protect the lives of Americans like those currently held hostage in Iran, is there any possibility that our policy-makers will wake up and smell the coffee and simply quit putting Americans in this position?

The only sensible policy in the chaotic international world of today is to close down embassies which the host government won't defend (most) or which we can't defend (all the rest).

Certainly, at the very least, our government should have the good sense, and respect for American lives, to immediately evacuate all Americans (except any who *choose* to stay) from any country which undergoes a violent revolution. This is even more strongly recommended where the overthrown government was an unpopular U.S. "client" state like the Shah's. Diplomatic relations could then be re-established later, when binding terms could be

agreed upon.

And, considering the fragile bankruptcy of American foreign policy around the globe, it is not too early to begin suggesting that perhaps *all* American embassies should be closed down forthwith, and those countries which feel that they have something to gain from an American presence invited to offer suitable guarantees that American citizens' on their soil will be safe.

This is unlikely to be done just yet. It would mean abandoning completely our insane government policies of protecting American markets and military objectives by tinkering with the internal working of every government we can get our hands on. It would mean giving up our network of oppressive client states and the "foreign aid" ripoff which supports them.

Worst of all, it would mean admitting what everyone can now see: That the American government isn't the policeman of the world any more and simply *can't* protect Americans abroad, like it or not. It would mean admitting that, despite the pious preachings about "human rights" and the paranoid concern with unrealistic "national interests", this country really has no coherent foreign policy at all.

It probably won't have one until the day there is a Libertarian administration in Washington.

Today's Logic by James W. Phelps Speak Softly

If everyone had guns practically everyone who wanted freedom would have it.

And we wouldn't need to defend anyone, anywhere in the world. All people could defend themselves.

Looking at 1980

Realistic Prospects and Wild Dreams

Wild Dreams

by David F. Nolan

"How many votes do you think we'll get in 1980?" I must have been asked that question fifty times in the last three months, and each time I've been asked, I've had to say that it's still far too early for any kind of accurate projection.

In large measure, our showing will depend on factors beyond our control; most notably, the choice of nominees made by the two branches of the Republicrat party. Still, some reasonable seat-of-the-pants estimates can be made, provided we understand that the final results will be greatly influenced by the perceived closeness of the race between the two old-party candidates, and the voters' perceptions of those two candidates.

(Example: a very close race between two "polar" candidates—say, Kennedy and Reagan—would reduce the Clark

vote considerably, while a very lopsided race would open the door for a large Clark vote.)

Still, the question remains—under fairly normal circumstances, what kind of vote total can we reasonably expect for the national LP ticket?

In making our estimates, there are several approaches we can take.

Perhaps the most obvious is simply to note that the Libertarian vote at any given level of office has been growing at a rate that works out to something between doubling and tripling every two years, and applying this growth rate to our 1976 total of about 175,000. Allowing for the fact that we'll be on the ballot in almost all states this time (vs. 32 in 1976) we come up with an increase of roughly tenfold—to about 2% of the expected 85 million votes that will be cast in 1980.

Another approach is to look at Ed Clark's performance in California in 1978, and extrapolate from there. Ed got a hair under 380,000 votes in the Governor's race, and while I think we can assume he will do even better in 1980, a doubling or tripling is unlikely, since people tend to be less likely to vote for third-party candidates at the Presidential level.

So let's assume Ed can get 600,000 votes in California, or about 7% of the Presidential vote in that state. Based on past performance, we can project a nationwide total of about four times that figure, or 2.4 million votes—3% of the national total.

Obviously, these are both very simplistic approaches to answering the question—but at this point in time, no better estimating procedure is readily available, and a projection of 2% to 3%—or two million votes—nationwide does not seem unrealistic, given our resources.

A few additional points are worth noting, however.

First, it is well-known that our level of support is not uniform across the country; it is skewed heavily to the West. Whatever the overall Clark vote turns

out to be, we are almost sure to see levels well below the national average on the East Coast, with a rising gradient as you move toward California, where the percentage will most likely be triple the national average.

Here in Colorado, Clark should get close to double the median, or about 4% to 5%. This works out to about 50,000 votes; ten times the MacBride vote in '76, two-and-one-half times M.L. Hanson's statewide total in her 1978 Treasurer's race.

In Alaska, almost anything can happen. MacBride got twenty times his nationwide support level there in 1976, and even a ten-to-one multiplier could put Clark within striking distance of carrying the state. Given a strong U.S. Senate bid there by Dick Randolph, the sky's the limit!

So. Realistically, we can hope for about 2%-3% of the national vote total in 1980. Roughly the equivalent of Norman Thomas' *best* showing in his six tries at the Presidency—and look at how widely *his* ideas have been put into practice!

That's the Realistic Prospect. What about the Wild Dream? What could happen if the economy continues to crumble along, gasoline shortages recur, our foreign policy remains a shambles, and the American people begin to search desperately for a better way?

What happens when feature articles start appearing in major magazines, generated by writers who were at the Los Angeles convention, and the paperback edition of Robert Ringer's book hits the stands?

What if the Republicans nominate that ancient arch-phony Ronald Reagan and the Democrats nominate Playboy Ted, and the polls show Teddy ahead by nearly two-to-one? *How many votes could Ed Clark get then?*

I don't know. I can't even hazard a guess. But figures like five, ten, or even fifteen million no longer seem impossible under those circumstances.

It's going to be an interesting year.

And we wouldn't need to defend anyone, anywhere in the world. All people could defend themselves.

But not against nuclear weapons or modern armies.

If an aggressor wanted land more than slaves he could take it by superior fire power. And some people would surrender rather than be destroyed.

The history of the world teaches us there have always been aggressors who conquered smaller nations.

That is why smaller nations have often banded together with mutual defense treaties.

The NATO countries have done this, but, even so, are no match for Russia.

If the U.S. were to disclaim any concern for the remaining free nations of the world, Russia could take them over by nuclear blackmail.

We cannot isolate ourselves from the world. If we did we would soon find ourselves alone in a hostile world.

We have substantial power, but no longer are we superior.

Russia is at least equal. Many experts say Russia has surpassed us.

SALT II doesn't help us. It locks us into an inferior position while Russia proceeds full speed ahead.

It's the old story of the rabbit and the turtle. How ridiculous for the turtle to challenge the rabbit to a race.

But, while we (the rabbit) have danced around and run in circles, Russia (the turtle) has plodded straight ahead towards its goal.

And now we've gotten one foot caught in the SALT I trap and are thinking about checking out the SALT II trap by sticking one of our other feet in it.

Meanwhile the turtle is way down the road ahead of us and almost out of sight.

We're not to be written off yet. We still have lots of power. But we have to regain our lost strength and add more.

And we must be willing to use our power.

If the Russians could be certain we wouldn't use it they would start rolling across Europe tomorrow.

Our nuclear power is a big stick. And, as Teddy Roosevelt said, "Speak softly and carry a big stick."

But it won't do much good if Russia carries a bigger stick.

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From The Chair

The Decline of the One-Party System

by John Mason

Political analysts everywhere are bemoaning the continuing decline in party registration and voter participation in the electoral process. There are more "unaffiliated" registered voters now than there are Democrats or Republicans. More than half of the eligible voters in this country decline to participate in elections. Political observers, election commissioners, and elected officials have for years now been trying to "identify" the problem. Unfortunately, until recently, their answers have sounded very much like Carter's, Ford's, Nixon's, and virtually every other politician's identification of the cause of inflation: people are irresponsible and becoming progressively unconcerned about the well-being of their country. The beauty of this answer is obvious. There is nothing that they can do about the problem directly, but identify it - and maybe call for "leadership" to show us a way out.

I did say, until recently. The decline of the two major parties is reaching such proportions that many the "experts" are voicing concern for the entire future of our democracy. But again, the analysts are missing their mark, and proposing mere tinkering with the political system, insisting upon somehow maintaining the longheld Republican-Democrat hegemony that has brought us wars, depression, infalction, domestic crisis, and increasing uncertainty for the future.

The December issue of the *Futurist*, a montly publication devoted to issues anticipating the future, has an article addressing this question. It is called "Political Parties in the 1980's" (and 90's), and its conclusion, though

obscured by graphs, trends, "suggestive probabilities", and methodology, is simple: the current two party system must maintained and the way to do it is to give more power to the two major parties. The article calls for fewer nonpartisan elections, less dependency on primaries, and "a responsible system of patronage" controlled by parties rather than office holders. That is relatively innocuous. But it goes on to suggest more legislation to control campaign expenditures, funnelling campaign funds from the taxpayer through the two major parties (rather than candidates), and to require voter registration that would be unchangeable for at least one year.

The article predicts the possibility that the Republican Party will collapse in ten years, and that this must be avoided. Nowhere is it even remotely suggested that a new party should replace the moribund GOP. The entire thrust of the article is that it is necessary to reinforce, through law and subsidy, the current "two party" system.

I recently spoke at a high school with county chairmen from the two major parties. The decline of party registration was discussed at length. The Republican called for steps similar to the *Futurist* article, specifically calling for public funds to be channelled through political parties for campaigns. The Democrat suggested that the problem was due to irresponsibility on the part of the people, and that perhaps we should pass a law making it illegal not to vote, or to vote for someone other than a Democrat or a Republican! And he was serious! Neither of them suggested that the reason for the decline in party affiliation might be associated with the ideological

bankruptcy of their parties.

Independent voters have consistently identified the reason for the decline in party registration and voter participation. Through cross-voting, split tickets, interviews, dropping out, turning to alternatives, and other methods, they have been telling political institutions that they can no longer readily identify the difference between Republicans and Democrats. They are tired of the same old solutions, first by one party, then by another. They percieve the *real* problem: the fact that in issues most crucial to their lives and well-being, from inflation, to the energy crisis, to foreign affairs, this country is rapidly becoming (if it has not already become) a *one party political system*. Those not diligent or hopeful or lucky enough to make their way through the incredible institutional obstacles placed before them adopt the attitude that there is nothing *they* can do about it, so they might as well not participate. But others, in increasing numbers, are looking for an alternative. And the only alternative that can solve the problem is the development of a third major party, one rooted in a strong pro-individual, anti-state ideology, significantly different from the other parties, but reflecting the values and traditions of the American people.

The Libertarian Party is providing that alternative. It is *growing*, despite continued attempts by the established powers to make it more difficult. We cannot register as Libertarians. We do not recieve subsidies for our campaigns. Ballot access in many states is made more progressively difficult. And here in Colorado, to run for office as a Libertarian, you now must have been

Restrictions on Petitioning

People participating in the vital ballot petition drive to put the Libertarian ticket of Ed Clark and David Koch on the ballot in Colorado should be aware that not all desirable locations for soliciting signatures are open to them.

No one can stop you from petitioning on any public sidewalk or other public property, such as a park. But privately-owned locations, such as shopping centers, are at liberty to keep you out. Unfortunately, experience has shown that the majority of shopping center owners do indeed refuse to let Libertarians petition on their property.

This may be a serious obstacle for those who do not live near an urban downtown area, where there is substantial foot traffic on the sidewalk. In suburban areas, the only place with much foot traffic may be in front of the neighborhood grocery store, located in a shopping center.

registered "unaffiliated" for over one year before the election. (See article, this issue.) But we are still growing. I'm sure that as we become more of a threat, the obstacles placed before us will be greater. We have overcome them in the past and shall again. But it is becoming increasingly important to erode the power of the two major parties every chance we get. If you haven't already, change your registration to unaffiliated. Its more important than ever. Remind people, constantly, that such an action is a responsible one, indeed the only one for someone who is concerned about the political future of the country. The problem has been identified: it is critical that a one party system not develop. And the Libertarian Party is the only movement that can stop it.

by L. Neil Smith

Against the Grain

The Wind and the Lyin'

In 1917, any American with an even things about Republicans some other any other" — a psychology as an- tigious FBI surveillance

The Wind and the Lynn

In 1917, any American with an even faintly German-sounding name stood a fair chance of getting tarred and feathered, his home or business demolished, his family assaulted and ridden out of town on a rail. In 1941, another mass of hyphenated citizens were herded into *concentration camps*—accept no euphemisms, that's exactly what they were—supposedly the exclusive brutal trademark of our Axis enemies.

In each era, a U.S. President—interestingly enough a Democratic one—was hysterically casting about for somebody else, *anybody else*, to take the heat he alone deserved so well; innocent, helpless individuals had to be rooted out and made to suffer.

I've often wondered whether I'd have had the courage and integrity to resist misplaced popular furies, to defend those blameless Deutsch-Americans and Nisei being sacrificed for the greater comfort of Messrs. Wilson and Roosevelt. Now, thanks to the pitiable incompetence of yet another Democratic hack (relax, I'll say nasty

things about Republicans some other time), I have an answer to my introspective wonderings.

Jimmy Carter has declared open season on Iranians living in America. By deliberately misfocusing the energies of the violently gullible in a transparent attempt to deflect the kind of wrath which properly should be directed against his own administration's moral and political bankruptcy, he has set a new record for sadistically self-serving *non sequiturs*.

The Shiite seizure of our State Department cookie-pushers in Tehran was a godsend for poor Lameduck Jimmy. Anyone silly enough to believe that the subsequent anti-Iranian demonstrations in this country were altogether spontaneous just hasn't been paying attention for the last couple of decades. No, I don't have any proof. Do I need any?

What we're hearing these days is a nauseating international duet, being sung both here and in the Ayatollah's key: "Individuals do not exist; any Yankee or Iranian can be substituted, plugged in and *punished* for the deeds of

any other"—a psychology as appropriate to the closet collectivists running this government as it is to the arch-Fascist controlling Iran.

Khomeini has his hostages, Uncle Peanut wants *scapegoats*.

Forget how many Iranians came here to escape the Shah (whose disgusting criminality is otherwise largely irrelevant here). *Forget* that many more have fled from Islam's answer to Cotton Mather. *Forget* that they're all individuals, here to do business, get educations, some to build new lives where Liberty lifts her lamp. These are mere quibbles before the barbarian "logic" of Carter's incitement to riot.

Now, because someone is bound to ask, I concede that diplomatic personnel are individuals, too, against whom force has clearly been initiated. If, as I suspect, the Shiites believe Khomeini is the long-awaited *mahdi*—and that the end of the world is at hand—the hostages are probably going to die. At least their lives can scarcely be endangered further by a rescue attempt. I find myself wondering where H. Ross Pirot is, now that we really

need him—undoubtedly under continuous FBI surveillance.

In the meantime, it is morally imperative that we demonstrate that something was actually learned from World Wars I and II and the shameful, ugly manner that innocent individuals were treated then. Libertarians must speak out *now*, especially for the young Iranian being railroaded by Denver's craven District Attorney for the crime of defending himself against thuggery. Like every other human being, like such suspiciously foreign-sounding characters as S.I. Hayakawa or even David Koch, Iranians have rights—to be safe from aggression, to resist it when necessary.

Leave our visitors alone—unless you're the kind of mindless animal who salivates and slaughters whenever some politician rings a bell. Neil Sedaka's song is right: "There was a time when strangers were welcome here." That time, under Libertarianism, will come again, and in any case, government is the *last* with a right to say who should be here and who should not.

Leave the Iranians in peace.

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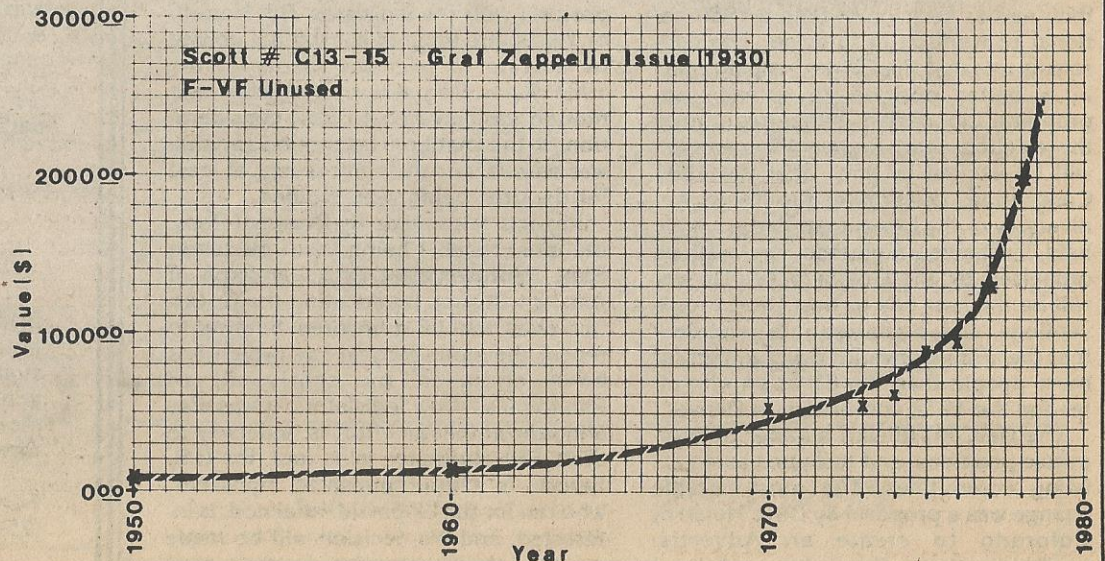


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Weapons Corporation Growing Fast

Weapons Corporation of America, a national firm marketing "non-lethal self-defense weapons", has begun operations in Colorado and is growing rapidly. Regional manager Ron Carter has set up shop in Colorado Springs, and says that after doing \$11,000 worth of business in September alone, he will soon have to move to larger quarters to handle inventory for dozens of distributors and dealers as well as direct retail sales to the public.

WCA deals strictly in self-defense products. The line is headed by their key chain sized ChemSheild, which sprays CS, a tear gas type aerosol. A quick spray will incapacitate an attacker for ten to thirty minutes but, says Carter, there are no permanent detrimental effects. He stocks voluminous test reports to back up this claim.

Carter emphasizes that his company's products are for defense against attack, are intended to defuse attacks without risk of anyone getting killed. "Every time this is used, I figure two lives are saved—both the intended victim's and the attacker's" he says, holding up one of his units. He says he feels that such confrontations should be turned back with a minimum of violence, rather than responding with deadly force, if at all possible. He sees his products as a

way that people can provide for their own personal defense without either relying completely on government police or adding to death statistics.

The distributorship which Carter heads was started just a year and a half ago as a part time endeavor. But he says that there is so much demand for the product that it quickly became more profitable than his previous job for International Correspondence Schools and he went into it full time last summer. He says that one of his initial motivations was to provide protection on the street for his teenaged son and daughter.

The ChemSheild appears to appeal mostly to women, although many men buy it for their wives and daughters to use. Carter speculates that many men have a macho hang-up which deters them from using a non-lethal weapon, but this appears to be gradually changing.

Carter laments the growing tendency of states and cities to pass laws restricting or even banning sales of his product. He says there are presently eight states where such laws are on the books, the most comprehensive being in California. "The government reminds me most of an over-protective mother", he says, and recommends "instead of passing laws, let's educate people" to cut

down on accidental injury from weapons of all kinds.

Although the gas weapons are perfectly legal in Colorado, a Colorado Springs ordinance prevents WCA from selling the large size of their product within the city. Other cities in the state haven't been surveyed, but their are probably some others in which the size of such weapons is restricted. The Chief of Police in Colorado Springs has expressed to Carter the fear, that if individuals were allowed to possess the larger gas weapons (more than one ounce of active ingredient), they might be able to successfully fight back against the police as the reason for the local ordinance.

Meanwhile, WCA is still growing rapidly, selling not only the ChemSheild but a large line of other products including several types of alarms for doors and windows. The company relies mostly on direct sales by its distributors, and is set up along lines similar to those of the Amway Corporation. Initial investment for distributors is nominal, and Carter says he personally makes that fully refundable if that's the only thing deterring a potential dealer. Carter's distributorship is a successful venture where self-defense meets free enterprise.

Forced Drugging Restricted

A recent Colorado Supreme Court decision gives increased protection to the rights of persons faced with involuntary incarceration in psychiatric facilities. The court ruled in the case of Ralph Goedecke, who was ordered held by a lower court for "short-term treatment", that he did not have to submit to forcible administration of the "anti-psychotic" drug prolixin.

Goedecke was confined at the Boulder County Mental Health Center last fall, where staff members forced him to take the drug, a strong tranquilizer. He filed for relief in Boulder County District Court, but that court ruled that the BCMHC staff could legally force feed him the prolixin as part of his "treatment". On appeal to the Supreme Court, that decision was overturned.

It is unclear whether Goedecke can receive any damages as a result of the decision. The ruling also apparently does not prohibit the forcible administration of many less powerful drugs to persons in similar situations. If well noted and enforced, however, the court's decision offers some limited protection from the worst kind of forced drugging for people who are ordered into mental institutions for minor heresies.

Regional Report

The new expanded National Committee met for its first real business in Des Moines on November 10 and 11. The meeting coincided with an appearance by Ed Clark to kick off the LP presidential campaign in Iowa. The candidate's speech on Saturday night was attended by over 125 people, including some who attended a John Connally function at the same hotel earlier in the day. At least one person, an attorney, heard all she needed and joined the LP. With opponents like Connally, how can we help but succeed? Thanks, Big John.

The two days of meetings were filled with important information and decisions. The Clark Campaign reported to the NatCom that it had established its

with the responsibility for developing an ongoing national advertising campaign on behalf of the LP. The existing Publications Review Committee was reorganized to effect a more timely response to publication proposals, and Dave Bergland, Murray Rothbard, and Bob Poole were appointed to the committee.

A great deal of debate centered on a proposal by Platform Committee member Rich Kenney, of Washington, to create a standing platform committee. Because many issues had not been dealt with in this year's convention, many feel that there must be an alternative to reviewing the Platform every two years. Kenney's proposal would form a com-

money to make a serious effort in the race. Any reader interested in encouraging Bill should contact me for more information.

The next two NatCom meetings have been scheduled for the first weekend in February in Phoenix, and the first weekend in May in Texas. Any proposals to the NatCom must now be made three weeks prior to a meeting. Proposals should be sent to the national office and to the NatCom membership.

Within the region, New Mexico is reorganizing under the leadership of Ron Romero and Stephen Curtis of Albuquerque, Colorado is in the midst of their ballot drive, which is to be completed by January 1st. Ed Clark made an ap-

by John Mason

CLPCP

2ND WED.

Letter

To the Editor:

I'm writing to you because *Colorado Liberty* is the best state newsletter in the LP—and we in Texas would like to model our newsletter on yours. We are presently discussing a change in format

...an alternative to the NatCom that it had established its Washington headquarters and was filling the slots in the campaign organization. They have named Chris Hocker as the Campaign Coordinator. The decision to name Chris to this most critical position was arrived at after reviewing numerous applications, and after lengthy discussion within the Steering Committee. Chris's credentials and his work as National Director the last two years establish him as one of the most experienced and well known activists in the party. As one of the applicants for the position, this writer heartily endorses the choice. Because Hocker hopes to return to the National Director position at the conclusion of the campaign, it was necessary to make an interrum appointment to fill the vacant position. Dave Bergland, the National Chair, named Bill Burt, and after some debate, his choice received the required consent of the National Committee. Debate centered on the manner in which the position was filled, and the desirability of opening the position to the membership, with a mail ballot at some later date. It was argued successfully that the critical nature of timing, ability to work closely with the campaign, and the fact that the appointment is limited to one year, were considerations compelling enough to warrant immediate action. Hocker and Burt will assume their positions December 1.

In other action, the NatCom reserved their earlier decision to hold a 1980 national convention in Chicago. The consensus was that the Clark Campaign was in a better position to arrange appropriate Libertarian gatherings during the election year. Region VII members will be excited to know that the 1981 Convention, celebrating the Tenth Anniversary of the Libertarian Party, will be held in Denver, Colorado, and will be organized by the Colorado LP. Denver will be the first city to host two LP conventions, and organizers are confident that the 1981 Convention will attract far more people than the 85 or so who attended the 1972 convention in Denver.

The NatCom filled a number of committee positions, and reshaped some existing committees. The most notable change was a proposal by Dave Nolan of Colorado to create an Advertising/Publications Committee charged

with alternative to reviewing the Platform every two years. Kenney's proposal would form a committee to analyze and review the Platform continually, and to publish a study guide to explain the more complex planks. The proposal was received enthusiastically for the most part, but many committee members were wary of developing a small clique that would dominate platform development. The proposal was tabled until the next meeting so that NatCom members could consult with their states. I encourage anyone with an interest in the matter to contact me. The proposal has merit, and it will probably pass in some form in February.

M.L. Hanson and Dallas Cooley reported that the LP's computer is being contracted for, and that it will be on line and usable during the upcoming campaign. The establishment of an in-house computer system is the result of over a year's work, and a generous offer on the part of Dallas Cooley.

It had been anticipated that the most controversial item on the agenda would be debate over possible NatCom action on the status of At-Large member Michael Emerling. Some members feel that his position with a Democratic state legislator in Louisiana is inappropriate for a member of the nation's third largest political party. Rumors circulated concerning various actions that might be taken, and that Emerling was about to announce his intention to resign the position with the legislator. Bill Howell, of Texas, pre-empted substantial debate by moving to refer the matter to the 1981 Rules Committee, and after that motion was defeated, to table consideration of the matter. The motion to table was passed, and the controversy, at least for the time being, was avoided.

Reports were made by Regional Reps, the most notable being that Libertarian State Representative Dick Randolph of Alaska will soon be debating the Governor over the LP-sponsored initiative to repeal the state income tax, which has been endorsed by nearly all of Randolph's fellow legislators. It was also announced that an effort is underway to draft Bill Hunscher in a race for U.S. Senate in New Hampshire. Hunscher, who ran for the LP presidential nod, is interested, and his decision will be made on the ability to raise enough seed

...LP—and we in Texas would like to model our newsletter on yours. We are presently discussing a change in format and we'd like to get all the details we can on how to use newsprint tabloid format...
We're trying to develop *Free Texas* into an expanded format with expanded readership to coincide with our ballot drive, which will be from May through July, 1980—and is one of the hardest in the country. So we were thinking of changing formats by January of 1980.
Mike Grossberg
Austin, TX

...Colorado is in the midst of their ballot drive, which is to be completed by January 1st. Ed Clark made an appearance in Denver to kick off the drive on November 17. His speech was attended by over 130 persons, and press coverage was good. As soon as the Colorado ballot drive is completed, interested CLP members will begin helping organize the Wyoming ballot drive. Judging by the early successes evident in recent events, 1980 should prove to be a most exciting year for the LP and Region VII.

WIN \$100 IN THE GREAT PETITION DRIVE CONTEST!

The Colorado Libertarian Party is awarding a prize of \$100 to the person who collects the most valid signatures in our petition drive for Ed Clark and David Koch, between now and December 31, 1979. A second prize of \$50 will also be awarded.

RULES

1. You must be registered to vote in Colorado in order to collect signatures. Petition signers must also be registered Colorado voters.
2. To qualify for the \$100 first prize, you must collect a minimum of 100 valid signatures; 50 valid signatures, minimum, to win the \$50 second-place prize.
3. In order to count toward the contest total, petitions must be *completed and notarized* by Dec. 31, 1979, and in the hands of the CLP officer by Jan. 9, 1980.
4. Petitions may be mailed to the CLP at P.O. Box 1557, Denver 80201 (be sure you get them notarized first!) or brought to our monthly cocktail party (see below).

SPECIAL BONUS!

GET A FREE DRINK FOR EACH 15-SIGNATURE PETITION FORM YOU COMPLETE!

Bring completed petitions to the monthly CLP cocktail party. We will notarize them free of charge and give you a free drink for each 15 signatures you collect. (We'll also give you a new, blank petition form so you can get more signatures.) Cocktail parties are held in Suite 400, 1624 Market Street, Denver, the second Wednesday of each month. The next three will be on November 14, December 12 and January 9.

For more information, or to obtain blank petition forms, call Dave Nolan (759-2244) or John Mason (733-5916).

Ballot Status in California Near

The current drive to give the Libertarian Party permanent ballot status in California by registering 73,000 voters as Libertarians is more than 90% complete and entering its final stages. The big question remaining is whether or not malicious legal roadblocks will be thrown up once the goal has been reached.

Modestly-paid recruiters have been combing various areas, mostly in Southern California, for months, convincing voters to change their registration to Libertarian. As of late October, roughly 67,000 had done so. California is one of the few states in which voters can register as affiliated with a party which does not already have ballot status. According to California law, ballot status is then granted when enough registrations have been accumulated.

Like most other ballot requirements, however, this one was supposed to be difficult, bordering on impossible. No one has ever met it. So, as the required number of 73,000 is approached, LP leaders are waiting for the other shoe to drop—will there be nit-picking and legal technicalities raised to keep us off the ballot?

Such speculation is certainly not idle in the light of recent experience. The 1978 Clark for Governor campaign met

the numerical vote requirement (2%) for ballot status. The Secretary of State's Office, however, ruled that since Clark had petitioned his way onto the ballot as an *independent*, his vote total didn't count to give ballot status to the LP as a *party*. (In California, as in several other states, there is a higher petition signature requirement for getting on the ballot as a party candidate instead of as an "independent". As a result, Clark was not identified on the ballot as a Libertarian.)

In 1976, Arizona Libertarians thought they had cracked the ballot status nut on the basis of vote totals, too. The Democrats and Republicans there united, however, to challenge the county-by-county *distribution* of Libertarian votes. The case was carried all the way to the Arizona Supreme Court, with the assistance of the ACLU, but the Court ruled against ballot status.

Since it appears that the entrenched interests in California did not expect the LP to be able to ever meet the registration requirement, it becomes reasonable to expect similar maneuvering to block our ballot access there once the 73,000th voter has been registered. If the drive is successful, it would raise to nine the number of states in which LP candidates do not have to expend resources on cumbersome petition drives before every election.

Republicans Push New Drug Regulation

Colorado Republicans are asking Governor Richard Lamm to include a new drug-related restriction on his call for the 1980 legislative session.

The proposal, under consideration as we go to press, is to prohibit record stores from selling smoking paraphernalia to many of them would be

more typically require customers to be 18 or older.

If enacted, the rule would cause a substantial short-term drying up of the availability of paraphernalia in many Colorado towns. Spot checks showed that few record store owners are worried about the proposal. Checks to

Canon City Ruled "Cruel and Unusual"

In a landmark ruling sure to have far-reaching effects, a federal District Court Judge has ruled in favor of the plaintiffs in *Ramos vs. Lamm*, the Eighth Amendment suit brought against the Colorado State Penitentiary Maximum Security facility by the American Civil Liberties Union.

The preliminary ruling came on the 16th of November. Judge John Kane ruled that the conditions inside the "Old Max" unit at Canon City violated the rights of inmates to humane treatment and ordered the facility closed down "as soon as possible". As we go to press, a more detailed, final ruling is still being awaited.

The suit was filed in 1978 by Fidel Ramos, a maximum security inmate, with the help of the ACLU attorneys from Denver. Later the case was certified as a class action suit on behalf of all inmates of the facility. Financial support in pursuing the expanded suit came from the ACLU's National Prison Project.

The 100-year old Old Max is scheduled to be replaced by a newer unit in 1981, but, after weeks of testimony, the court ruled that present conditions within the deteriorating building are intolerable and cannot possibly meet Constitutional standards. Small cells, lack of sanitary facilities, lack of heating or cooling, filth, and the impossibility of protecting inmates from each other were all factors of which the suit complained.

The ruling will not only force major policy changes for the state of Colorado and, probably, other states, but it presents political complications for libertarians, who will mostly greet it with mixed emotions.

Inhumane prison conditions are incompatible with the libertarian approach and, in that respect, the ruling is a good

one. But the most important immediate effect of the decision will be to force the state to spend more money on the corrections system. Speaker of the House Robert Burford recently stated that the legislature would most probably resort to an increase in the state's income tax or in its sales tax to finance the physical improvements and expansion of prison staff which seem to be necessary to bring the Penitentiary into compliance with the court's order.

Conservative legislators, who from the beginning have characterized the suit as federal interference with the affairs of the state, will doubtless play up the expenditure implications of the ruling.

The necessity for increased expenditures of tax money, of course, exists only in context. That context is the huge inmate population now in Canon City and specifically in maximum security. One of the allegations of the suit was that the vast majority of the inmates currently held in Old Max were "over-classified" and were there mostly because lower security parts of the prison system were already full or overcrowded.

And, if Colorado is like other states (such as Arizona) which have been studied in detail, roughly half of the state's prison population consists of people who were convicted of victimless "crimes". These people should not be in prison at all. If they were not, we would achieve the same qualitative results as *doubling* the prison budget without a single extra cent being spent.

There has been little discussion by state officials about other programs, commissions, etc., which could be cut or eliminated to compensate for any required additional expenditures for the prison. Suggestions are welcome at *Colorado Liberty*.

Movie Review

"The Inflation File"

by Patrick L. Lilly

The proposal, under consideration as we go to press, is to prohibit record stores from selling smoking paraphernalia, as many of them now do. Backers say the move is designed to isolate children from such products. Few record stores require proof of age from customers who buy paraphernalia. Most also find it a very profitable sideline.

The proposal is being backed by some owners of "head shops" who deal mostly or exclusively in paraphernalia. They

availability of paraphernalia in many Colorado towns. Spot checks showed that few record store owners are worried about the proposal, either believing that it won't be adopted, or that it won't cost them much business.

Exact details of a bill have not yet been made public, nor has the Governor's office given any indication as to whether he will actually place the item on his call.

Value Added Tax Before Congress

The first steps of a serious drive to enact a federal value added tax have been taken with the introduction of H.R. 5665, sponsored by Rep. Al Ullman, Chairman of the House Ways and Means Committee.

The value added tax is a particularly insidious form of sales tax under which a tax is slapped on each step in the manufacturing, distribution and sale of any product. Each person or firm in the chain leading from raw materials to retail sale pays a tax on his net markup—the "value added". He pays, and then gets a credit for, the parts of the tax paid by those before him in the chain, with the consumer paying the full final bill.

Such a tax obviously penalizes division of labor since, for any given nominal tax rate, the total amount of tax built into the final selling price of any commodity increases as the number of manufacturing steps increases. It is also more effective than a simple sales tax or property tax at keeping small entrepreneurs from going into new business, since virtually nothing, even personal services, is immune to taxation.

This total applicability is why the value added tax is typically what governments have turned to when simpler forms of taxation begin to fail to generate enough money to satisfy the bureaucrats. It means that the actual total amount of tax extracted from the economy depends on how thorough the tax collectors wish to be about finding

"added values" to tax. Given the past performance of the IRS, one could anticipate that the sky's the limit and that a host of new reporting requirements and privacy violations, as well as guilty-until-proven-innocent provisions would be forthcoming.

Obviously, final enactment of such a tax is still quite a ways off, but the momentum is building. Backers seem to be girding up for a long battle to impose the tax. Since it is largely a "hidden" tax, it could conceivably be enacted even in the face of rising opposition to existing tax rates.

Given the dire impact of such a tax on capital formation and entrepreneurship, it is probably not too early to let your Congressperson and Senators how you feel about this bill. The nominal rate embodied in the bill is ten percent, and it appears to be picking up support from key people in both the House and the Senate.

Correction

The last issue of *Colorado Liberty* incorrectly reported that Presidential candidates must raise \$5,000 in contributions in each of the fifty states in order to qualify for matching campaign funds from the Federal Treasury. Only twenty states need to provide this level of support for a candidate before he qualifies for taxpayer support of his campaign.

"The Inflation File"

Yet another entertaining educational film from World Research Inc. is out, and it opened at the November CLP Cocktail Party in Denver. This one is called "The Inflation File", and although it isn't as compelling as "The Incredible Bread Machine", the group's first film, it's a big improvement over "Libra", which came out last spring.

Tongue firmly planted in cheek, the new film recounts the exploits of Avery Mann, private investigator, and several of his look-alike ancestors, in trying to crack his biggest "case"—finding the cause of inflation. The Mann clan talks to Roman emperors, wild west drunks, German housewives, modern construction workers and an exceptionally knowledgeable bartender in attempts to close the "inflation file".

As the wacky surface plot unfolds, one scapegoat explanation after another for inflation is seized upon and found wanting by Mann and his sharp-tongued,

upbeat secretary/assistant. The film fulfills its basic purpose because the deliberate campiness of the "plot" lets some humor in, sparing the characters the need to try to simulate real-life conversations about the political roots of inflation. Thus, the caricature villains are credible because they are not presented as anything more than caricatures. And Mann's inspirations, as he discards one phony argument after another, don't come off like an unsuccessful attempt to simulate cocktail party or board room conversation.

About thirty people watched the initial screening of "The Inflation File", and most agreed that it makes a lucid case for what needs to be said to the public about who's responsible for our inflationary economy. The film runs about thirty minutes, and would be an interesting break in any semi-serious gathering. It is available from WRI in San Diego, California.

New Suit Planned Against FECA

The national LP will join with numerous other political groups to bring a new legal challenge to the restrictions on campaign financing contained in the Federal Elections Campaign Act (FECA). National Director Chris Hocker announced the planned suit in an October 24th letter to LP activists.

The suit will be co-ordinated by the Washington Legal Foundation, a non-profit public interest group. Hocker reports that people ranging from "hard-core socialists to very conservative organizations" have become incensed at the many restrictions which the FECA places on political activity. These restrictions put up serious roadblocks to the development of new political parties, virtually guaranteeing a continued monopoly to the Democrats and Republicans.

A primary target of the suit will be the limit of \$1,000 placed on individual con-

tributions to Presidential candidates. This limit has so far prevented the few Libertarians who could make large donations to LP campaigns from supplying the "seed money" to reach a broader base of support and, thus, generate the sums of money necessary to compete successfully with the entrenched parties.

The National LP Office is specifically looking for people who have been harassed or interfered with by people enforcing the Act's requirements and potential donors of large amounts of money to national campaigns. Anyone who, but for the limit, would have contributed more than \$1,000 to any LP Presidential campaign or any other federal campaign are asked to get in touch with Hocker at the LP's new national headquarters. The address is:

2300 Wisconsin Ave., N.W.
Washington, D.C. 20007

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1981 LP Convention to be Held in Denver

The 1981 National Convention of the Libertarian Party will be held in Denver, it was formally decided at the recent National Committee meeting in Des Moines, Iowa. The 1980 non-working Convention will be held in Chicago.

Colorado NatCom members Dave Nolan, M.L. Hanson and John Mason presented the case for holding the LP's tenth annual convention in the state where the Party was born. The mid-continent location of Colorado was an important consideration after five consecutive National Conventions on the East or West Coasts.

Nolan is a member of the committee established earlier by the NatCom to begin planning the 1980 and 1981 Conventions. The LP has now grown large enough that it is becoming necessary to plan National Conventions several years in advance in order to secure adequate facilities.

The 1981 Convention will be a working Convention. Although no national ticket will be nominated, the Platform, Constitution, By-Laws, and Rules will all be up for revision, and National Officers will be elected for a two-year term. The LP is the only major political party which

holds a business convention in years other than Presidential Election years.

LP Conventions have steadily grown in size since ninety people attended the first one in Denver in 1972. The last non-nominating working Convention, in San Francisco in 1977, drew roughly 1,000 participants. Under the revised formula adopted last September in Los Angeles, there will be some 800 delegates to the 1981 Convention, and total attendance could well exceed 1200.

The size of the Convention poses some problems for those planning it, underscoring the growing need to plan

such gatherings years in advance. There are only a handful of hotels in the Denver area capable of both housing the bulk of Convention attendees and containing the delegates and observers for the business sessions.

Apprehensions have been expressed that Libertarians will soon be forced to hold National Conventions in public, tax-supported facilities, such as Currihan Hall, despite our moral objections, simply because *no* hotel will be large enough. The other established political parties use such facilities for their convention business sessions.

More on the Draft

Following the 252-163 vote of the House of Representatives on the 12th of September to kill a key defense authorization bill amendment which would have restored compulsory registration for the military draft beginning in 1981, the draft has been moved to the back burner in Washington. The basic issue, however, has not gone away, nor have the pro-conscription forces packed up and gone home.

There is still too much complacency and too little activism among the public on this issue, even among those whom a renewed draft would most endanger. Perhaps this is because the pro-draft strategists never got any further than proposing the resumption of registration, and have not yet put forth a plan to actually begin mass impressments into the military forces.

Such complacency is misfounded, and plays right into the hands of those who would rebuild a slave army in the United States. Rather than assuming that the lack of any publicized plan for actual impressments (or "inductions", as they are called in the euphemistic language of militarists) indicates that no such plan exists, it would be more prudent, in the

flunkeys, like Sen. Sam Nunn (D-GA) and Rep. G.V. "Sonny" Montgomery (D-MS), they are first testing the political waters, gauging the strength of their opposition both in Congress and in the nation as a whole. They found, on their first sally forth, that 163 Congresspersons, including Colorado's Ray Kogovsek (D-3rd Dist.) and Ken Kramer (R-5th Dist.) were willing to give them essentially unqualified support.

Unfortunately, that doesn't necessarily mean that the 252 who voted against the Montgomery registration amendment or the 19 who did not vote can be counted on to continue to oppose the draft.

Immediately after rejecting Montgomery's registration proposal, the House did one of its favorite things, and authorized a "study" of the registration/draft issue. The enacted amendment, offered by Colorado's Patricia Schroeder (D-1st Dist.), requires the President to send to Congress by the 15th of January, a completed study of ten different aspects of the issue, together with his legislative recommendations for implementing them.

Among the things on which the President is to advise the Congress are the

This would be a quiet, but huge, foot in the door. No matter how little publicity is given to the short-term maneuverings of conscription advocates, friends of freedom can do themselves a big favor by being especially vigilant to prevent *any* foot from being thrust through their doors, however small. All attempts to resume registration, or to increase

funding or functioning of the currently mothballed Selective Service System must be ferreted out and snuffed before they get off the ground, or some day soon, we'll have actual inductions to face, and the bloody process of resisting them with civil disobedience will have to be gone through for the second time in barely a decade.

by Patrick L. Lilly



of militarists) indicates that no such plan exists, it would be more prudent, in the light of recent history, to presume that the proponents of the draft know what they are doing politically. They are surely aware that taking freedoms from people is best accomplished by getting those people to relinquish just a little of their liberty at a time, in response to each of an endless series of sabre-rattlings and declarations of "crisis".

Hence, the emphasis, in these preliminary stags, on "mere" registration for a renewed draft.

The militarist backers of the draft are well aware of the enormous popular opposition to what they would do to the population of America. But they still have sufficient control over the national political system that they believe that they can institute their slavery scheme in spite of that opposition, if they play their cards right. Playing their cards right means defusing and incapacitating as much of the opposition as possible and, just as importantly, hiding their ultimate intentions from critical inspection while they lay the legal and political groundwork for the final power grab.

So, through their Congressional

Among the things on which the President is to advise the Congress are the "desirability and feasibility of . . . automatic registration", "the desirability of . . . authority for the President to induct persons", "changes in the . . . operation of the Selective Service System . . . to enable it to meet the personnel requirements of the Armed Forces," and "other possible procedures" to provide the military with the bodies it wants. When the report comes back, carrying the endorsement of the Administration, how many Representatives will switch their votes and support whatever "other possible procedures" the White House recommends?

The greatest immediate danger is that some form of "automatic registration" will be approved. This would involve the collation of the many different records which already exist, searching for people of the right age to draft. You'd then be "registered", with no way to protest or refuse to participate, just as surely as if you'd showed up in person. Such a plan, carried out in secret, could well be faster and more thorough than a visible registration scheme, and may well prove easier to get passed by the Congress.

Animated discussions following Ed Clark's speech.



Ed Clark in a light moment at the microphone.

CLPCP

2ND WED.



with a sense of humor

LAUNDERED FUNDS

Distributor of Amway home and personal care products
Suzanne Conlon
314 Elmwood Drive, Colorado Springs

Pot Dollars Refused

The County Supervisors by a 3-2 vote, turned down in October a federal grant of approximately \$19,000 to hunt out marijuana crops in Humboldt County, California and three other northern California counties.

The grant, available to the Humboldt County Sheriff's Department, was to fund flights with small planes to search for fields of hemp, which has become a big cash crop in the region. Del Norte, Humboldt, Lake and Mendocino Counties were all to have "benefited" from the aerial surveillance, funded by the LEAA.

Supervisors who voted to accept the funds, as well as compatriots who turned them down, said afterward that protecting their local economy was an important consideration. They openly acknowledged the votes in the hands of growers in their County with a substantial business interest in large marijuana crops. The region is now a principal supplier of high-grade marijuana to the U.S. market, and millions of dollars flow into the four counties.

Libertarian Anti-Nuke Material

The Committee for Nuclear Responsibility, a San Francisco-based anti-nuclear group, is now offering two pieces of literature giving the libertarian case for shutting down the existing nuclear industry.

One is the long interview with Dr. John Gofman of CNR which appeared in the October issue of *The Libertarian Review*. In it, Dr. Gofman makes a strong case for total privatization of the industry and repeal of the Price-Anderson Act as effective blocks to further nuclear plant construction and operation. The other piece is the transcript of Gofman's address to a panel at the 1979 LP National Convention entitled "Nuclear Power: A Challenge for Free-Market Advocates".

Both are available from the Committee at P.O. Box 11207, San Francisco, CA 94101.

According to Associated Press, unspecified "official" sources estimate 2,000 to 10,000 persons in Humboldt County now grow marijuana.

LP Candidates Must Register as "Unaffiliated"

by Gale Norton

A recent amendment to the Colorado election laws may prevent many prospective Libertarian candidates from running for office in the next election, but unfortunately the new amendment appears invincible to legal challenge.

Senate Bill 19, passed overwhelmingly by the Colorado legislature last summer and effective on July 1, 1979, prohibits any person from running as an independent candidate unless that person has been registered to vote as unaffiliated for at least one year prior to submitting his or her petitions to be placed on the ballot. In effect, this requires

unaffiliated registration at least fourteen months prior to the election. Thus, anyone now registered as a Republican or Democrat is ineligible for Libertarian candidacy in the 1980 election.

Initially, the passage of this legislation appeared to be directly aimed against the Libertarian Party since it covered only transfers from recognized parties to independent status. Only after an initial uproar was it discovered that similar provisions had been applied to crossovers between the recognized parties for over twenty years.

Nevertheless, this restriction of

political freedom—with its more severe impact upon small parties—raised the possibility of constitutional attack. Disappointingly, the U.S. Supreme Court has rejected this argument. In *Storer v. Brown* (1974), a case challenging a California statute virtually identical to the recent Colorado enactment, the Supreme Court found that the unaffiliated registration requirement was a valid exercise of the state's interest in a stable election process. This state interest, according to the Court, outweighs "the interest the candidate and his supporters may have in making a late rather than an early decision to seek independent ballot status". To reach the conclusion that such a candidacy requirement was unconstitutional "might sacrifice the political stability of the system of the State, with profound consequences for the entire citizenry, merely in the interest of particular candidates and their supporters having instantaneous access to the ballot".

The CLP may be deprived of some of its best political candidates by this new

law, but there appears to be no chance for legislative or judicial relief—certainly not in time for the 1980 election. Although significant constitutional arguments could be made on behalf of third party voters and their rights to support the candidate of their choice, the *Storer* decision has settled the argument in favor of protecting entrenched political interests. The political system is presently structured to strongly favor the "major" parties (which the Colorado statutes define as the top two vote-getters in the last gubernatorial election) through a variety of both subtle and blatant mechanisms. Libertarians may be on the road "toward a three-party system", but we have a very long way to go.

Libertarians wishing to change their registration to "unaffiliated" should sign a request for change of party affiliation with the county clerk and recorder in their home county. For Denver voters, the voter registration office is in the City and County Building, phone 574-2866.

The State: A Destructive Parent

by Marcia Robinson Lowry

There are more children in custody of the state—estimates are from one-half to three-quarters of a million—than there are people in state and federal prisons. These are children who have committed no crimes, or even status offenses. They are in state custody solely because they are either dependent, neglected, abused, abandoned, have parents unable to cope with the stresses of poverty, or parents whose manner of functioning or life style has been found inadequate by some judge or social worker.

These children are subjected to massive, pervasive and destructive denials of their rights. Because the state has undertaken the care of these children in its role as *parens patriae*, and not in an outwardly punitive manner, these children have often been viewed as the recipients of the state's kindly benevolence. The fact that these children are not characterized as prisoners nor housed in penal institutions has obscured the fact that in many instances they are, indeed, prisoners whose most fundamental civil liberties are being denied.

The rights of these children are denied at three different stages. At the initial stage of state intervention, children are

Project case pending in federal court in New York.

Tessie Costello had cared for Tabu all of his six years, having taken him at infancy at the request of his natural mother, a neighbor with a serious drug problem. When Tabu was two, a child-care agency became involved in this informal situation. Tabu became a foster child, and continued living with Mrs. Costello, who became his foster mother, under supervision of the state.

A few weeks after Mr. Costello renewed her request to adopt Tabu, she attended a school conference at which she was told Tabu was being put on indefinite half-day suspension because he had emotional problems. Mrs. Costello, who thought the school was treating Tabu unfairly, had an angry exchange with school personnel, then apologized.

Immediately after the meeting, someone from the school called the child-care agency and reported that Mrs. Costello had become angry at the meeting, appeared to have been drinking, and Tabu should be taken from her. The agency worker, without any investigation, went to the day care center Tabu attended after school and took the child, crying

Calendar & Announcements

DECEMBER 1, 2: Petition activities. Contact John Mason, 733-5916.

DECEMBER 8, 9: Petition Activities. Contact John Mason, 733-5916.

DECEMBER 12: CLP Cocktail party, 1624 Market St., Suite 400 (above Alexander Graham's), Denver. 7:00 p.m. Bring your completed petitions for free drinks.

DECEMBER 15, 16: Petition activities. Contact Dave Nolan, 759-2244.

DECEMBER 22, 23: Petition Activities. Contact Dave Nolan, 759-2244.

JANUARY 2: CLP Board Meeting, 1818 S. Jasmine, Denver, 7:00 p.m.

JANUARY 2: Ad and copy deadline for next issue of *Colorado Liberty*.

JANUARY 9: CLP Cocktail Party, 1624 Market St., Suite 400, Denver, 7:00 p.m.

Celebrate the end of the ballot drive! Last chance for free drinks!

JANUARY 23: CLP Board Meeting, 168 S. Emerson, Denver, 7:00 p.m.

FEBRUARY 4, 5: National Committee Meeting, Phoenix, AZ. Contact John Mason, 733-5916.

FEBRUARY 8: CLPCP, 1624 Market St., 7:00 p.m.

are being denied. The rights of these children are denied at three different stages. At the initial stage of state intervention, children are taken from their families unnecessarily and without any serious attempt made to provide services to the family in the home, in a manner least restrictive of the child's and the parents' fundamental right to family integrity and privacy.

At the second stage, when children enter state custody in the foster care system, they are denied equal access to available services for racial and religious reasons, in a manner that violates their constitutional right to equal protection of the law. While in foster care their lives are marked by arbitrary and irrational decision-making, unrelated to their needs, in violation of their right to treatment and due process.

Finally, at the third stage, when the natural family is no longer available, children are denied the right to a new, substitute family that would enable them to leave state custody, often remaining in the foster care system till they grow old enough to be discharged on their own, substantially damaged, homeless, without roots, and without the ability to function in this society.

The problem of children being taken into state custody unnecessarily can and must be attacked through both litigation and legislative change. The experience of the New York Civil Liberties Union Children's Rights Project was that individual cases were not too difficult to win, but that affirmative test case litigation, seeking to establish general principles, was extremely difficult.

One of the most common and destructive due process violations affecting children in state custody is their movement from place to place at the sole discretion of the agency responsible for their care. For many children stranded permanently in the limbo of foster care, the foster parents with whom they live provide the only possibility of adoption and a near-normal life. Social service agencies, with no great commitment to providing an exit route for the children who are the "inventory" of their business, often move a child from a foster home precisely when the relationship between adult and child has reached the potential adoption stage. A typical example is a Children's Rights

worker, without any investigation, went to the day care center Tabu attended after school and took the child, crying and screaming, to a group home.

Six days later, a federal judge ruled that Mrs. Costello and Tabu had a relationship which was entitled to the constitutional protection of a due process hearing before it could be disrupted—unless an emergency existed. Even the agency worker conceded the absence of any emergency. The court ordered Tabu returned to Mrs. Costello that afternoon and now, a year later, he remains with her and the adoption process has begun.

Had the action of the child-care agency remained unchallenged, it is quite likely that Tabu would have become another victim of the "benefits" of foster care, his opportunity for a substitute permanent family—such as he now has with Mrs. Costello—destroyed by a vague phone call and an arbitrary decision.

In a situation in which the child is simply adrift in state custody, the civil liberties implications are not complex. The conflict can be viewed as being between the child and the state.

Sometimes, however, another factor is introduced which makes the situation much more difficult and which thrusts the rights of two blameless parties into direct conflict. It often happens that a parent must place her child in state custody because she has no choice, because the state provides no choice, or because the state has coerced the placement either directly or indirectly.

Although there may be disagreement over how such problems should be resolved, there should be no disagreement that the state must not be allowed to create them. Yet that is precisely what current public policy, reinforced and fueled by state and federal funding statutes, now does. Such public policies ought to be the main target of advocates of children's rights.

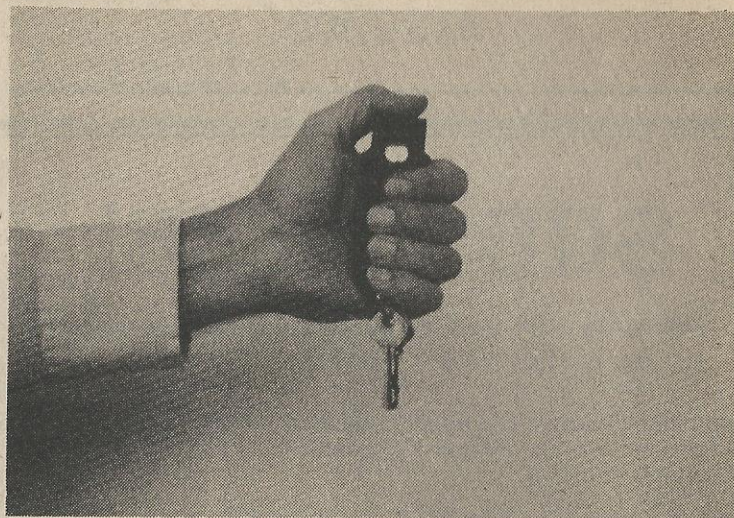
The rights of children against state coercion have only recently begun to be articulated, and have yet to be established. It is a task long overdue.

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Marcia Robinson Lowry is the director of the ACLU's Children's Rights Project.

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HEW Wants Research Rules

A panel set up by the Department of Health, Education and Welfare has recommended that that department assert the authority to regulate and, perhaps, stop, research projects at colleges and universities.

The proposal would require all research projects to be submitted to an "Institutional Review Board" set up by the school but answerable only to the federal government. If this board decided that a research project "could in any way harm or embarrass any human being", the project would have to be modified until it met the board's criteria or scuttled.

Such rules are supposed to apply even to projects which are not funded by the federal government. The proposal grew out of expressed concern for the rights of such people as prison inmates used without their informed consent in various medical and psychological research projects.

Substantial opposition to the adoption of the proposal has reportedly emerged among academicians. It is uncertain when the new rules would go into effect, or just how HEW could extend its powers to cover non-federally-funded projects.

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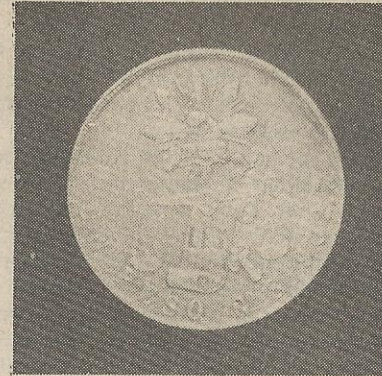
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