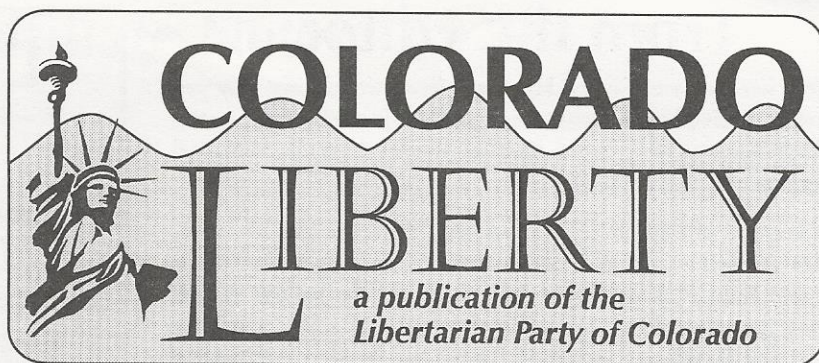


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VOLUME XV, NUMBER 10

OCT/NOV 1994

Aitken rehab effort falls short

Ptak Put Back on Ballot

by Richard G. Combs

Judd Ptak, Libertarian candidate for the District 13 State Senate seat, was ordered back on the ballot by the Federal District Court in Denver on Monday, October 3.

In a surprisingly quick decision, Judge Nottingham acted immediately after the close of oral arguments. He granted Ptak's request for an injunction ordering the Secretary of State to place him on the ballot. Both sides had filed written briefs the preceding Friday.

Ptak and fellow plaintiff Paul Grant, a long-time Libertarian activist from Parker and third-year law student, appeared *pro se* (representing themselves). They argued that it is unconstitutional for Colorado to require 1000 signatures for a state legislative district, but only 500 for a U.S. Congressional district that is approximately six times as large. The two cited a 1979

U.S. Supreme Court decision, *Illinois State Board of Elections v. Socialist Workers Party*, that overturned a statute requiring more signatures for a city office than for state-wide office.

Ptak claimed the law violates his 14th Amendment right to equal protection. Grant argued that, if the LP is "de-certified" as a result of Ptak not being on the ballot, then Grant's 1st Amendment right to associate would be violated. In granting the injunction, Judge Nottingham agreed on both points.

Much of the credit for the successful outcome apparently belongs to Paul Grant, who did the legal research and prepared the brief for the case. Courtroom observers also said he clearly bested Deputy Attorney General Maurice G. Knaizer during the oral arguments.

see Ptak Put Back, page 9

Firearms and Freedom Election Rally Draws Big Crowd

by Richard G. Combs

Despite threatening skies earlier, October 2 proved to be a perfect Sunday afternoon for a political rally. An enthusiastic crowd of more than 2,000 definitely agreed. They gathered at the state capitol for the Liberty Alliance's Firearms and Freedom Rally, and they arrived early and stayed late.

They came from as far as Pueblo and Grand Junction. They cheered calls for defying the federal government, a promise to issue "lots" of concealed carry permits, and the general idea of throwing a variety of rascals out.

For more than two hours, candidates from all political parties paraded to the microphone to assure the crowd that they took the Bill of Rights, especially the Second Amendment, seriously. Speakers included Libertarian candidates Judd Ptak (State Senate, District 13) and Darrel Pettijohn (Jefferson County sheriff). Also from the LP were State Chair David Aitken, speaking on behalf of the term limits initiative, and rally organizer David Segal.



The LP tables at the rally were busy all afternoon.
Photo by Larry Hoffenberg

see Rally Draws Big Crowd, page 9

From the Editor:

Well, here we are, finally. Have you been wondering why you haven't received your October issue? Or is it out of sight, out of mind? Anyway, this is our election-special 12-page combined October and November issue.

As the end of September approached, it just seemed like there were far too many unresolved stories for us to go to press. Would Judd Ptak or David Aitken get on the ballot? Which ballot issues would we be voting on? And how would the Firearms and Freedom Election Rally go? We decided that we had to provide answers to these questions, and we had to get them to you before the end of October. Thus this double issue. It's been thrown together under rather bizarre circumstances, the details of which I will spare you. Hope you like it.

Remember Robin Heid? The sky-diver, stunt-man, and gun rights activist who, until disqualified by Natalie Meyer, was the LP's gubernatorial candidate four years ago? Heid, who had first fought for the Republican nomination, would have been a newsworthy, charismatic, highly visible Libertarian candidate. He had my all-time favorite political slogan: "Less faith in government, more trust in people." But Natalie said we can't nominate someone who was a registered Republican. Bitch.

Anyway, Robin has a new talk show on KNUS 710 AM. It's on Sundays from 11:30 a.m. to 2 p.m. Check it out!

Late Breaking News — David Segal has resigned as Fundraising Director of the LPC. Segal said he was "unable to do the job properly," and preferred to concentrate on other matters. At press time, Bette Rose Smith had expressed an interest in the position.

Colorado Liberty

A publication of the Libertarian Party of Colorado

David Aitken, Chairman and Publisher

Richard G. Combs, Publications Director and Editor

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Denver, Colorado 80203

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(Signature is required only for national membership.)

What does the above pledge mean? We ask our members to disavow the *initiation* of force. This does not mean that you cannot defend yourself; you *do* have a right to defend your life, liberty, and property. It means that you cannot use the coercive power of government to forcibly achieve your personal, ethical or religious goals.

This commitment helps us maintain our principles and provides us with a measuring stick to determine if we have strayed from our common goal: a society where all relationships among persons are based on voluntary cooperation.

Make checks payable to:

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Correction

We had another phone number problem last month. Apparently, there's been a lot of dyslexia in the air.

The phone number for obtaining a TRIM Bulletin (provided in this space last month) had two digits transposed.

If you'd like a complimentary TRIM Bulletin for your congressman, or more information about TRIM, call John Pfuetze ("fitsee") at (303) 795-5398, or write him at 1816 E. Mineral Ave., Littleton, CO 80122.

Affiliate News

Aspen Liberty Coalition

Tom Peckham reports that the Liberty Coalition booth at the One World Music Festival was well-received and distributed lots of literature. The group was sought out by festival organizers, who gave them a front row center booth in Preservation Pavilion, ensuring lots of foot traffic.

Peckham also reports that the county is threatening to bulldoze the cabin of a local resident who built it several years ago in the middle of 300 acres he owns. The cabin, recently discovered by authorities, is scheduled to be demolished because it was built without a permit and doesn't meet building codes (stay tuned to find out if the resulting pile of rubble turns out to be a safer residence). The resident, George Wilkinson, has shown some interest in the LP and our support of private property rights.

Aurora

The Aurora LP has changed its meeting location again. They are now at Delmonico's, in the King Soopers center at Parker Road and Peoria, just north of I-225.

The September meeting featured Heather Isley of the Vitamin Cottage, who described some of the unbelievable harassment their business has suffered at the hands of the FDA.

Boulder County

Boulder libertarians were disappointed to learn that Judd Ptak lost the first round of his court fight to be placed on the ballot. Now that he is back on, they are expecting to devote considerable time and energy to helping his campaign.

Denver County

Denver's September meeting featured State Rep. Penn Pfiffner of Lakewood, former LP state chair. Pfiffner described some of the highlights and lowlights of his first term and offered a wealth of advice for being more effective in the political arena.

Chair Richard Combs reminded members that it was time for election of new chapter officers. Nominations will be accepted at the October meeting, with elections in November.

Jefferson County

The Jeffco group has printed copies of the National LP's ad, "Which political party is 100% pro-gun rights?" They hope to get them distributed by local gun shops, along with Jeffco LP information. New chair Dick Reseigh is also looking for volunteers to help distribute FIJA flyers at the "Taj Mahal" (county courthouse). Call him at 232-3960.

The September Jefferson Forum featured Clyde Harkins of the TABOR Committee speaking about Amendment 12. The October speaker will be Rep. Penn Pfiffner. For November, the group has invited two board members of Colorado Right to Life. The question and answer session promises to be spirited.

Western Colorado LP

The Mesa County LP is running ads on radio station KNZZ-1100 AM. They are sponsoring "Campaign '94," which airs weekdays from 3 to 5 p.m. Dale Doelling created the commercials, which promote Operation Safe Streets and Project Healthy Choice. Doelling continues to appear frequently on talk radio himself.

A Brief Review of Ballot Proposals

by Richard G. Combs

Here's a brief look at ballot issues you'll be voting on this year, with my more or less serious recommendations.

Referendum A

Also known as Natalie's Revenge, this turkey would allow the ballot title setting board to block virtually any initiative by claiming that it involves more than one subject. For an example of how this works in practice, look at Florida, where the same rule has been used repeatedly to keep popular measures off the ballot and tied up in court. Vote NO!

Referendum B

The purpose of this measure is to have the "nonpartisan research staff of the General Assembly," with the approval of the Legislative Council, prepare the statements for and against ballot issues that are sent to voters, instead of the proponents and opponents, as is presently required. Bad idea, if you're even the slightest bit suspicious of their impartiality. I am. Vote NO!

Referendum C

Denies bail to persons convicted of violent felonies and sets strict criteria for the granting of post-conviction bail in other cases. I wasn't sure about this one until I read the arguments against it. Specifically, the complaint that it's unfair to single

out violent offenders and let others convicted of "a more serious class of crime, such as a second offense of selling or dispensing controlled substances" get out on bail. Thanks for making it clear to me, fellows! Vote YES!

Amendment 1

A massive tax increase. Need I say more? Vote NO!

Amendment 11

Lets workers choose any health care provider for treatment of their Workers' Comp claims. The whole Workers' Comp system sucks, so I wasn't sure what to think of this particular change. Then I remembered "Teddy" on his jet-ski. Vote NO!

Amendment 12

Although I disapprove of the contribution limit on PACs and other groups, the rest is so right and so necessary, I'm a big supporter. Vote YES!

Amendments 13 & 14

These allow gambling in Manitou Springs and Trinidad, respectively. Should gambling be legal? Yes. Should a specific company have a monopoly on gambling in Manitou Springs? No. Should tax revenue from gambling in Manitou Springs be

see Ballot Issues, page 4

Will anti-tax initiatives sweep the states this fall?

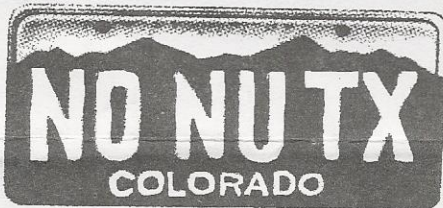
The Great Tax Revolt of 1994*

by Stephen Moore & Dean Stansel (excerpted by and with concluding comments from Larry Hoffenberg)

Two years ago, when businessman-turned-political-activist Douglas Bruce launched Amendment 1 in Colorado, a ballot initiative requiring that all new and increased state and local taxes and debt be approved by popular vote, his political opponents waged a holy war against him. Bruce was characterized as a "terrorist" who would "lob grenades into a schoolyard full of children." Defeating the proposal was said to be the moral equivalent of "fighting the Nazis at the Battle of the Bulge."

And these, mind you, were just the comments of the governor, Democrat Roy Romer.

The public-employees unions, education lobby, and bond traders were far less civil. One bond trader, fearful that the voter-approval requirement for new debt would put him out of business, even suggested that if Amendment 1 were adopted, the pope might be assassinated when he came to Denver, for lack of police. Despite the hyperbole, hysteria, and nearly \$1 million spent to defeat the initiative (versus less than \$300,000 spent by taxpayer groups in support), Amendment 1 was approved by 54 percent of the voters in November 1992.



"The great untold political story of the year is how rapidly Colorado's Amendment 1 is invading other states."

It has had an immediate policy impact. Tax increases have been stopped dead in their tracks. In November 1993, one year after Amendment 1's passage, Colorado voters were asked to reinstate a relatively trivial 0.2 percent tourism tax that had expired. They rejected the \$11 million tax hike by a margin of 55 to 45. Last year Colorado property taxes rose by less than 1 percent—the smallest increase in 20 years. Without new revenue sources to tap easily, state government in Denver is changing the way it does business. "These days, when agencies want more funds, they are forced to cannibalize each other," says Bruce.

But the real impact of Amendment 1, and the great untold political story of the year, is how rapidly this initiative is invading other states. Oklahoma and Washington voters have already joined Colorado in passing it. Similar initiatives have qualified for the November ballot in Nevada and Oregon and will likely also appear on the ballot in Florida, Missouri, Montana, and North Dakota. Grover Norquist, president of Americans for Tax Reform, which advises state taxpayer groups

across the country, predicts that "the way things are going, by 1996 every state with initiative and referendum will have passed a version of the Colorado law." So far, the measure seems to command the same kind of broad-based populist appeal as term limits.

Welcome to the great tax revolt of 1994.....

The above article, the eight-page cover story in the October 1994 issue of *REASON* magazine, goes on to describe the burgeoning tax reform movements underway in many key states across the country. As indicated, Colorado is in the forefront of the nationwide tax reform movement. Libertarians in Colorado can be proud to have strongly supported Amendment 1. We did make a difference in helping kick off this national trend!

Coloradans have a golden opportunity this November to initiate another critical national movement: true political reform in the form of Amendment 12, the Election Reform Amendment. YOUR active, personal commitment to Amendment 12 is essential for its passage. Please call the TABOR Committee TODAY at (303) 756-7600 or 869-6306 to offer your time and energy to help pass Amendment 12. Campaign contributions are urgently needed and should be sent to the TABOR Committee, P.O. Box 1900, Arvada, CO 80001.

* Reprinted, with permission, from the October 1994 issue of *REASON* magazine. Copyright 1994 by the Reason Foundation, 3415 S. Sepulveda Blvd., Suite 400, Los Angeles, CA 90034. For a sample issue, please call (310) 391-2245. Stephen Moore is director of fiscal policy studies and Dean Stansel is a fiscal policy analyst at the Cato Institute.

Ballot Issues, continued from page 3

exempted from Amendment 1? Hell, no! You can maybe hold your nose and vote yes on Trinidad, but on Manitou, vote NO!

Amendment 15

I can't begin to describe all the egregious, statist, unconstitutional provisions in this Common Cause proposal. A small "third" party would find it almost impossible to function under the crushing regulatory burden. Vote NO!

Amendment 16

We have stronger free speech protection in Colorado than at the federal level. The censors want to change that. Vote NO!

Amendment 17

Extends and tightens term limits. Vote YES!

Amendment 18

Makes parents liable for their children's medical expenses. What a novel idea! Vote YES!

Culture Tax

This one's just for us metro residents, and I don't know the number. Tax the working slob's corn dogs to subsidize opera? How do they get away with this elitist crap? Vote NO!

"Two-party conspiracy must end"

says TV star Michael Moriarty

EMMY AWARD WINNING TV star Michael Moriarty — now locking in a fierce public battle with Attorney General Janet Reno over censorship — emphatically told the Libertarian Party National Committee that America's "two party conspiracy must end.

"Do you know what we're really addicted to? Cocaine? Nope. Heroin? Nope. Marijuana? Nope. We're addicted to the two party system."

In an emotional speech at the NatCom meeting in Washington, DC on August 21st, the former star of the hit NBC series *Law & Order* also discussed Bill Clinton, politics, culture, and his battle with Reno, using salty language and sarcasm to make his points.

Mixing accusations, one-liners, and social commentary, Moriarty sounded like a cross between Lenny Bruce and Ben Stone, the District Attorney he played on *Law & Order* for four seasons.

"Janet Reno wants to institute a kind of cultural martial law," he charged. "On November 18, 1993, Janet Reno described in some detail the kind of nationwide television that she thinks America should be watching. Since then, all three networks and most of cable TV have given some concessions to her outrageous requests."

Along with several industry executives, Moriarty met with Reno last year to discuss television violence, but ended up getting a lecture about the evils of TV. The explicit message Moriarty got from Reno: "We the people of the entertainment industry are now the enemy."

He called a press conference afterward and accused Reno of attempting to censor television. Two weeks later he was gone from *Law & Order*.

RENO'S GOAL? STATE-controlled television, said Moriarty flatly. "She has instituted in the Justice Department a [policy] labeled 'Coordinating Television Content.' That, ladies and gentlemen, is a euphemism for state controlled television and destroys any claim to be living under the Constitution and the Bill of Rights — the magnificent governing document that Ms. Janet Reno swore, with her hand on the Bible, to uphold.

"If the rights of law-abiding citizens can be laughed at by the Attorney General, then who is here to protect us from our protectors?" he asked.

Moriarty has won two Emmy Awards, a Tony Award, and a Golden Globe Award. He has appeared in the movies *Bang the Drum Slowly* and *Pale Rider*, on Broadway in *My Fair Lady*, and on TV in the *Holocaust* miniseries.

A liberal who voted for Clinton, Moriarty said he has undergone a political rebirth.

NOW, SOUNDING VERY libertarian, he said: "There is only one condition I see that justifies the appearance of any earthly governing authority and that is when the Golden Rule is broken, when one person does unto another person what he or she would never want done unto them. Barring that, all consensual agree-

ments between adult human beings are sacred and never to be forbidden by any earthly governing authority.

"There is nothing more powerful in the universe than the free, unique, and independent human being. That is my faith, my credo, and the source of my unstoppable pursuit of happiness," he said.

Moriarty also had remarkably libertarian opinions on a wide range of political issues:

✪ **Taxes:** "Do you realize that the federal government right now takes 43% of the gross domestic product? I consider that an outrage."

✪ **Guns:** "The Clintons... firmly believe that the Second Amendment was written by the NRA. Just remember: Charley Manson can't have an assault weapon, but you can't have an assault weapon either. You, folks, are now just as big an enemy of the federal government as Charley Manson. Think about it."

✪ **TV Violence:** "Blaming television for violent crime is like blaming *Playboy* for venereal disease."

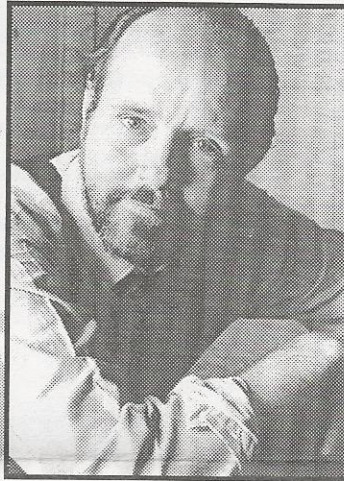
✪ **Government:** "Any government, at any time, in any nation, is, by its nature, a parasite, a pilot fish, a fungus dependent entirely upon the host it infects. It doesn't fend for itself because it lives off the energy and health of people who do fend for themselves."

BUT MORIARTY REPEATEDLY returned to his theme that the Republicans and Democrats had betrayed the ideals of America.

"The Republican and Democratic parties are a good cop/bad cop team that has been mugging this nation for decades," he said. "Despite their disclaimers, the one aim of every member of this coalition is to make the federal government bigger and stronger and more powerful each year. And the only way to do that is to make the citizens of this nation smaller and weaker and less powerful."

Moriarty's solution: Vote for "any [independent] candidate that sends a message to the mainstream politicians that their scam is over and that the so-called saviors of the last few decades have proven to be the killers of our independence and the betrayers of the Declaration of Independence."

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"Any government is, by its nature, a parasite, a fungus."

The new Constitution Party

An unexpected conversation with party founder Aaron Russo

by Larry Hoffenberg

As Secretary of the Denver Affiliate, my volunteer responsibilities include performing various general office tasks at the State Party headquarters in Denver. This includes sending out requests for information on the LP, filling orders for bumperstickers and T-shirts, returning phone calls, etc.

On September 15th, a somewhat unusual message requesting information about the LP was left on the answering machine. The return phone number given by Jeff was from the 310 area code—Beverly Hills, California. Why should this person be calling long distance to us, rather than contacting the very large and conspicuous California LP or the Los Angeles LP, I thought to myself. Should I invest a few dollars of the LP of Colorado's very limited funds to possibly recruit a Californian?

What the heck, I decided to call him back from home, over the weekend, when long distance rates are at the maximum discount. When I made the return call, Jeff wasn't there, but the person answering the phone also was very much interested in the LP. His name was Aaron Russo. The name didn't ring a bell at first, but a few minutes into our conversation, it hit me. Aaron is founder of the new Constitution Party (not to be confused with a New Constitution Party, if it exists). I had heard Aaron a week earlier as a guest on the Roger Fredenburg Program, a nationally syndicated talk radio program, newly carried in Denver on KNUS AM 710, 9:00 to 11:00 p.m. weeknights. (3 1/2 stars on my talk radio scale. See April-June, 1994 issues of the *CLiPboard*.)

**"The Constitution Party
advocates a VERY libertarian
agenda. The LP and CP are in
substantial, if not complete,
agreement on every major
issue."**

Apparently Jeff and Aaron thought they were calling the LP national headquarters. (Their confusion is understandable. After all, the LP was founded right here in Denver, in 1972.) Aaron wanted to receive a copy of the LP platform to compare it with that of the CP.

Coincidentally or not, we just received a copy of the CP's platform at the LP office that same day. I spoke with Aaron for about 30 minutes, discussing and comparing our respective parties' positions on taxes, national defense, government coercion, individual liberty, and other issues.

As the saying goes, there is good news and bad news and good news and bad news. The good news is that after my discussions

with Aaron, reading their five page platform, and recalling his talk radio interview, I must conclude that the CP advocates a VERY libertarian agenda. As their name implies, the CP is focusing on a return to Constitutional values, the Bill of Rights, limited government and taxation, fully-informed juries, and the many other principles held by our Founding Fathers. To my knowledge, the LP and CP are in substantial, if not complete, agreement on every major issue.

The bad news (for the LP) is that the CP is off to a booming start. Just when it seemed that the national LP has finally gotten its act together (witness Project Healthy Choice and Operation Safe Streets) and just when our party membership is finally moving up to the exponential portion of the growth curve, the Libertarian Party is facing the possible loss of our monopoly as the party of libertarians.

Since its launching in mid-August, the CP has been inundated and overwhelmed with "thousands and thousands" of phone calls and requests for information, thanks in large part to broad national radio exposure and the current unprecedented level of voter dissatisfaction with the "Democans and Republicrats." Once the CP gets fully organized and gains some experience as a political organization, the LP's standing as "America's third largest political party" could be in for a serious challenge.

The good news is that one of the reasons Aaron called the LP was to approach us about a possible alliance or cooperative effort. (It would be very premature and irresponsible to even mention the word "merger.") I gave him the phone number of LP national Chairman Steve Dasbach. Perhaps we'll hear from Steve on this subject via his column in the national LP News newspaper. To his credit, Aaron approached the issue in a very forthright manner, indicating that he did not care how it was done or which party did it, but his goal is to return control of this country from the federal government to the people.

The bad news is that Aaron expressed to me his perception that the LP has been an ineffectual organization over its 22 year history. I could not honestly refute him, other than to say that we have seen the evil of our past ways as an "intellectual debating society" and that the LP has made enormous strides in the last few years as a professional political party offering practical solutions.

To conclude with the good news, I believe the founding of the Constitution Party should be welcomed with open arms by Libertarian Party members. It indicates that libertarianism is alive and well as never before. Don't get me wrong; I am certainly *not* advocating defection to the Constitution Party. But with the arrival of the CP to the political scene, we're one step closer to the day when the two leading candidates for President are both (small "l") libertarians. I await that day with great anticipation.

The Trickle Up Program

by Bette Rose Smith

What is it that a private organization can do for \$100 that takes the government \$20,000 to do? Most Libertarians would say "Almost anything!" Yet when asked for real life examples, we might have a hard time coming up with one for foreign aid. The Trickle Up Program is just such an example, and has been for 15 years. *Almost 20*

Trickle Up Program (TUP) specializes in making dreams come true with the use of \$100 grants. The program seeks out groups of people living in poverty-stricken areas of the world who want to start their own businesses—"micro-enterprises." With the use of these people's own resources, skills, and knowledge, and with TUP's \$100 grants, the nonprofit organization has been able to start over 38,000 businesses in 108 different countries, including (would you believe) the USA. This program has created over a quarter of a million jobs!

So why does \$100 make so much difference in the lives of these people, when our government has been sending millions of dollars in aid to many of these same countries? I once saw a button that said "Foreign Aid—Poor people in rich countries giving money to rich people in poor countries." Trickle Up avoids this problem by giving money directly to the people who are to benefit from it. There are no middlemen siphoning off a good share of the money. Remember, in many of these countries, \$100 is more than most people make in a year.

Another thing—Trickle Up does its homework. You won't find TUP supplying a group of women with 20 brand new industrial sewing machines in a town that has electricity only one day a week. Trickle Up works with volunteer agencies that are experienced in the development of the communities where the enterprises are to exist. With the help of over 1173 volunteer Coordinating Agencies worldwide, Trickle Up provides grants and business training where they can be used to the fullest.

One of the volunteer agencies will find a small group of people, often a family, ready to start or expand their own business. The volunteer interviews the group to determine if it can come up with a workable business plan. The group then makes application to Trickle Up for one of their grants. If the business plan is approved, Trickle Up issues \$50 to the group. The micro-enterprise guarantees it will put 1000 man-hours and 20% of its profit into the business during the next three months. At the end of the three months, TUP issues the last \$50.

This program was begun in 1979 when Glen Leet and Mildred Robbins Leet, with a thousand dollars of their own money, started 10 businesses in Dominica. It continues throughout the world, starting businesses from raising animals to creating crafts, from farming to making cement blocks.

Is the program successful? Just ask Grace Mbakwa of Tugi, Cameroon, who, because of her clothing business, has been able to train six seamstress apprentices; or Mrs. Chan Navy of Cambodia, who because of her fish paste business, can now send her children to school. And the benefits of the program

aren't just limited to the people who start the business. In the Philippines, a small group started making sausages. The neighbors later joined the project, and now they plan on building a factory. In Ghana, three Trickle Up businesses decided to join forces. The 27 members have tripled their productivity and, because of the large number of members, have been able to sell their products in a variety of markets. It has allowed these people to generate a middle-class type salary.

"Trickle Up spends less than \$175 per business; each creates an average of five jobs. It costs our government about \$20,000 to create one job."

How much overhead is involved with making these grants? Not much. With a budget of only 1.2 million dollars, Trickle Up helped start or expand 6,939 businesses in 1993 alone! That's an average of less than \$175 per business, about \$35 per job created when you figure the average number of jobs created per business is five. It costs our government approximately \$20,000 to create *one* job. My money will be with Trickle Up from now on.

Trickle Up is launching a pilot project in the United States. The pilot program will be researching the amount of money it will take for groups in the U.S. to start their own businesses and what the best way is to help groups become self-employed. It will determine the best way to work within the legal framework of unemployment compensation, health care, welfare, and Social Security in order to allow people to move out of poverty successfully.

Trickle Up Program, Inc. is based at 54 Riverside Drive, New York, NY 10024. Their phone number is (212) 362-7958. Their fax number is (212) 877-7464.

If you choose to contribute to Trickle Up or to contact them for more information, please tell them, "I read about you in *Colorado Liberty*, the Libertarian Party of Colorado newsletter."



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The Libertarian Bookshelf

Ain't Nobody's Business If You Do (The Absurdity of Consensual Crimes in a Free Society)

by Peter McWilliams (Prelude Press, 1993)

Reviewed by Louis James

This is hands down the most wonderful book I've read in years. I'll tell you why I think so in a moment, but I won't be telling you that it's perfect. So—lest there be any doubt—I want to make it clear how much I think of Mr. McWilliams' book. Just reading the dust cover is educational, and the book has a good 800 pages packed with information and entertainment.

Here are the basic facts. Peter McWilliams is a best-selling author, well known for his books: *LIFE 101*, *You Can't Afford The Luxury of a Negative Thought*, and *DO IT! Ain't Nobody's Business If You Do* has 815 numbered pages detailing the most compelling arguments I have ever encountered concerning the decriminalization of consensual crimes. McWilliams takes a brief look at why adults should be allowed to do whatever they want with their own person and property, as long as they do not physically harm the person or property of a non-consenting other, then quite simply takes every imaginable argument to the contrary and disproves it.

"I never imagined that a book about something so serious could be so funny. I drove friends batty by constantly reading out loud to them."

Indeed, McWilliams went to such great lengths not to leave any stone unturned that this actually becomes a problem for the book. It's not that he goes into too much detail, or becomes boring; it's just that there is so much material that one can be overwhelmed. *Ain't Nobody's Business If You Do* brings new meaning to the term "exhaustive research." In fact, I felt quite exhausted when I finally finished. Exhausted, but very happy. As daunting as the sheer magnitude of the work is, the rewards for taking it on are equally large. These include the boxed quotes on almost every single page, the extraordinary amount of information, the examples, the stories, and the wonderful humor that binds it all together.

For those who, in spite of these inducements, don't think they would have the time for such a lengthy tome, I would say (as McWilliams does) that no one need read the entire book. It is only necessary for a person to believe one of the arguments for them to accept the conclusion of decriminalization. If one already accepts the conclusion, the book can be used to look up

McWilliams' responses to the objections one encounters most frequently. For example, many arguments for outlawing consensual activities are religious (Christian, in this country); McWilliams has done the most detailed and rigorous secular examination of scripture I have ever read. Not surprisingly, his research seems to show that Jesus of Nazareth would be far from pleased with the State's current efforts to legislate morality. As a bare minimum, I would say that the book is a desk reference everyone should own. It can also be a mind-altering experience, and the collection of thought-provoking quotes would be worth having, even if there were nothing else on the pages.

The most brilliant aspect of the book is its stubborn refusal to adopt a partisan position, or become embroiled in the ideological perspective of any one group. McWilliams' approach is to aim his arguments squarely at the Average Joe (or Josephine). He does not assume that his reader is extremely well read, nor completely ill-informed. His thinking isn't geared toward a highly trained logician, nor does it assume the reader is an idiot. The basic idea seems to be that the reader, like most Americans, has a basic understanding of the importance of individual liberty, but thinks that some laws against some acts (between consenting adults that don't physically harm the person or property of a non-consenting other) are necessary. I can say that, as a Libertarian, there were definitely some things he said that made me uncomfortable, and I'm quite sure the same would be true of any Republicans or Democrats. Like Tom Paine two hundred years ago, McWilliams is crying out to all to forget about taking sides; current policy is absurd, not working, and destroying countless lives. Because it was designed to appeal to the broadest range of people possible, the book is likely to offend just about everyone at one point or another. I would urge readers not to focus on the flaws of any portion of the book, and open up to the whole message.

While there is much sobering material in the book, McWilliams manages to present his arguments and facts in such a way that even a person with an attention span as notoriously short as mine can read it and enjoy it. I kept turning the pages, partly just to see the quotes like this one from Mark Twain: "Reader, suppose you were an idiot. And suppose you were a member of congress. But I repeat myself." There is an imaginary exchange between God and Janet Reno, wherein Reno plays the role of Eve, and gets off the hook by assuming full responsibility for eating the forbidden fruit, rather than blaming the serpent. I never imagined that a book about something so serious could be so absolutely funny. I know I drove friends batty by constantly reading out loud to them, but parts of the book either made so much sense, were so frightening, or were so amusing, that I had to share them with the nearest person.

Ain't Nobody's Business If You Do can be ordered directly from Prelude Press by calling 1-800-LIFE-101. I heartily recommend that everyone who cares about these issues do so.

Ptak Put Back, *continued from page 1*

While the ruling ensures Ptak a spot on the ballot for now, it is a preliminary injunction, not a final decision that can be cited as precedent. Conceivably, the state could appeal the ruling. State Chair David Aitken thought that unlikely, however. Although the final decision is Meyer's, Aitken believes that both Knaizer and Donetta Davidson, head of the election division of the Secretary of State's office, will recommend that the state not fight the matter.

Grant intends to file a motion for a summary judgement in the case, which should be granted if the state does not object. This would settle the case without a trial, set a federal precedent, and force Colorado to change its ballot access laws. If Meyer chooses to fight the motion, a full trial is likely.

Even a summary judgement doesn't come cheap, Aitken pointed out. The first step is preparation of a transcript of the hearing, at a cost of \$300-400. "I want to thank everyone who responded to our plea for legal funds," said Aitken, "but the battle isn't over and we could still use more help." If a trial is necessary, costs would escalate rapidly.

Aitken gave up his own struggle for ballot access after losing the first round and being advised by his attorney that a full fight would cost around \$20,000.

Aitken looks forward to using the Ptak case as a lever to change the system. "This will spur us to pursue changes in the legislature this coming session," he predicted. "It's imperative

that Libertarians all over the state be prepared to call their senators and representatives when the time comes."

The Secretary of State's office had ruled Ptak did not have sufficient signatures to qualify for the ballot. After being told that this action would precipitate a civil rights suit, Natalie Meyer took the offensive by filing a complaint in Denver District Court, seeking to have the statute declared constitutional.

The case was heard by a family court judge, who ruled in favor of Meyer. The Colorado Supreme Court denied an appeal. Attorney Ralph Ogden handled the case at cost up to that point, but his schedule would not permit him to continue. Everyone involved felt sure, however, that Ptak would have an excellent chance in Federal court, so he and Grant decided to pursue the matter on their own.

Ptak's reinstatement not only saves the LPC from facing "de-certification," but provides an opportunity to make some waves. The incumbent, Sally Hopper, has been characterized as a "Clinton Republican," and with sufficient resources, Ptak could attract quite a few votes from disgruntled Republicans in the mountainous district.

To help with Judd Ptak's campaign, call him at (303) 258-3457 or 441-9943. Or send your contribution to the Libertarian Party, 720 East 18th Ave., #309, Denver, CO 80203. Indicate on your check that it is for the Ptak campaign.

Rally Draws Big Crowd, *continued from page 1*

Republican speakers included Congressional candidates William Eggert (1st District) and Pat Miller (2nd District), Attorney General Gale Norton, State Senator Jim Roberts, State Rep. Charles Duke (running for State Senate), and gubernatorial candidate Bruce Benson.

The Colorado Taxpayers Party was represented by gubernatorial candidate Kevin Swanson and Secretary of State candidate Doug Campbell.

Doug Bruce exhorted the crowd to work for Amendment 12, citing specific examples of how it would benefit them in their struggle for 2nd Amendment rights. Bruce announced that he has taken out a second mortgage on his house in order to put \$75,000 into the campaign, and asked those present to contribute 0.1% of that, or \$75.

Only one Democrat spoke, but he was a big hit. Ed McDonald, running for sheriff of Fremont County, pledged to issue carry permits if elected, and pointed out that he could issue permits to people throughout Colorado. "I don't think you should need a permit," McDonald told the cheering crowd, "but since you do, I'll give out lots of them!"

Rep. Charles Duke, author of the 10th Amendment resolution, also drew loud cheers as he described his plans for promoting state sovereignty during the next legislative session.

I'm telling you to get off your asses and save yourselves from what you put into office because it is eating you alive. It is eating your money, your rights, and your self-respect.

— Michael Moriarty

Duke is drafting a bill to exempt Colorado from the assault weapons ban and encourage manufacturers of such weapons to relocate here. He is also working on a bill that would have the state collect all federal gasoline taxes, place them into an escrow account, and withhold the money from Washington if the federal government attempts to blackmail the state with loss of highway funds for any reason.

Bruce Benson, who was over an hour late because of a late-running earlier event, received a luke-warm response. His brief remarks focused mainly on crime, with only an aside mentioning that he could be counted on to support gun owners' rights. The crowd did not seem convinced.

The LP tables were busy all afternoon, selling bumper stickers, handing out literature, and circulating petitions calling on the Colorado Legislature to impeach all the members of the Colorado Supreme Court. Several hundred signatures were collected. The petitions will be presented to the Legislature when it re-convenes in January. The LP took in more than \$300 in sales and contributions.

Brown Enters Race

Harry Browne, best-selling author of nine books over the last two decades and well-known investment adviser, has announced his intention to campaign for the 1996 Libertarian Party presidential nomination.

In telephone conversations with national party officials, Browne outlined his goal to "make the Libertarian Party a permanent, substantial force in American politics." He said his intention is to recruit new members for the party, and one campaign goal is to double party membership by 1996.

According to Browne, he can garner significant support, including campaign financing, from outside the present membership of the Libertarian Party.

Winning the election is a long-shot, he admitted, but he does not concede that it is outside the realm of possibility.

Browne, a resident of California, has not run for public office before. He has not previously been a member of the Libertarian Party or any other political party. However, his writings have been influential in the Libertarian movement.

His books include *You Can Profit from the Coming Monetary Crisis* and *How I Found Freedom in an Unfree World*. He is working on a new book, *The Breakdown of Government*, which is scheduled for publication in September 1995.

Browne expects to begin campaigning full-time in January 1995. Among those already pledged to support his campaign are Mark Skousen and Douglas Casey (investment newsletter publishers and authors), and David Bergland (1984 Libertarian Presidential candidate).

Browne is already set up to receive donations: Browne for President Libertarian Party Headquarters, 1528 Pennsylvania Ave., S.E., Washington, D.C. 20003

Court Rules Forfeiture Violates Double Jeopardy Clause

On September 6, the Ninth Circuit Court of Appeals ruled that a civil forfeiture proceeding subsequent to criminal prosecution violates the Fifth Amendment's double jeopardy clause. The ruling came in a civil forfeiture case, *United States v. \$405,089.23*, brought in parallel with criminal charges of drug conspiracy and money laundering against defendants Charles Arlt and James Wren. After their conviction on criminal charges, the government filed a motion for summary judgment in the forfeiture case, which the district court granted. The defendants, acting *pro se*, appealed to the circuit court.

The Ninth Circuit Court noted that, in *Austin v. United States* (1993), the Supreme Court said that civil forfeiture is punishment. Since it was punishment, and since it was clearly a separate proceeding, "the government's actions constituted a successive attempt to impose punishment, in violation of the Double Jeopardy Clause," the court concluded.

The court noted that the same reasoning would also bar civil

forfeiture proceedings after acquittal in parallel criminal proceedings.

The decision was hailed by Brenda Grantland, President of F.E.A.R. (Forfeiture Endangers American Rights), who also noted that a pending Supreme Court case—*United States v. Tilley*—"will probably resolve these issues for good. If our track record holds up, this will be the sixth consecutive victory in the Supreme Court for forfeiture reform. It may also decide the fundamental question of whether civil forfeiture is constitutional at all—leaving the government with only the criminal forfeiture process."

LP of Canada Promotes Private Vouchers

The Libertarian Party of Canada is offering private educational vouchers to parents and others in exchange for contributions to the party. Under the Canadian political contribution laws, the donors are eligible for partial tax credits for their contributions.

For a donation plus a 15% fee, the party will give a voucher in the amount of the donation to the donor's school of choice. The donor is then eligible for a tax credit on the full (donation plus fee) amount on a sliding scale, up to a maximum credit of \$500. For instance, a donor contributing \$1000 + \$150 (fee) would receive the maximum tax credit of \$500, making the cost of the \$1000 voucher \$650.

The LP of Canada suggests that by sharing financing and tax credits with friends and relatives, "the cost of private school will quickly come down within your financial comfort range." The party pledges to use a portion of the 15% fee to "award scholarships to needy students in private and home schools."

Kudos to...

- Everyone who helped with the October 2 gun rights rally: Larry Hoffenberg, who provided the canopy and the tables for the LP booth; Michelle Bethke and Bette Rose Smith, who provided the great signs and staffed the LP tables all day long; and everyone else who worked a shift at the tables. We lost the schedule, so we won't risk leaving someone out by trying to name you all from memory, but we appreciate the contribution each and every one of you made. Thank you all very much!
- Paul Grant, who performed above and beyond the call of duty in the party's ballot access struggles.
- Jeff Wright, Colorado Springs, who did a one hour talk show on KGMT. Nice work, Jeff!
- Doug Bruce, who set the record straight regarding Amendment 12 in an excellent op ed piece in the *Denver Post*, and who told the *Rocky Mountain News*' "Spotlight" section that the book that influenced him the most was *Atlas Shrugged*.
- Larry Hoffenberg, whose Sept. 20 letter in the *Rocky Mountain News* was so good it elicited a complimentary phone call to the LP office from one (non-LP) reader.

Libertarian Party Directory

Libertarian Party – US

National HQ (202) 543-1988
1528 Pennsylvania Ave. SE, Washington DC 20003

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4523 Morning Wind Pl., Ft. Wayne IN 46804

LNC Regional Representative

James Dan (702) 626-1776
Box 10833, Reno NV 89510

New Member Info 1-800-682-1776

LP Nat'l Newslite 1-900-4LiberT

\$1.95/minute (454-2378)

Election results, Congress Watch, LP news

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CSU Campus Libertarians

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2500 E. Harmony Rd. #71, Ft. Collins CO 80525

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UCCS Campus Libertarians

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University of Southern Colorado

Ed Trivett (719) 545-1913
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Western State College / Gunnison

Paul Labecki (303) 641-1972
312 1/2 South Boulevard, Gunnison CO 81230

Volunteers Needed!

If we don't **defeat** Referendum "A" and **pass** Amendment 12, the right to petition will be **dead** in Colorado. The politicians will be able to **kill any petition they don't like!**

We need help **now!** Can you do any of the following?

Distribute literature
Coordinate distribution in your area
Write letters to the editor
Make calls to talk shows
Provide location for sign
Sponsor/contribute for sign
Contribute to radio/TV ad campaign
Help with office/mailing activities

If you value your liberty, call or write today:

TABOR Committee
PO Box 1900
Arvada, CO 80001
303-869-6306

Clyde Harkins, Treasurer

Calendar of Events

Late October

- 17 Ft. Collins 3rd Mon. Social, 7 p.m., Mary Margaret Glennie's, 1317 Lakewood Dr. (303) 484-8184.
- 18 Aurora Libertarians, Delmonico's, Parker Rd. & Peoria, 7 p.m. **Note new new location!** (303) 755-4843.
- 18 Jefferson Forum, Lakewood Library, 10200 W. 20th Ave., 7 p.m. Speaker: State Rep. Penn Pfiffner. (303) 232-3960.
- 19 CSU Campus Libertarians, CSU Student Center. Bruce Lockhart, (303) 223-7504.

November

- 1 Ft. Collins 1st Tue. Breakfast Club, Tony's, 224 South College, 7 a.m. Speaker. Pat Hartman, (303) 224-3116.
- 2 & 16 CSU Campus Libertarians, CSU Student Center. Bruce Lockhart, (303) 223-7504.
- 8 Denver LP, Palace Restaurant, 6265 E. Evans, 7:00 p.m. Chapter elections. (303) 871-8824.
- 8 Ft. Collins 2nd Tue. Discussion Group, 7 p.m., Mary Margaret Glennie's, 1317 Lakewood Dr. (303) 484-8184.
- 9 Boulder LP, Old Train Depot, 30th & Pearl, business meeting at 5 p.m., outreach meeting at 7 p.m. (303) 443-1870.
- 9 Northeast Colorado LP, Branding Iron Cafe at the Super 8 Motel, I-76 at Exit 125 (Sterling), 7 p.m. Bette Rose at (303) 228-4456 or Trent at (303) 522-0328.
- 12 Ft. Collins 2nd Saturday Shootist Society. (303) 484-6824.

- 15 Aurora Libertarians, Delmonico's, Parker Rd. & Peoria, 7 p.m. **Note new new location!** (303) 755-4843.
- 15 Jefferson Forum, Lakewood Library, 10200 W. 20th Ave., 7 p.m. Q & A with Right to Life board members. (303) 232-3960.
- 21 Ft. Collins 3rd Mon. Social, 7 p.m., Mary Margaret Glennie's, 1317 Lakewood Dr. (303) 484-8184.

December

- 6 Ft. Collins 1st Tue. Breakfast Club, Tony's, 224 South College, 7 a.m. Speaker. Pat Hartman, (303) 224-3116.
- 7 & 21 CSU Campus Libertarians, CSU Student Center. Bruce Lockhart, (303) 223-7504.
- 10 Ft. Collins 2nd Saturday Shootist Society. (303) 484-6824.
- 13 Denver LP, Palace Restaurant, 6265 E. Evans, 7:00 p.m. Speaker or video. (303) 871-8824.
- 13 Ft. Collins 2nd Tue. Discussion Group, 7 p.m., Mary Margaret Glennie's, 1317 Lakewood Dr. (303) 484-8184.
- 14 Boulder LP, Old Train Depot, 30th & Pearl, business meeting at 5 p.m., outreach meeting at 7 p.m. (303) 443-1870.
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