

LIBERTARIAN PARTY® LP NEWS

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■ Paperless electronic voting machines — such as the one shown here from Sequoia Voting Systems — pose a threat to Libertarians, said California LP member Susan Marie Weber, who has filed a lawsuit to stop their use. "There is absolutely no way to verify any election that is on an electronic voting system," she said.

Libertarian lawsuit targets paperless voting machines

By Bill Winter
LP NEWS EDITOR

A California Libertarian who filed a potentially groundbreaking lawsuit against "touchscreen" voting systems is now waiting to learn whether an appeals court will hear oral arguments in the case.

Susan Marie Weber, a resident of Palm Desert, California, said she hopes to get word any day from the Ninth Circuit Federal Court of Appeals in San Francisco.

"We are awaiting the court's decision," she said. "If they say yes, then I will appear in court. If they decide to hear the case based on documents only, we will be notified to that decision. We check mail every day, having no idea when they will advise."

At stake in the case is whether the government can use Direct Recording Electronic (DRE) touchscreen voting machines in Riverside County, California. The machines use an electronic voting system that produces no paper ballots.

Weber said the case is important to Libertarians "because nothing else matters if we have no vote."

"Without transparency in elections, and the ability to see a document to recount, we'll never know for sure" how many votes Libertarian Party candidates receive, she said.

"All Libertarians should be incensed that there is absolutely no way to verify any election that is on an electronic voting system. For a recount, the election officers merely put the cartridges into the counting machine and push the buttons. That is their 'proof' that the count was correct. Anybody who knows a smidgen of programming knows how manipulatable this system is."

Slow acceptance

A ruling against DRE voting systems could halt their distribution in California, said Weber, and create a legal precedent that could slow their acceptance around the USA.

Weber, who is Chair of the Desert Area Libertarians (Riverside County) See **TOUCHSCREEN** Page 2

Anti-Brady Bill sheriff joins Libertarian Party

Richard Mack plans to run for Utah governor

The Arizona sheriff whose legal challenge against the Brady Bill went all the way to the Supreme Court and ended with a historic victory for states' rights has joined the Libertarian Party.

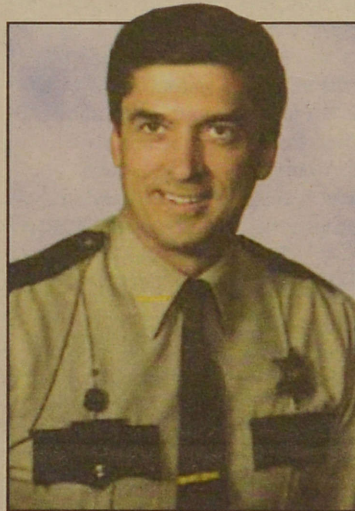
Richard Mack, 50, became an LP member in June, saying that Republicans and Democrats "have had a monopoly on our political system and have made a mess of it. It's high time for a change and some fundamental competition."

Mack, now a resident of Utah, also said that he will seek the LP's nomination to run for governor of that state in 2004, and will officially launch an exploratory committee in July.

His gubernatorial campaign has only one goal, said Mack: To win.

"I will not do this to make a token statement or to promote a party," he said. "There's too much at stake. I am only running to win!"

Mack currently works as the Public Affairs Director for Gun Owners of



■ Richard Mack, shown here when he was sheriff of Graham County, Arizona, has joined the LP and will run for governor of Utah.

America (GOA), a national pro-Second Amendment organization.

He is the co-author of *From My Cold, Dead Fingers and Government, God, and Freedom*, and has been a speaker on the national gun-rights circuit for the last decade.

However, Mack was just an ordinary sheriff in rural Graham County

in southeast Arizona in 1993 when then-President Bill Clinton signed into law the Brady Bill, which mandated a five-day waiting period before gun purchases. The bill also required local law enforcement officials to do background checks on gun purchasers.

Mack, who was first elected sheriff in 1988 and re-elected in 1992, said the bill immediately troubled him. So he filed a lawsuit against the Brady Bill in U.S. District Court in Tucson, Arizona in early 1994.

No jurisdiction

"The federal government has no jurisdiction or constitutional authority to order sheriffs in this country to do anything," he said at the time. His small sheriff's department also did not have the time or the manpower to comply with the law, he said.

The District Court judge agreed that the Brady Bill's mandate was unconstitutional, but that ruling was overturned by the Ninth Circuit Court of Appeals. Along with Sheriff Jay Printz of Ravalli County, Montana, who had also challenged the Brady Bill, Mack appealed to the U.S.

See **SHERIFF** Page 5

Federal grand jury investigates charges of illegal anti-LP activity by Illinois GOP

About a year after a high-ranking Republican officeholder in Illinois illegally used state workers to try to keep Libertarian candidates off the ballot, a federal grand jury is investigating the incident.

According to a report in the *Chicago Tribune*, a federal grand jury is looking into charges that Illinois Treasurer Judy Baar Topinka used state employees to challenge a slate of Libertarian candidates before the 2002 election. The employees were on the state clock at the time.

Topinka, who was first elected state treasurer in 1994, is currently serving her third term in office. She also serves as the state chair of

the Republican Party.

The investigation, which is being run by the U.S. attorney's office in Chicago, was reportedly triggered by an affidavit from Cathy Lynn Santos, a former contract employee who worked in the treasurer's office in 2002.

Santos, who helped found a grassroots political organization called Republican Young Profession-



■ Cal Skinner: Was challenged by GOP in 2002

als, said she went to work on June 28, 2002 and discovered that a majority of the treasurer's office staff was gone.

According to a copy of the affidavit obtained by the *Illinois Leader*, Santos said she was told the missing staff members were at the Illinois Board of Elections' office, reviewing petitions filed by LP gubernatorial candidate Cal Skinner and other Libertarian candidates. The state employees were looking for discrepancies or missing information on the petitions that would allow them to disqualify the petitions.

"Late that same afternoon, several employees that were absent all See **ILLINOIS** Page 7

NEWS BRIEFS

Kubby misdemeanor turns back into felony

A misdemeanor conviction against Steve Kubby has been turned back into a felony — but won't result in extradition charges against the medical-marijuana activist, who is seeking political asylum in Canada.

On June 23, the Third District Court of Appeals in Sacramento, California ruled that a Placer Superior Court judge made a mistake when he reduced Kubby's mescaline conviction to a misdemeanor in 2001.

The Court of Appeals said the judge did not have the power to ignore the law's "plain language, which unambiguously makes mescaline possession a felony." However, a Placer County assistant deputy district attorney said it "wouldn't be worth the time, effort, or expense to extradite" Kubby from Canada.

Police had raided Kubby's home in Olympia Valley in 1999 and found marijuana plants. Kubby, who suffers from adrenal cancer, admitted using the marijuana for medicinal purposes with a doctor's permission, which is legal in California.

A deadlocked jury acquitted Kubby and his wife Michele of possession of marijuana with intent to sell. However, Kubby was convicted of possession of trace amounts of peyote (mescaline).

The felony conviction was reduced to a misdemeanor, and Kubby was sentenced to 120 days in jail. He fled to British Columbia, Canada, saying jail time without access to medical marijuana was tantamount to a death sentence. He is now seeking political asylum.

Kubby, 56, was the LP candidate for governor in California in 1998.



■ Steve Kubby: Seeking asylum.

Pennsylvania LP will help outlawed squirrel

Pennsylvania Libertarians are pitching in to help a couple who were forced to put their pet squirrel into hiding to protect it from the Game Commission.

"I can only ask myself one question: Why is this nice Pennsylvania family spending their time fighting the Pennsylvania Game Commission when they should be out gathering nuts for winter?" asked Allegheny County LP Chair Tim Crowley.

The squabble over the squirrel started nine years ago when a South Carolina couple, Jean Victor and Barbara Gosselin, rescued an orphaned baby gray squirrel and named it Nutkin. When the couple, now 71 and 65, moved to Schuylkill Haven, Pennsylvania, they brought the furry little creature with them.

The Gosselins had no problems with Nutkin until a game officer, on their property to search for deer poachers, noticed the squirrel and cited them for possessing illegal wildlife. When the Pennsylvania Game Commission told the couple it planned to seize the squirrel, the Gosselins hid Nutkin to protect it from government bureaucrats.

Crowley — a self-described squirrel lover — heard about Nutkin's plight and contacted the Gosselins and offered to work with them to try "to decrease the size and scope of the Game Commission's powers."

"We are always looking for causes where we can right a few wrongs while decreasing the size, scope, and arrogance of governmental agencies," said Crowley. "[Libertarians] stand shoulder to shoulder with ordinary citizens who are fighting government bureaucracy."



Medical marijuana activist Cheryl Miller dies

Cheryl Miller, whose use of medical marijuana to ease the pain of multiple sclerosis turned her into a leading anti-War on Drugs activist, has died. Miller passed away on June 7 in a hospital near Silverton, New Jersey. She was 57.

"The freedom movement has lost a very brave fighter," said LP Political Director Ron Crickenberger. "Cheryl continued to stand up for what's right long after she was able to physically stand. She did more as a bed-ridden invalid than do most able-bodied activists."

Miller used medical marijuana for relief from the pain of multiple sclerosis, a degenerative nerve disease she battled for 30 years, and that left her confined to a bed.

In 2002, Miller had a starring role in an LP television ad that targeted Georgia Republican Congressman Bob Barr, who the LP had identified as one of the worst "drug warriors" in Washington, DC.

The advertisement showed a wan Miller addressing the camera from a hospital bed, saying, "Bob Barr thinks I should be in jail for using my medicine. Why would you do that to me, Bob?"

The LP broadcast the ad about 4,000 times on cable networks in Barr's district. Barr lost the primary on August 20. The ad was later named the "Most Dramatic" political ad of 2002 by *National Journal*.

Libertarian files suit against 'touchscreen' voting machines

Continued from Page 1

Region), filed the lawsuit in August 2001. It named California Secretary of State Bill Jones and Riverside County Registrar of Voters Mischelle Townsend as defendants.

The suit was filed after Riverside County installed Sequoia Voting Systems' AVC Edge System DRE voting machines.

Ironically, in an attempt to head off complaints about the system, Townsend demonstrated the DRE machines at a county Libertarian meeting, said Weber.

"She actually came right out and said: 'You need to trust me; I took an oath to the government.' She seemed puzzled when the roomful of Libertarians began laughing."

In her brief to the court, Weber argued that DRE machines, which record and tabulate votes electronically using a touchscreen "ballot," have no hardcopy mechanism to verify the accuracy of votes.

"Voters could never know for sure that their vote had been recorded as they intended, or that their votes, once recorded, would not be manipulated, either fraudulently or by a glitch," she said.

"In the event of a contested election, the absence of an independently auditable 'paper trail' [would] render a meaningful recount impossible."

Safe from fraud

The lawsuit argues that touchscreen voting systems are illegal under California law and violate the Fourteenth Amendment's "equal protection" clause. According to California Elections Code §19205, all voting machines must be "safe from fraud or manipulation."

At a hearing on May 14 in U.S. District Court (Central District of California), the secretary of state's attorneys countered that the voting machines were tested for accuracy under laboratory conditions.

But such a test could not uncover software manipulation, or a "real-world" glitch that might occur when millions of people vote, said Weber.

In addition, according to the voting watchdog group, Election Guard-



■ Susan Marie Weber: "This voting system makes it even more difficult to believe that our voices are being heard."

ians, the Sequoia Voting Systems' AVC Edge System uses proprietary software, which closes "the doors to independent analysis of the source code to see how it actually does — or does not — count the votes."

If DRE voting systems are used, Weber asked the court to require printers to be added to the touchscreen machines, to produce a voter-verified paper ballot.

Other California voting systems — pre-scored punch cards, Datavote systems, and optical scan ballots — all have a paper hardcopy ballot trail to recount in the event of machine failure, noted Weber.

By contrast, touchscreen voting systems create "unobservable, unverifiable, non-recountable, untestable, non-public voter tallies," she said.

Weber lost the first round when Judge Stephen V. Wilson ruled against her on September 3, 2002.

In his decision, Wilson said "the state's interest in easy, attractive voting machines which might increase voter turnout outweighed the voters' interest in verifiable results," said Weber.

"We are baffled by his decision," she said. "Convenience won out over verifiability."

The ruling allowed other California counties to proceed with their purchases of DRE voting equipment — and led Weber to file an appeal with the Ninth Circuit Federal Court of Appeals in San Francisco.

In her appeal, Weber said that DRE voting systems violate "basic assumptions about human nature and the need for checks and balances to guard against the temptation and corrupting influence of power."

"When politicians routinely raise war chests of tens of millions of dollars, we must consider the ease with which these paperless voting systems can be manipulated," she said.

Filing supporting testimony for Weber were Peter Neumann (SRI International Computer Laboratories, Palo Alto), Rebecca Mercuri (a computer voting expert), and Kim Alexander (president, California Voter Foundation).

Supreme Court

If she loses the current appeal, Weber said she will appeal again — all the way to the Supreme Court, if necessary.

"More and more people are dropping out of the voting process," she said. "They don't feel that their votes count. This voting system makes it even more difficult to believe that our voices are being heard."

Weber noted that the California LP has also weighed in against DRE voting systems.

At its state convention on February 17, 2003, delegates passed on a 54-14 vote a resolution that stated: "Because computers are subject to fraud and manipulation, we oppose any computer, Internet, or direct-record electronic voting system that does not use a voter-verified paper ballot as the ballot of count, recount, audit, and record."

Weber holds a BS degree in Business Administration/Computers from California State University (San Bernardino). Professionally, she is the owner of an accounting service for small businesses. She is a past LP candidate for State Assembly.

For more information on the suit, visit: www.electionguardians.org.

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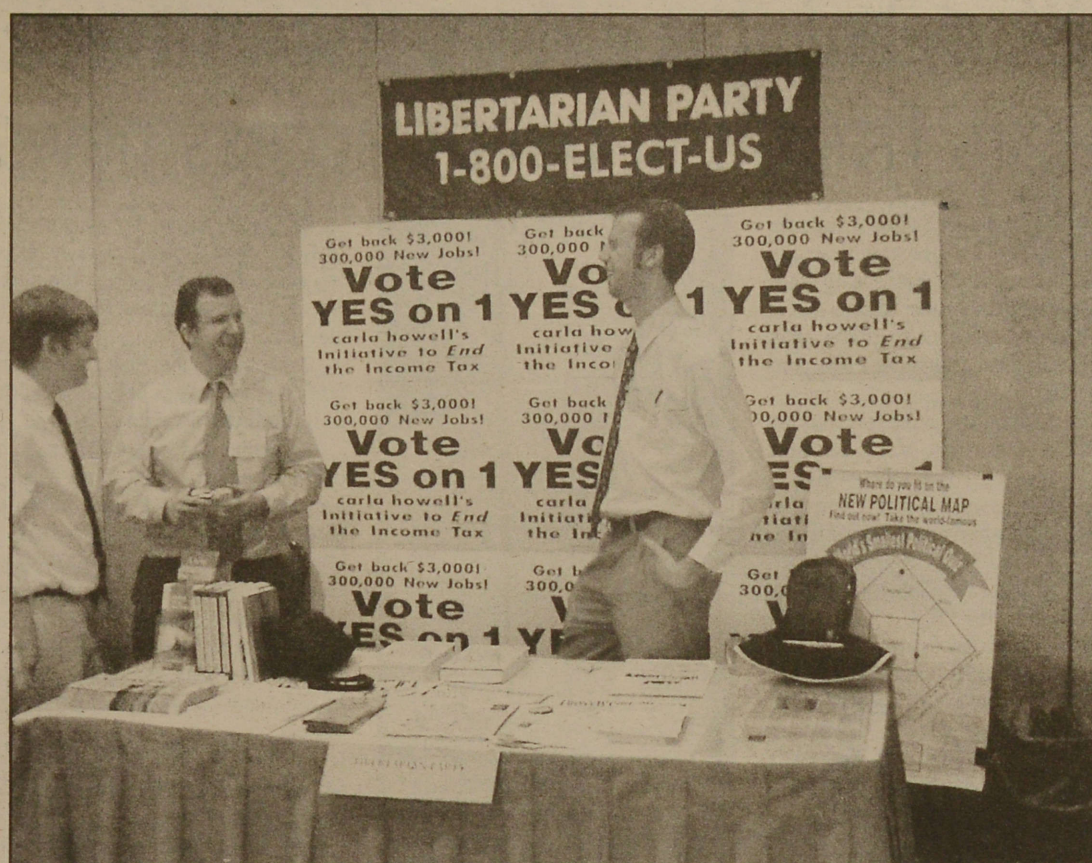
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The Mission Statement of the Libertarian Party: "To move public policy in a libertarian direction by building a political party that elects Libertarians to public office."



Libertarian Party sponsors booth at National Taxpayers Conference

■ LP political department assistant Steve Damerell (right), along with Libertarians Kevin Rollins (left) and Daniel Lurker, staff an information booth at the National Taxpayers Conference '03.

The conference, sponsored by the National Taxpayers Union Foundation (NTUF), took place at the Washington Court Hotel in Washington, DC, from June 19 to 21. It drew about 350 people.

The booth was "an opportunity to reach out to LP-friendly activists from around the country, and to make contacts with LP-friendly organizations such as NTUF, American Taxpayers Foundation, Citizens Against Government Waste, Tennessee Tax Revolt, Heritage Foundation, and many others," said Damerell. "We did put literature in quite a few hands."

The booth was decorated with posters advertising the 2002 Libertarian-sponsored Question 1 initiative in Massachusetts, which would have abolished that state's income tax.

"We decided to use Question 1 as an outreach pitch," said Damerell. "The bright-colored signs were a good hook that got people to ask what they were for. Then we could talk about [Question 1 sponsor Carla Howell's] initiative, and segue into a discussion of how the LP was the only party that would always work to lower taxes."

Ohio radio talk show host finds new 'home' with LP

An Ohio talk radio host has become a Libertarian Party member, declaring that he has "found a new home" with the party.

Rob Mangino, 35, who broadcasts on WKBN Radio (570 AM) in Youngstown, Ohio, joined the party at a Tax Day dinner sponsored by the Mahoning Valley LP on April 14.

"I have found a new home with the LP," said Mangino. "The LP is home to free thinkers. I admire the ability of libertarians to argue the issues with the constant anchor of personal liberty in mind."

Before an audience of about 25 people at Colonial Catering in Canfield, Ohio, Mangino signed an LP membership form — much to the delight of the Libertarians in attendance, said John Fockler, chair of the Mahoning Valley LP.

"Mangino has always been very outspoken on his show concerning issues dear to the Libertarian heart," he said. "He belongs with us, and I was very pleased to make it official. The audience was very appreciative as well. Mangino received a hearty

round of applause as he signed the membership card."

Fockler said he had invited Mangino to speak at the dinner because the talk show host has been expounding libertarian ideas on the radio for several years.

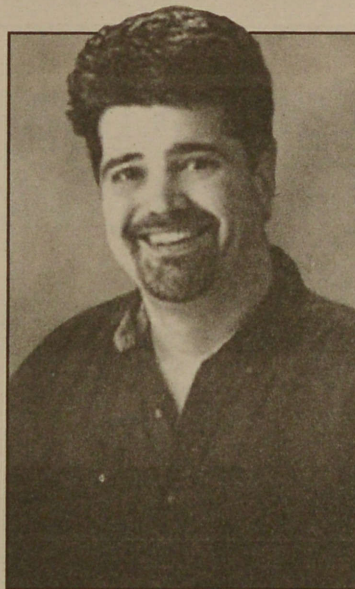
"Mangino is well known for his libertarian sympathies," he said. "He has interviewed [LP Political Director Ron] Crickenberger and [LP Communications Director George] Getz on his show in the past, and has also directed people to www.LP.org, and especially to the World's Smallest Political Quiz."

"To a point"

On his show, Mangino said he promotes libertarianism "to a point."

"To be honest, I spend more time challenging long-held political beliefs of the Democrats and Republicans I talk with," he said. "I point out the politics behind many arguments. Such as: Would you be defending or attacking the president if he were a Democrat? And why that matters."

Before joining the LP, Mangino



■ WKBN talk show host Rob Mangino: "I spend more time challenging long-held political beliefs of the Democrats and Republicans I talk with."

was a Republican, he said.

"I really believed the two parties were different," he said. "I know [now] it's naive. If only we could be born politically mature."

As a Libertarian talk show host, Mangino said it is "humbling" to be in the company of some of the most

See **TALK SHOW** Page 11

LP member works to repeal North Dakota ethanol subsidy bill

A Libertarian in North Dakota is working to qualify an initiative to repeal a multimillion dollar ethanol subsidy he says does nothing but "increase the profits of huge corporations."

Clint Cooper, a resident of Williston, is helping to coordinate an effort to collect 12,844 signatures from registered voters by July 13 [after LP News went to press].

If the signature drive is successful, it will put an ethanol subsidy bill, SB 2222, on hold until voters have a chance to decide its fate via statewide initiative — probably in June 2004, when the state holds a primary election.

Corporate welfare

Cooper said he got involved in the campaign because "we thought that it was a battle we could win" — and because the bill is an egregious example of corporate welfare.

"Senate Bill 2222 takes money from every farmer [and] every taxpayer in North Dakota, and gives it to huge corporations and their wealthy investors," he said. "We all pay for it."

Unless it is repealed, SB 2222 will:

■ Spend \$1.8 million of taxpayers' money to build a new ethanol plant in Valley City.

■ Spend almost \$1.3 million to



subsidize two existing ethanol plants in Grafton and Walhalla.

To pay for the ethanol subsidies, the bill transfers money from a state highway fund. To reimburse that highway fund, the legislature raised motor vehicle registration fees by \$3 a year.

The bill also reduced the size of a rebate that farmers were scheduled to receive for taxes they paid on fuel for farm equipment.

SB 2222 was signed into law on April 14, 2003 and is scheduled to go into effect later this year.

Who benefits from the bill? Huge corporations like Archer Daniels Midland, said Cooper.

"Archer Daniels Midland is among the biggest contributors of soft money to both the Democrats and the Republicans — ensuring that they will get what they want, whoever is in power," he said. "That is why etha-

See **ETHANOL** Page 15

Libertarians join coalition to fight judicial pay raise

The Libertarian Party has joined a coalition to oppose a 16.5% pay hike for federal judges — arguing there is "no need for such a raise."

On June 16, the coalition sent a letter to every member of the U.S. House and U.S. Senate, urging them to reject two bills, S 1023 and HR 2118, that would boost judicial pay scales.

The letter, drafted by the Congressional Accountability Project, was signed by LP Executive Director Joe Seehusen, along with Gary Ruskin (Director, Congressional Accountability Project), self-declared consumer advocate Ralph Nader, and Dave Williams (Council for Citizens Against Government Waste).

Other signers included Pete Sepp (National Taxpayers Union), Paul M. Weyrich (Free Congress Foundation), and Jill Lancelot (Taxpayers for Common Sense).

In the letter, the coalition said the "eye-popping 16.5% federal judicial pay hike" proposal was unnecessary. The letter noted:

"DURING A TIME of recession, the government should be looking at ways to decrease salaries — not boost them even higher."

■ "Our federal judges are not poor, either in absolute terms, by comparison with their colleagues, or by historical standards." Over the past 24 years, for example, U.S. district court judges' salaries have increased by \$22,000 over the rate of inflation.

■ U.S. circuit judges already enjoy more than twice the average lawyer's earnings, which was \$80,000 per year, according to the 2000 Bu-

See **PAY HIKE** Page 5

NEWS BRIEFS

California LP supports effort to end car tax

The California LP's Executive Committee has officially voted to back an effort to repeal the state's car tax — and is encouraging members to work to kill the "despised" levy.

At its June 21 meeting in Los Angeles, the executive committee passed without dissent a three-part resolution that:

- Endorsed a proposed ballot initiative to reduce the state's Vehicle License Fee to a token \$1 per year.

- Encouraged California LP members to circulate and sign petitions to qualify that initiative for the ballot.

- Urged all California residents to approve the initiative when it comes up for a vote.

On June 20, Governor Gray Davis's director of finance issued an order to boost the average vehicle license fee to \$158 starting in October. The increase will cost taxpayers \$4 billion annually.

That hike is "unconscionable and counterproductive," said LP State Chair Aaron Starr — which is why Libertarians "enthusiastically endorsed efforts to roll back the despised" tax.

"The passage of [the] initiative would provide enormous financial relief to the California economy and to overburdened car owners, and would send notice to Sacramento that the Davis Administration will not balance the budget on the backs of taxpayers," he said.

"All Californians [should vote to] rid themselves of the Vehicle License Fee and reject the latest arrogant act of Davis overwhelmingly when the opportunity presents itself on the ballot."

LP complaint kills 'unenforceable' ordinance

In response to a complaint filed by the LP of Somerset and Middlesex Counties in New Jersey, an attorney for Manville agreed that the town's disorderly conduct ordinance is unenforceably broad.

The June 16 announcement by Douglas Reina, an attorney for the Borough of Manville, means that Ordinance No. 396, formally known as "An Ordinance to Prevent Vice, Immorality, Drunkenness, and Disorderly Conduct," may be repealed by the Borough Council.

The ordinance — which makes it illegal to be drunk and disorderly to the "annoyance" of any other person — is an invitation to "selective enforcement," said local party activist John Paff.

"The problem with this type of law is that the police could use it as a pretext to harass someone whose comments, politics, or lifestyle are not to their liking," he said. "Such vague and overbroad laws can trap the innocent by not providing fair warning, and leave citizens at the mercy of the law's enforcers."

The LPSMC will now formally ask the Borough Council to repeal the ordinance, said Paff — and, instead, instruct police to enforce the state's Disorderly Conduct statute, which is "more precisely worded."

The LPSMC had filed its challenge to the ordinance on October 1, 2002 to the state Administrative Office of the Courts. Libertarians charged that the law was "so vague as to not give people a reasonable opportunity to know exactly what kind of conduct is prohibited."

Alabama LP opposes 'massive' tax increase

The Alabama LP has come out against a massive tax hike proposed by Governor Bob Riley — and Alabama voters should reject the plan when it comes up for a vote on September 9, said LP State Chair Mark Bodenhausen in a June 29 statement.

"There are so many tax increases in this plan that no person, family, or business will be unaffected," he said. "Perhaps most distressing are property tax hikes that will cause many tax bills to double, triple, and even quadruple. These taxes and fees severely hurt homeowners, renters, and seniors dependent on fixed incomes."

Riley, a Republican, has proposed a tax "reform" that would cost taxpayers \$1.3 billion annually. His proposal:

- Raises the state's top income tax rate from 5% to 6%. (Cost to taxpayers: \$400 million a year.)

- Taxes all property at 100% of its value. (Cost: \$400 million.)

- Raises cigarette taxes from 16.5 cents to 31 cents per pack. (Cost: \$50 million.)

Riley's plan would also raise the sales tax on cars, increase taxes on leased vehicles, double filing fees on deeds and mortgages, and impose a tax on stocks and bonds.

The problem with the plan — in addition to the massive cost — is that it assumes that giving the state government more money will solve Alabama's fiscal woes, said Bodenhausen.

"The [state] LP believes Alabama does not have a funding crisis, but rather a spending obsession dictated by endemic and systematic problems in almost every department of government," he said.



■ **Mark Bodenhausen: Tax plan is 'distressing.'**

LNC delays decision on dues hike; hears troubling ballot access news

The Libertarian National Committee, Inc. delayed action on any increase in LP dues, heard some potentially bad news about ballot access, and tightened up the rules governing the upcoming 2004 convention.

Meanwhile, the party continues to struggle financially, so, at its June 28-29 meeting, the LNC moved to lower staff costs and make sure that certain party projects are "self-funding."

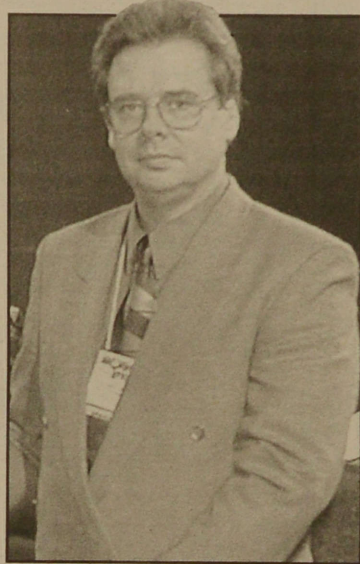
At the meeting, held in Seattle, Washington, the LNC:

- Passed a motion to postpone any decision on whether to raise party dues — currently \$25 a year for basic membership — until its September 2003 meeting. The motion, made by Ken Bisson (LP vice chair, Indiana) passed on a voice vote.

The motion came after an amended proposal by Mark Rutherford (Region 3 Representative, Indiana) to raise basic membership dues from \$25 to \$40 and raise the cost of life membership from \$1,000 to \$2,500 effective January 2004 failed on a tied vote of 7-7.

The LNC had commissioned a survey — still ongoing — of LP members about a possible dues increase. Early results indicated that two-thirds (68.7%) supported boosting dues to \$40 a year.

However, the LNC is keeping an open mind about a number of possible changes to the party's dues structure, said Sean Haugh (Region 4 Alternate, North Carolina).



■ **LP Chair Geoff Neale: The National Committee will "calmly weigh the benefits and costs of a change to our membership dues."**

"One idea gaining support is a tiered membership concept, offering greater services and interaction with national party projects for increased levels of contributions," he said. "Other ideas still on the table are various offshoots, such as electronic, student, or family memberships."

LP national Chair Geoff Neale said the LNC "will not rush" to make changes in the party's dues.

"We're gathering more information in order to not rush into a decision," he said. "[We are going] to calmly weigh the benefits and costs of a change to our membership dues."

■ Heard from Treasurer Bill Redpath that a problem is developing with efforts to qualify the party for all 50 state ballots for the 2004 election.

Because of the party's funding crunch, the party is behind schedule in its petitioning efforts, he said.

According to Richard Winger, publisher of *Ballot Access News*, the LP only collected 38,000 petition signatures from late 2002 to mid-2003. It still needs to collect 295,000 valid signatures (or about 400,000 raw signatures) to qualify as a party on state ballots in time for the 2004 election. Party status would allow the LP to run a slate of candidates in many states.

To qualify just the presidential candidate, the party needs 220,000 valid signatures.

The LP is currently qualified on 27 state ballots, has petitioning drives underway in seven states, and cannot yet legally start in nine states, according to the July issue of *Ballot Access News*.

"There is increasing concern that our inability to put money into ballot access now will snowball to the point where 50-state ballot access may be impossible in 2004," said Haugh. "We are rapidly reaching a critical point in our ability to conduct serious ballot access at the national level for next year's elections."

■ Passed on a voice vote a motion from Mark Nelson (Region 8 Representative, Iowa) to put the 2004 na-

See **LNC** Page 11

Santa Clara LP spearheads defeat of four tax-hike measures in California

The Santa Clara County LP in California has helped defeat four proposed tax increases — saving local residents over \$59 million.

In a special election on June 2, Santa Clara County voters rejected four parcel taxes. Although all four ballot measures won more than 50% of the vote, none achieved the two-thirds majority needed to pass.

"I was elated by the defeat of these four tax measures," said Mark Hinkle, a member of the Santa Clara County LP executive committee. "Not only because we saved taxpayers a ton of money, but it showed once again that Libertarians working together as a team, even a small team, can have a tremendous impact on the local level."

To fight the taxes, Libertarians employed a number of strategies, said Hinkle.

"Our main role was to write the ballot arguments and to get the Silicon Valley Taxpayers Association and the local chapter of the California

THE SANTA CLARA LP has "had wins before, but I know we've never gone four-for-four."

—Mark Hinkle

ciations — in addition to writing anti-tax articles for their newsletters."

The ballot arguments, written by Libertarians Dennis Umphress and Allen Rice, made the case "that the economy is bad right now and a tax hike is the wrong solution at the wrong time," said Hinkle.

Interestingly, supporters of Measure C for the Franklin-McKinley School District forgot to submit ballot arguments, said Hinkle.

"How lame can you get?" he said. "So, only the Libertarian argument against the tax appeared on the ballot."

The four parcel tax proposals would have raised money for four Santa Clara County school districts. Unlike property taxes, which are perpetual and vary with the value of the real estate, parcel taxes impose a flat fee on a piece of property for a set number of years.

Voters rejected the measures in

See **SANTA CLARA** Page 11

Sheriff Richard Mack joins party

Continued from Page 1
Supreme Court.

On June 27, 1995 the high court ruled, in a 5-4 vote, that requiring local police to run background checks on potential gun owners was unconstitutional. (The ruling did not overturn the five-day waiting period portion of the law.)

The decision was seen as a victory for the Tenth Amendment, which reserves powers not specifically delegated to the federal government to states and individuals.

"Truly a miracle"

"The victory at the U.S. Supreme Court was truly a miracle," said Mack. "I was thrilled to be a part of it. I was even more thrilled when I read the actual decision and discovered how far-reaching the decision was in restoring the Tenth Amendment."

As a result of his battle against the Brady Bill, Mack rocketed to national prominence, appearing on major television news and interview shows.

However, he lost his re-election bid for sheriff in 1996 after opponents tagged him as "out of touch" because of his speaking engagements and interviews around the country.

A Democrat when in office, Mack said he later left that party because it did not consistently "follow the Constitution."

"My heart was not with the Democratic platform, or I never would have sued the Clinton administration in

the first place," he said.

After a stint as a Republican, Mack joined the Libertarian Party after realizing, he said, that most of his political "views have always been quite libertarian."

Now, as an LP member, Mack said he will file to run for governor of Utah on a platform of "states' rights, limited government, standing against federal intrusiveness, and the protection of individual rights.

"The theme will be, 'It's time for a change!'" he said. "If [Jesse] Ventura can do it in Minnesota, then this humble crusader can certainly do it in Utah."

Once his exploratory committee is officially launched, Mack said he

will start to raise money.

"If we raise the money to sufficiently compete with the Democrats and Republicans, we can win!" he said. "If we do not raise the money [needed to win], then I will not run."

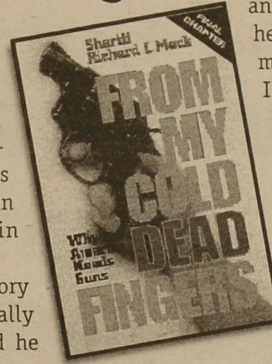
Mack said Libertarians around the country should support his campaign.

"If Libertarians really want a man with a proven record of standing for principle, if they truly want a governor to prove to the country that the

Constitution still reigns supreme, then I'm willing to carry the banner," he said.

Mack is a graduate of Brigham Young University and the FBI National Academy. He was selected "Elected Official of the Year" in 1994 by the New Mexico/Arizona Coalition of Counties, and was chosen as "Law Enforcement Officer of the Year" in 1995 by the NRA. He has also won the "Defender of the Second Amendment Award" from Gun Owners of America.

Send donations for the "Mack for Governor" campaign to: P.O. Box 50911, Provo, UT 84605.



Do YOU Have the GUTS To Be Independent?

Party will fight judicial pay hike

Continued from Page 3

reau of Labor Statistics National Compensation Survey.

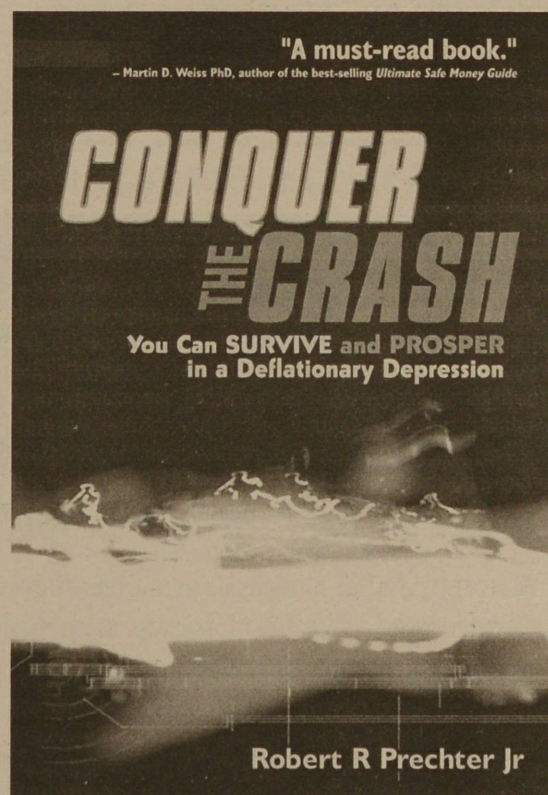
The letter also noted that "if judges wish to leave the bench to earn more, they are free to do so in the private sector. There is no lack of excellent law professors, general practitioners, and public interest, legal services, labor, civil liberties, and government lawyers eager and willing to replace them."

For all those reasons, the coalition urged members of Congress to "oppose the proposed special 16.5% judicial pay raise."

LP Communications Director George Getz said the LP signed on to the letter because the party opposes pay hikes for a "luxury class" of federal employees.

"The average federal judge already earns three to five times what the average American worker earns," he said. "During a time of recession and budget deficits, the government should be looking at ways to decrease salaries for federal workers — not boost them even higher."

The bills would also give judges regular cost-of-living increases in the future, and eliminate the current requirement that judicial pay hikes be approved by Congress.



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TALKING POINTS

The myth of smaller class sizes, and how to waste taxpayers' cash

■ More than Clinton

The Bush administration, philosophically wedded to the idea of smaller government, issued a record-high number of pages of new federal regulations last year, according to a study released by the Cato Institute.

The libertarian think tank found that the Federal Register boasted 75,606 pages of federal regulations in 2002, up from a high of 74,528 pages in 2000, when President Bill Clinton was still in office.

— THE WASHINGTON POST
July 8, 2003

■ Size doesn't matter

Periodically, public education is seized by a fad regardless of whether it has any real effect. One such [fad] is the rush toward reducing class size to some arbitrary number.

California, under former Gov. Pete Wilson, mandated smaller class sizes in some grades. An initial cost of \$1.5 billion, now grown to \$4 billion, resulted in a mad scramble to find teachers and space. Even child-care centers and libraries were converted to classrooms, hardly a net gain.

Research has concluded that class size, by itself, is unimportant. Eric Hanushek, former chairman of the Economics Department at the University of Rochester, analyzed 152 class size studies. He found only 14 reported positive relationships; about an equal number showed negative results; while most showed no significant difference either way.

Students in other nations are commonly in larger classes. The children of the Vietnamese "boat people" in the 1970s performed very well in U.S. public schools, scoring, for example, in the 95th percentile in mathematics. Yet in Vietnam they had been in schools where the average class size was 75. Japanese high school classes typically have 50 students. South Korea's students have ranked first in math among 20 nations, yet the average class size there is 43 students.

Oddly enough, the argument that classes in the U.S. are too large has intensified at the same time the average class sizes here have declined. From 37 students per teacher in 1900, the average class size dropped to 27 in 1955, and about 17 today.

Even if the vast sums of money to do so were available, it makes no sense to spend money across the board on a fad that has failed to prove itself effective.

— DAVID W. KIRKPATRICK
Intellectual Ammunition
Summer 2003



mont, for 15 years. But the state only learned two years ago that he never got the permit required to build a house above 2,500 feet. So did they impose a big fine? No, the Environmental Board is proposing that Tsimortos be forced to

tear down the house, which is valued between \$700,000 and \$1 million.

— CHARLES OLIVER
Reason Online, June 4, 2003

"I'M WONDERING whether Americans would like the food Nazi campaign to produce the same outcome. Instead of hamburgers, an overweight customer is offered a salad."

—Walter Williams

■ Government at work I

A Cincinnati Enquirer investigation found that state contractors and public agencies have misspent more than \$346.5 million of taxpayers' money since 2000. A Toledo company that was supposed to care for foster children; for instance, spent \$750,000 on a Mercedes-Benz, plastic surgery, health club dues, and stocks. A Cleveland Head Start agency collected more than \$2.2 million in tax money for 600 children who didn't exist.

— CHARLES OLIVER
Reason Online, June 27, 2003

■ Government at work II

New York City may be running a deficit, and the government may be raising taxes left and right. But the city council still dredged up \$75,000 to organize city residents in support of rent control. The city spent \$27,900 of that to bus residents to Albany for a pro-rent control rally.

— CHARLES OLIVER
Reason Online, June 25, 2003

■ Government at work III

Peter Tsimortos's house has stood on a mountain outside Dover, Ver-

derstand the concept of "accomplice to murder."

When the Taliban rulers of Afghanistan refused to hand over al Qaeda's leader, Osama bin Laden, in accordance with a U.S. ultimatum, the president loosed a military assault on Afghanistan.

[It was followed by] the U.S. invasion and occupation of Iraq, a country whose leaders were never shown to have had anything to do with the Sept. 11 attacks.

If we take as reasonable estimates 2,000 Afghan and 4,000 Iraqi civilian deaths, then we can conclude that the U.S. forces already have inflicted at least two undeserved deaths for every death the terrorists caused in the Sept. 11 attacks. Many of the dead in Afghanistan and Iraq are women and children.

Thus, in a grotesque mockery of justice, the Bush administration has taken several innocent lives for each innocent life lost at the hands of the terrorists.

— ROBERT HIGGS
The Independent Institute
June 23, 2003

■ The rich poor

According to Robert Rector, an economist with the Heritage Foundation, the typical person in the poorest fifth of U.S. households today spends as much as the person of average wealth in the early 1970s (adjusted for inflation).

The typical "poor" American, according to census data, has a car, air conditioning, a refrigerator, a stove, a VCR and a color TV.

It should go without saying — but usually doesn't — that in, say, 1960, someone who had a color TV, a refrigerator, air conditioning and a car would not be considered poor.

Not only is poverty relative, it has less to do with money than most people think. Technological innovation makes life less expensive. Fifty years ago, a refrigerator was a big investment, even for the middle class. But it was worth it because it made it possible to buy food in bulk.

Today, refrigerators may not be supercheap, but they're affordable. And the cheapest fridge today is far more advanced than a fridge from two decades ago. Ten years ago, a cell phone was a luxury. Today, they're ubiquitous — even in the poorest neighborhoods.

— JONAH GOLDBERG
The Philadelphia Inquirer
June 19, 2003

■ A tasty salad

New York lawyer Samuel Hirsch and George Washington University's Professor John F. Banzhaf brought lawsuits against fast food restaurants Burger King, McDonald's, Wendy's, and Kentucky Fried Chicken. Hirsch and Banzhaf contend that these restaurants are responsible for obesity; they ignore the fact that two-thirds of all meals are served at home.

The Washington-based Center for Science in the Public Interest (CSPI) also demands government control of what we eat. It calls for excise taxes on fatty foods, additional taxes on cars and television sets, and a doubling of the excise tax on beer.

Americans salute the results of the anti-tobacco campaign that brought successful multibillion-dollar suits against tobacco companies and levied steep tobacco taxes.

I'm wondering whether my fellow Americans would like the food Nazi campaign to produce the same outcome. In other words, how would we like taxes that create \$10 hamburgers, \$5 cans of beer, and \$12 for a pound of Oreo cookies?

Maybe as an alternative to taxes, there might be a call for laws similar to [those] which prohibit the sale of alcohol to intoxicated persons.

Applied to food, that law might ban the sale of hamburgers and fries to a fat person, or a mandate that scales be placed in front of cash registers where a customer is weighed prior to a sale. Instead of hamburgers and fries, an overweight customer is offered a tasty salad.

— WALTER WILLIAMS
TownHall.com, June 11, 2003

LP POLITICAL DIRECTOR RON CRICKENBERGER ASKS:

Are You An LP Officeholder?

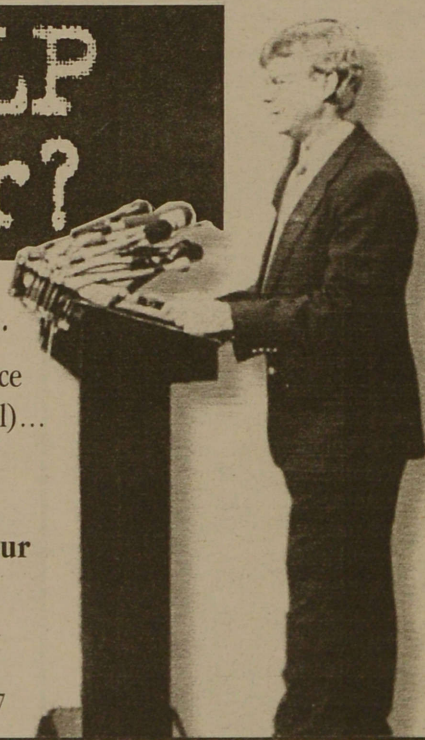
If so, we want to hear from you! If you...

■ Are serving in a partisan or non-partisan *elected* office or *appointed* office (local, county, state, or federal level)...

■ And if you're not listed at www.LP.org/organization/officials.php as an LP office-holder...

We want to hear from you so we can add you to our ever-growing list of Libertarians in office!

Call LP Political Associate Steve Damerell at (202) 333-0008 Ext. 230. ★
E-mail: SteveDamerell@hq.LP.org ★ Write: Libertarian Party, ATTN: Political Dept., 2600 Virginia Ave., NW, Suite 100, Washington DC 20037



Grand jury investigates Illinois Republican corruption

Continued from Page 1

day came back to the Treasurer's office," wrote Santos. "I asked more than one individual where they had been. [I] was told that specific employees had been directed by Nancy Kimme to go to the Board of Elections and assist with the petition challenge to get the Libertarian candidate off the ballot."

At the time, Nancy Kimme was Topinka's campaign manager for her re-election campaign.

Because it is illegal in Illinois for state employees to engage in partisan political activity while being paid by taxpayers, Santos said she tried to warn the Republican Party about what she had seen. She was told to put her comments in writing.

On November 23, Santos submitted to the Republican Party's state central committee a "testimonial affidavit" detailing Topinka's illegal use of state workers. The committee ignored her signed statement, and later elected Topinka as state chair.

Scope of cover-up

Illinois Libertarians — who have charged that state employees illegally worked to keep LP candidates off the ballot in both 1998 and 2002 — said they are not surprised at the new charges, only at the scope of the cover-up.

"Boy, if this is true, that evidence is horrendous for the entire Republican Party," said Illinois LP Executive Director Jeff Trigg. "To have the entire Republican state central committee possibly involved in covering up this information would make them a criminal enterprise the likes of which has never been seen in U.S. history."

"I'd say this is unbelievable, but I've learned better when it comes to the two old parties in Illinois."

In July 2002, Republican officials had filed a challenge against Skinner in an effort to kick him off the ballot. Even though the LP had filed over 52,000 signatures — more than double the 25,000 required by law —

Republicans claimed that more than 28,000 signatures were invalid.

It was during this challenge that Topinka used state employees to check the validity of LP petitions.

Later that month, Republicans withdrew the challenge after it became obvious that the LP had filed more than enough valid signatures.

Five years earlier, in 1998, the Illinois Board of Elections invalidated 36,000 of the 61,000 signatures the

LP had collected to qualify eight candidates for the ballot, and then used state employees to fight the LP's challenge to that ruling. As a result, LP gubernatorial candidate Jim Tobin was kept off the ballot.

According to a later *Chicago Tribune* article, state employees visited the Board of Elections' offices to monitor the 1998 petition challenge on more than 180 occasions, and at least 19 state employees worked on

the taxpayers' clock while engaged in partisan political activity.

Despite those revelations, no charges were filed against any state employees for the illegal activities.

Oppress opposition

The pattern of illegal behavior shows that Republicans are willing to repeatedly break the law to "oppress their political opposition," said Trigg.

"They just can't be trusted not to

abuse their power, even when they've been caught before," he said. "It's bad enough we have to overcome their discriminatory ballot access laws, let alone having to deal with them using the citizen's tax money and state employees against us."

Based on the new evidence, Trigg said, "Since the party hacks in Springfield don't have the guts to call for resignations, we will. Topinka needs to resign immediately."

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There's only one way to help every single California LP candidate in the 2004 election.

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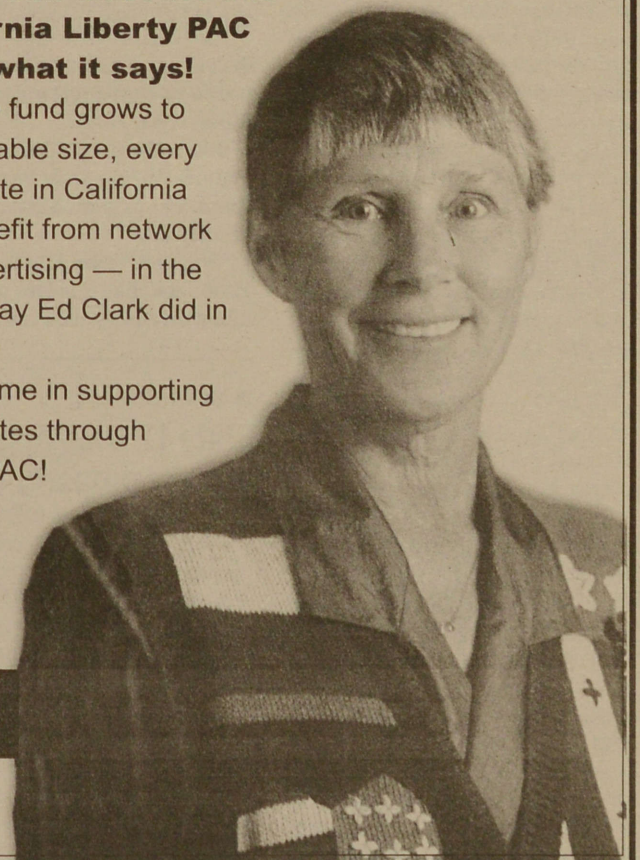
insufficient up to \$365,000 if just 4,000 LPC members give one quarter per day, \$730,000 if just 4,000 LPC members give one half dollar per day, or \$1,430,000 if just 4,000 LPC members give a dollar a day; to support California's Libertarian candidates up and down the ballot in 2004.

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CORRECTIONS

■ In the July issue, the article, "Mass. Libertarian works to reduce Waltham taxes by 25%," stated that an initiative question requires signatures from 15% of registered voters. In fact, it requires 8% (2,100 signatures).

■ In the July issue, the "From the Editor" column stated that state governments spent a combined total of \$1.2 trillion in 2002. In fact, states spent \$983 billion (according to *USA Today*) or \$1.1 trillion (according to the National Association of State Budget Officers).

■ In the July issue, the "Friends of Liberty" article stated that libertarian Sean Morley is now wrestling under the name "Chief Morley" for the WWE. In fact, as of May, he was again performing under the "Val Venis" persona.

AFFILIATE NEWS

LP fights 'bad driver's tax' and big fat state wedding programs

■ ALABAMA

State party celebrates death of bad ballot bill

Alabama Libertarians are celebrating the demise of HB77 — a "horrible" bill that would have made it significantly more difficult for minor parties to retain ballot status.

HB77 died on June 16, when the Alabama legislature ended its yearly session. The bill had passed the State House, but not the State Senate.

The Alabama LP had waged a vigorous campaign against HB77, said **Mike Rster**, state LP administrator.

"We succeeded!" he said. "HB77 died because of our efforts. It was the result of letters to the editor. It was the result of personal appearances [and] making contacts with legislators. It was the result of letters written to the legislators. It was the result of telephone calls."

"It was the result of other political parties getting on board. It was the result of press releases. It was the result of a lot of independent actions on the part of our membership!"

Had it been signed into law, HB77 would have required third parties to win 20% of the vote in the governor's race to retain ballot status in Alabama. Currently, a party must get 20% in any statewide race.

■ CALIFORNIA

Flouridation question up for vote in Santa Maria

A referendum to prohibit the city government from flouridating the water will be on the November 2004 ballot in Santa Maria, after local Libertarians helped collect enough signatures to qualify the measure.

On April 15, the Santa Maria city council voted 3-1 to place the "Safe Drinking Water Initiative" on the ballot for local voters to decide.

The council's vote came after the Safe Water Committee had submitted 4,224 signatures — far more than the 2,560 required by city ordinance — to the city clerk in February.

Of the 2,610 signatures that were certified as valid, Libertarians had collected over 1,000, said local LP activist **B.J. Wagener**.

If approved by voters, the measure will prohibit the city government from putting fluoride, or any "product, substance, or chemical" not approved by the Food and Drug Administration, in the city water supply.

According to the city council, state law requires public water systems with 10,000 or more customers to fluoridate the water if funds are provided. The California Dental Association Foundation, Inc. has agreed to pay for fluoridation in Santa Maria.



Photo courtesy of California Freedom

Rolling towards Libertarian Party success

■ California LP member **Norm Westwell** rollerblades from house to house in Huntington Beach, handing out information about the Libertarian Party.

Since January 2003, the 44-year-old owner of a sportswear manufacturing firm has handed out 15,000 self-penned outreach fliers. His current flier notes: "The Boston Tea Party was over a tea tax of only 2%."

Westwell, who joined the party in 1999 and ran for city council in 2000, also has a motto appropriate for his outreach activities: "We're Libertarians — let's roll."

■ GEORGIA

State LP lobbying helps protect property rights

A state LP cyber-lobbying effort appears to have helped convince the governor to sign a bill that protects property rights.

On June 4, Governor Sonny Perdue signed HB 748, a bill that clarifies language about Enterprise Zones. However, of more interest to Georgia Libertarians was an amendment to the bill that prohibited local governments from passing ordinances allowing warrantless inspections of rental properties. The amendment also pro-

hibited municipalities from performing such inspections without probable cause.

"This will restore the Constitutionally mandated protections of the Fourth Amendment against illegal search and seizure, and the Equal Protection clause of the 14th Amendment, since the inspections applied

only to rental properties," said Georgia LP State Chair **Helmut Forren**. "We're very pleased with the success."

The Georgia LP had created an online petition — at www.404-Freedom.com — on May 16 that urged the governor to sign HB 748.

■ KANSAS

Libertarian writer wins award for 'best column'

A state Libertarian has won the "Best Column" award for 2002, given out by the Kansas Press Association.

Douglas N. Merritt, 82, was honored for a column he wrote for the *Atchison Daily Globe* on November 7, 2002. The column, entitled "Under God" fails First Amendment test," argued that the phrase "under God" in the Pledge of Allegiance should not be mandated by government.

"The Libertarian [view] is that government should not tell us how to pray nor what words to use when we talk," said Merritt.

Forty-one daily newspapers in Kansas had each submitted three columns to the Kansas Press Association for consideration. Despite the odds, Merritt said he was "not surprised" that his column won the award.

"The topic was good and I am a good writer," he said.

Merritt has been writing his "A Libertarian Viewpoint" column for the *Daily Globe* (circulation: 3,500) for three years. Now retired, he had previously worked as a submarine officer, a veterinarian, and a public defender. He also twice served as State Chair of the Kansas LP.

■ MICHIGAN

LP starts cyber-petition against bad driver 'tax'

State Libertarians have launched a cyber-petition to lobby against a so-called bad-driver's bill that they charge is really a "disguised form of taxation."

The online petition — at www.SpeakOutMichigan.org — allows residents to send an e-mail message to state legislators to urge them to vote against SB 509, which would levy new fines for traffic violations.

Libertarians oppose the bill because "traffic laws should be used to promote traffic safety," said **Leonard Schwartz**, who is helping to coordinate the project. "They should not be a disguised form of taxation."

SB 509 would assign points to drivers who are caught speeding, running red lights, or committing other

minor violations. Drivers who accumulate seven or more points over two years would be hit with a \$100 fine. Every point beyond seven would carry an additional \$50 fine.

These fines would be in addition to penalties assessed when drivers are originally convicted of violations.

Politicians estimated the proposal could raise as much as \$75 million a year for the state government.

The anti-SB 509 petition, which debuted on June 15, gives state residents the opportunity to show they "oppose the use of traffic laws as a disguised form of taxation," said Schwartz. It shows they "care about people who have already paid large traffic fines and cannot afford to pay the outrageous annual penalty."

■ NEW YORK

Libertarians speak out against NYC 'land grab'

Several members of the New York LP attended a public hearing to speak out against a plan by the Bank of America to conduct a "land grab" in Manhattan.

LP State Chair **John Clifton** and other local Libertarians participated in a hearing in New York City on June 18 to oppose the Empire State Development Corporation's effort to condemn property on 42nd Street.

The Development Corporation wants to sell the property to the Bank of America at below market cost so the financial company can construct a new office building.

But such a plan violates the property rights of the current owners, said Clifton.

"This is the latest sad episode of the government being used by private companies as a vehicle for defacto corporate welfare," he said. "This taking away of the property of private owners under eminent domain procedures is not being done for public use purposes, but on behalf of the Bank of America. Using government force to benefit large corporations is simply wrong."

Previously, the New York LP had lobbied against a similar plan by the Empire State Development Corporation to seize property to give to the *New York Times*.

■ NEW YORK

Libertarian 'mermaids' march for toy-gun rights

Manhattan Libertarians made like mermaids to commemorate a victory over anti-toy gun forces on the New York city council.

A contingent of about 10 Libertarians from the Manhattan LP marched in the annual Coney Island Mermaid Parade on June 21. Their goal: To celebrate their "improbable victory over the city council's spoilsport toy-gun ban," said Manhattan LP spokesman **Jim Lesczynski**.

In February, Manhattan Libertar-

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Reaching out to radio listeners at Talkfest 2003 in Norfolk, Virginia

■ Tidewater Libertarian Party (TLP) members host an outreach booth at Talkfest 2003, which was held at the Old Dominion University Constant Convocation Center in Norfolk, Virginia on May 9.

Shown here (l-r): Sharon Wood (past candidate for Virginia General Assembly), Jim Friesen (TLP secretary), James Lark (past national LP chair), Bruce Finkelstein (TLP member), Richard Braun (TLP treasurer), Kim Oliver (TLP Chair), Brian Babb (TLP vice chair), and Sandy Linkous (treasurer, Virginia Beach Taxpayer Alliance).

Talkfest 2003, an annual talk radio industry event, featured major radio and television personalities such as Neal Boortz, Pat Robertson, Sean Hannity, Alan Colmes, Pasquale Giovanni, and Tony Macrini.



The Libertarian Party's next generation?

■ Posing in front of the Tidewater Libertarian Party (TLP) booth at Talkfest 2003, past national LP Chair Jim Lark talks to a recent high school graduate who got information about the party — and is considering attending the University of Virginia, where Lark teaches.

TalkFest 2003, an annual event that brings together radio broadcasters and listeners, attracted about 3,000 people.

The Libertarian outreach booth was "one of the busiest booths at the function," said TLP member Robert K. Dean.

ians had distributed toy guns outside an East Harlem grade school to draw attention to a proposed citywide ban on toy guns.

The "Toys for Tots" stunt "poured cold water on the city council's proposed toy-gun ban," said Lesczynski.

"Although the [bill's] sponsors promised it would be passed by the council no later than March, the unexpected media scrutiny brought on by the Libertarians caused the nanny-state legislation to be laid over by the committee indefinitely," he said.

The city council said it wanted to ban brightly colored water pistols because they could be painted black and made to look like real guns. City law already bans toy guns that resemble real weapons.

In the Coney Island parade, Libertarians marched through the rain for an hour-and-a-half as the Mermaid Militia, and distributed about 60 or 70 free water pistols to children along Surf Avenue in Brooklyn.

"We were all soaked to the bone, but I think everybody had fun," said Lesczynski. "The parents and kids along the parade route loved the toys and loved us!"

■ OHIO

Reject flag amendment, urges Hamilton Co. LP

The Hamilton County LP has unanimously voted to condemn a proposed flag desecration amendment.

At its June 11 meeting in Cincinnati, the party said the amendment jeopardized First Amendment freedoms and posed a much greater threat to the United States than flag desecration itself.

"Diminishing our freedoms via the flag desecration amendment will harm our country in a way that no amount of flag-burning could ever

accomplish: It punishes thought, not action," said Hamilton County LP Chair **Paul Green**.

"[The amendment] starts the government down the slippery slope of deciding which forms of protest are legal and which are not," he said.

"If flag burning is outlawed, people may turn to burning copies of the Constitution. Will this then be made illegal? Where does it stop?"

The proposed amendment, which has previously passed the U.S. House but not the U.S. Senate, reads: "The Congress shall have power to prohibit the physical desecration of the flag of the United States."

The Hamilton County LP also sent letters to Ohio's U.S. senators, Mike DeWine and George Voinovich, urging them to reject the amendment.

■ TENNESSEE

Lottery scholarships are 'welfare for the wealthy'

A soon-to-be-implemented program to give college scholarships to high-scoring high school students is "welfare for the wealthy," charge state Libertarians.

The program, which will be funded from the new Tennessee lottery, will give scholarships to students with a 3.0 or above grade point average.

But that criteria discriminates against lower-income students, who tend to perform less well than their wealthier counterparts, said Tennessee LP State Chair **Ray Ledford** in a June 2 statement.

"Most of the families who will buy lottery tickets are lower income, yet it seems they will be providing scholarship money to the students of more affluent families," he said. "The lottery scholarships are nothing more than welfare for the wealthy."

While the state government needs

to have some criteria for scholarships, a more fair system would give smaller scholarships to students from wealthier families, said Ledford.

If politicians don't do that, he said, Tennessee residents should ask: "Do the state legislators honestly want to provide educational opportunities for the children — or are they simply catering to the wealthy hoping that more affluent Tennesseans will make contributions to their re-election campaigns?"

■ TEXAS

Harris Co. LP: Let voters decide on drainage fee

Houston voters, not politicians, should decide whether to impose a new drainage fee, says the Harris County LP.

Houston city officials have proposed a fee of about \$5 a month for homeowners and about \$70 a month for businesses. The fee, which would raise about \$85 million a year, would pay for drainage projects.

"However, the city admits that the projects — to be based on out-of-date flood plain maps — will not end Houston's flooding problems," noted **Laura Coker-Garcia**, editor of the *Gulf Coast Liberty* newsletter.

The Harris County LP Executive Committee passed a resolution May 17 formally opposing the proposed fee, and calling for the issue to be put on the November 2003 ballot "so it can be settled by the voters."

The Harris County LP joined more than a dozen groups in opposing the plan, including the Houston Property Rights Association, Taxpayers for Accountability, and the Building Owners and Managers Association.

"The proposed fee is nothing more than a tax," said **Bob Lemer** of Citizens for Public Accountability.

■ UTAH

State's marriage efforts have failed, LP charges

State efforts to support marriage have apparently had the opposite effect — leading Libertarians to encourage Utah residents to get a divorce from "Big Fat Government Wedding" programs.

"Far from being The Matchmaker, there isn't a bigger Homewrecker in Utah than Governor [Mike] Leavitt," said LP State Chair **Fran Tully** in June. The proof is in the numbers, he said:

■ In 1994, the governor created the Governor's Initiative on Families Today (GIFT) which, "sponsors marriage enrichment conferences."

■ In 1998, the governor announced the creation of the Governor's Commission on Marriage, which helps "promote, strengthen and increase awareness of the importance of marriage."

Despite the programs, by 2001, the gap between Utah's divorce rate and the national average more than doubled — meaning Utahns were divorcing at a rate 10% higher than the average American, said Tully.

"Utah's married couples need a divorce from Governor Leavitt's Big Fat Government Wedding programs," he said. "Marriage — a religious and civil institution — is suffering because Leavitt won't resign from his role as The Wedding Planner."

■ VERMONT

No death penalty just for police killers, says LP

A proposal by the governor to impose the death penalty for the crime of killing a police officer should be rejected because it creates a "special category" of punishment for certain citizens, says the Vermont LP.

"While the Libertarian Party takes no stand on the death penalty, the party does not believe that any particular form of punishment should be applied only to one sector of society," said State Chair **Brendan Kinney** in a June 22 statement.

"We in no way underestimate the importance of the police, but we think it inappropriate and unwise to create any special category of people whose fundamental rights deserve greater protection than others."

Governor Jim Douglas made his suggestion after state trooper Michael Johnson was killed by a hit-and-run driver on June 15 in Norwich.

While Johnson's death was a tragedy, the death of a non-police officer is equally tragic, said Kinney.

"The state should prosecute the guilty with vigor, regardless of the victim," he said. "The state should not protect anyone's rights any less or more than those of anyone else."

Online Resources for LP Members

■ Find contact info for your state Libertarian Party or your State Chair

Visit: www.LP.org

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Click on: State Parties

Click on: [Your state]

■ Find contact info for the National Committee

Visit: www.LP.org

Click on: Organization

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Click on: LNC Directory

THE REVIEW

Journalism and jingoism

■ *Reefer Madness*, by Eric Schlosser. Houghton Mifflin Company. Hardbound, \$23.00. Available at: www.Amazon.com.

Reviewed by Bill Winter
LP NEWS EDITOR

Eric Schlosser knows an enormous amount about marijuana, pornography, and illegal immigrants. But he only sporadically understands what he knows. For Libertarians, that's the great pleasure and the great frustration of *Reefer Madness*.

The book is primarily three long essays about the three-cylinder engine that drives America's underground economy: Drugs (marijuana), sex (pornography), and under-the-table labor (migrant farm workers). Schlosser's goal is to examine this "largely invisible economy, secretive and well hidden," that constitutes about 10% of the American GDP.

To a large degree, he does exactly that. He gives a concise history of the War on Drugs, full of fascinating information. For example, did you know that in 1619, the Virginia Assembly passed a law requiring every household to grow hemp (marijuana)? By 2003, growing a single marijuana plant in Virginia could land you in jail for 30 years.

His saga of smut is also well done, and full of tantalizing tidbits.

For example: J. Edgar Hoover had a secret FBI "Obscene File" of stag films and smutty magazines, collected over five decades, that only he and his "close assistant" Clyde Tolson were allowed to view.

The pornography section is highlighted by a description of the federal government's 20-year campaign to imprison porn pioneer Reuben Sturman. Ironically, by the time Sturman died in prison, media giants like AOL-Time-Warner were making millions showing X-rated movies — the same kind of films that led the government to destroy Sturman's life — on pay-per-view cable.

The section on migrant farm workers is the weakest. Schlosser is convinced that illegal immigrants are being "exploited" by farmers, so everything he says is filtered through his "there-oughta-be-a-law" outrage. To be sure, farm work is grueling, the pay is low, and living conditions are dreadful. But Schlosser notes that many migrant workers earn "more in one day than he or she would earn back home in a month." And that money, sent back to Mexico, "preserved rural communities that might otherwise have collapsed." What Schlosser can't grasp is that for many Mexicans, migrant farm work — even with its hazards — makes economic sense.

For Libertarians who want to understand the history, consequences, and day-to-day reality of Drug Prohibition, Smut Prohibition, and Labor Prohibition, *Reefer Madness* is an invaluable primer.

But where Schlosser falls short is in his understanding of his information. He marches in lockstep to his liberal biases, so some of his conclusions are remarkably shortsighted.

For example, Schlosser doesn't understand the law of unintended consequences. He argues that the solution to the plight of migrant farm workers is to double their wages (by government decree). But he also notes that the average migrant earns 10 times what he could earn in Mexico. What would happen if that wage suddenly doubled? Tens of thousands of additional Mexicans would swarm across the border, attracted by the financial windfall. We'd end up with armies of poor migrant workers unable to find any job — and on the whole, they would be even worse off than before.

Ultimately, *Reefer Madness* shows Schlosser to be a typical liberal. He thinks people should be allowed to do what they want with their bodies for fun — so consenting acts of capitalism between drug dealers and drug users should be legal. But they can't be trusted to do what they want with their bodies for labor — so certain acts between workers and bosses must be prohibited.

Schlosser is rightly appalled by the human suffering caused by the government's wars on drugs and smut — but naively seems to think that a "War On People Who Exploit Migrant Workers" would be won quickly and without collateral damage.

That aside, *Reefer Madness* can't be beat as a captivating look at America's underground economy. Just enjoy the journalism — and ignore the Big Government jingoism that sometimes accompanies it.

REEFER MADNESS
Sex, Drugs, and Cheap Labor in the American Black Market. What happens in the black market is worth examining because of the way fortunes are made there, lives are often ruined there, and the vicissitudes of the law can deem one man a gangster or a chief executive (or both). If the market does indeed embody the sum of all human wishes, then the secret ones are just as important as the ones that are openly displayed.

ERIC SCHLOSSER
author of *Fast Food Nation*

Minority Report, Rabbit-Proof Fence named 2002's best libertarian films

Minority Report, a futuristic thriller by Steven Spielberg, and Rabbit-Proof Fence, a fact-based look at an escape from a 1930s Australian camp for Aborigines, have been named co-winners of the Best Libertarian Film award for 2002.

The movies were chosen by readers of the libertarian e-newsletter, *Miss Liberty's Film and TV Update*, and were announced on June 15.

Winning the Best Documentary award was *The War on Drugs: A War on Ourselves*, by John Stossel.

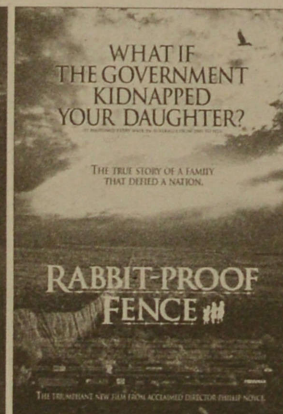
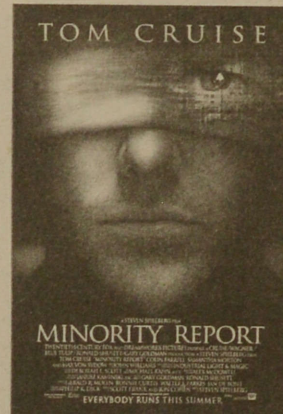
Jon Osborne, editor of the Film and TV Update e-newsletter and author of the book *Miss Liberty's Guide to Film and Video*, said all the winning films had strong libertarian messages.

"Libertarians liked *Minority Report* for its implicit criticism of government invasion of privacy and for its portrayal of what can go wrong with an even well-intentioned megastate," he said. "*Rabbit-Proof Fence* won praise for its touching depiction of a young girl's heroism in the face of government oppression."

Science-fiction thriller

Minority Report, a big-budget science-fiction thriller starring Tom Cruise, Colin Farrell, Max von Sydow, and Samantha Morton, is set about 50 years in the future.

In the movie, a "Pre-Cog" unit of psychics has the ability to predict



murders that have not yet taken place, allowing police to arrest the "perpetrators" before they commit their crimes. Cruise plays a policeman in the Department of Pre-Crime who goes on the run after the psychics predict that he will commit a murder.

Critics praised the movie, based on a short story by Philip K. Dick, for its examination of the tradeoff between freedom and security and for its discussion of predestination versus free will.

Rabbit-Proof Fence, on the other hand, looks not forward, but backward — to 1930s Western Australia.

Directed by Phillip Noyce and starring Everlyn Sampi, Tianna Sansbury, and Laura Monaghan, the film is an unflinching look at the Aborigines Act, which allowed the government to round up half-caste girls from Aboriginal families and put them in a

government camp to try to assimilate them into white society.

In the movie, based on a true story, a 14-year-old half-caste girl escapes from the camp and flees 1,500 miles — following a rabbit-proof fence for direction —

back to her Aboriginal home.

Runners-up for best Libertarian film of 2002 included *Barbershop*, *Das Experiment*, and *Equilibrium*.

Drug Prohibition

In the documentary category, *The War on Drugs: A War on Ourselves* was praised by Libertarians for presenting the case against Drug Prohibition. It aired on ABC Television.

"This is yet another well-reasoned libertarian documentary by John Stossel, and it won plaudits from all corners of the political spectrum," said Osborne.

Runners-up in the documentary category included *Commanding Heights: The Battle for the World Economy* and *Bringing Down a Dictator*.

For reviews of libertarian films, documentaries, and television shows, visit: www.missliberty.com.

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LNC meeting has action, debate on dues hike, ballot access, cash crunch

Continued from Page 4

tional convention on a more secure financial footing.

The motion required revenue (other than fundraising) from the convention to cover the entire cost of the convention; required the LNC to receive from the Convention Committee a preliminary convention revenue and expense budget before the September 2003 LNC meeting; and required monthly reports on the "planning, schedule, content, and budget of the 2004 convention."

The motion also instructed the Convention Committee to remedy the kind of registration and credentialing problems that occurred at the 2002 convention, and to segregate all convention funds in a separate bank account.

Nelson said he introduced the motion because the 2002 national convention "fell significantly short of budgeted projections."

■ Passed on a 14-3 vote a motion directing Neale to work with new Executive Director Joe Seehusen to reduce the salary costs of LP employees to meet the figure mandated by the LP's "core" budget. Deadline: September 1, 2003.

The budget, approved by the LNC in December 2002, authorized \$320,000 — 23% of the party's an-

"WE ARE RAPIDLY reaching a critical point in our ability to conduct serious ballot access for next year's elections."

—Sean Haugh

nual budget — for national office staff salaries.

The motion also instructed Neale and Seehusen to make sure that all "non-core" projects are self-funded by July 1, 2003. Non-core projects include ballot access, the Drug War Strategy, branding and marketing efforts, and campus outreach. Such projects will only be funded if money can be raised from LP members specifically for those purposes.

Although the party has reduced its account-payable deficit by about \$68,000 from January 2003, it still has a substantial debt, and Unified Membership Program (UMP) payments to the states are running about \$29,000 behind schedule.

In other action, the LNC:

■ Passed on a voice vote a motion from Fred Childress (Region 5 Representative, Virginia) requesting the Bylaws Committee to propose wording at the 2004 National Convention to allow the party to expel members. Any expulsion would be under restricted conditions involving the initiation of force or fraud.

■ Passed on a voice vote a motion from R. Lee Wrights (At-Large Member, North Carolina) supporting

an instruction from Neale that the executive director notify the LNC if any UMP payments are made more than 48 hours beyond their contractual date.

■ Passed on a voice vote a motion from Nelson to ask the Convention Committee and executive director to suggest location options for the 2006 and 2008 national conventions. Deadline: By the LNC's February 2004 meeting.

The next LNC meeting is scheduled for September 13-14, 2003 in Denver, Colorado.

The 18-member LNC is the governing body of the Libertarian Party. LNC representatives and officers are selected by delegates at the party's national convention every two years.

Ohio talk show host joins party

Continued from Page 3

influential names in the field — including Neal Boortz, Gene Burns, and Art Bell.

"I am just a small-market talk show host trying to make a difference," he said. "People like Boortz and Bell already have. Hopefully at some point I measure up."

Mangino said talk radio has "been in my blood for a long time." He got interested in radio when he was 12 because of an uncle who worked at WKST Radio in New Castle, Ohio. In high school, he was a member of the D.U.F.E. (Dial Us for Entertainment) radio club.

In 1996, Mangino got his first professional job in talk radio as a fill-in host at KERP Radio in El Paso, Texas. He later worked at WWIZ Radio and WLLF Radio in Mercer, Ohio, before coming to WKBN Radio. He broadcasts from 6:00-10:00 am weekdays.

As a talk show host, there is one thing that Mangino said he prides himself on: He always expresses his honest convictions.

"I will never take an issue just to get you ticked off enough to call," he has told his listeners. "When you do call and express your genuine beliefs, the least you deserve is my genuine beliefs in return."

Santa Clara LP stops tax hike

Continued from Page 4

four districts:

■ San Jose Unified School District: Failed with 59.8% of the vote. The measure would have raised \$6 million a year for five years. (Total cost to taxpayers: \$30 million.)

■ Campbell Union School District: Failed with 56.7% of the vote. The measure would have raised \$3 million a year for four years. (Total cost: \$12 million.)

■ Franklin-McKinley School District: Failed with 56.3% of the vote. The measure would have raised \$1.2 million a year for four years. (Total cost: \$4.8 million.)

■ Mountain View-Whisman School District: Failed with 63.1% of the vote. The measure would have raised \$2.48 million a year for five years. (Total cost: \$12.4 million.)

Milestone win

The defeat of all four measures — which confirmed the LP's status as the "default anti-tax group here in Silicon Valley" — was a milestone for Santa Clara Libertarians, said Hinkle.

"We've had wins before, but we've never gone four-for-four," he said.

Also joining the LP in the fight against the parcel taxes were the Tri-County Apartment Association and the San Jose Silicon Valley Chamber of Commerce.

The Heartland Institute's 19th Anniversary Benefit

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Please join more than 500 freedom-lovers in the Grand Ballroom at the Chicago Hilton Hotel to celebrate The Heartland Institute's 19th anniversary. You'll get great speakers, conversation, and food while benefitting one of the libertarian movement's leading think tanks.

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THE ISSUES

EDITOR'S NOTE: Each month, "The Issues" will highlight several recent Libertarian Party press releases. To get the complete text of all press releases issued by the LP, send a message to "announce-request@lp.org" with the word "subscribe" in the subject line.

Scrap useless color-coded terror alert system

The national color-coded terror alert system should be scrapped, Libertarians say, because it only alarms the public with warnings that are too vague to be useful.

"Homeland Security Director Tom Ridge risks becoming like the boy who cried wolf with his frequent, unsubstantiated Orange alerts," said George Getz, Libertarian Party communications director. "Soon the public might start ignoring him — and that could be a real disaster."

Before the Fourth of July weekend, Department of Homeland Security officials declined to say whether they planned to raise the terror alert level from Yellow to Orange, the second-highest category.

Since the system was instituted in 2002, the threat has been raised to Orange four times, and no attacks have taken place — raising questions about the reliability of the underlying intelligence data.

One example: In February, Americans stockpiled food, water, duct tape, and plastic sheeting after the government warned about the risk of a chemical or biological attack.

At the time, Ridge claimed the intelligence reports were based on "multiple sources, obviously credible and corroborated." But days later he quietly canceled the alert after being forced to admit that the reports were "not as accurate as we thought."

An unreliable terror alert system may be worse than none at all — which is why the program should be dismantled, said Getz.

"Telling a nation still reeling from the September 11 terrorist attacks to be on alert for another horrific attack — without telling them when, where, or how it might occur — is nothing more than scare mongering," he said. "In fact, every Orange alert that is issued based on flimsy evidence actually endangers the nation by making Americans more likely to ignore future warnings."

Congressional weapons hearing is pointless

Congressional hearings into the Bush administration's claims about Iraq's weapons program are a waste of time, Libertarians say, because the public already knows that presidents routinely lie or exaggerate to justify waging war.

"Surprise! It appears that another U.S. leader has manipulated facts and exaggerated threats in order to whip up war hysteria," said Joe Seehusen, executive director of the Libertarian Party, which staunchly opposed the invasion of Iraq.

"Do we really need a congressional hearing to discover that politicians are adept at using words as weapons of mass deception?"

Prompted by the continuing failure to find chemical or biological weapons since Baghdad fell, the Senate Select Committee on Intelligence will hold hearings into the Bush administration's prewar claims about Iraq's weapons of mass destruction.

But Congressional hearings are utterly pointless, said Seehusen, because they will only tell Americans what they already know.

"History is replete with examples of U.S. leaders lying our country into war. So why should we expect this war to be any different?" he asked. A few specific cases:

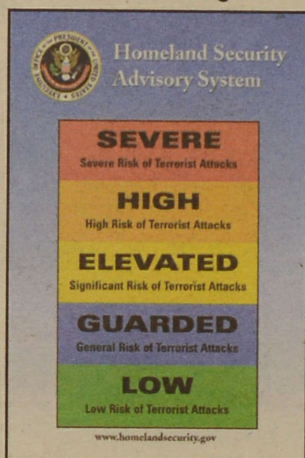
■ In 1898, the U.S.S. Maine blew up off the coast of Cuba. Although most historians believe it was an accident, Congress used "Remember the Maine" as a rallying cry to declare war on Spain.

■ In 1964, two U.S. destroyers in the Gulf of Tonkin reported being fired upon by the North Vietnamese — an attack that never happened. Yet President Lyndon Johnson used the incident to win a Congressional resolution authorizing military force in Vietnam.

■ In 1990, President George Bush perpetrated the "babies-being-pulled-from-incubators hoax," which claimed that Iraqi troops had invaded a hospital in Kuwait City and ripped babies from incubators. It was later determined that the story had been fabricated by a public relations firm that had been paid by the Kuwait government.

With such a track record of presidential deceit, it's disingenuous for Congress to pretend to be shocked, Seehusen said.

"Last October, 296 Representatives and 77 Senators voted in favor of a resolution supporting the invasion of Iraq," he said. "Every one of these individuals is responsible for the consequences of that decision — and convening a hearing won't change that."



Ballots are in the mail for LP-sponsored bid to repeal Montrose, Co. grocery tax

The ballots are in the mail, and residents of Montrose, Colorado will now have the opportunity to vote on a Libertarian-sponsored initiative to end the city's tax on groceries.

The Montrose city clerk mailed 6,228 ballots to registered voters on June 26. The ballots must be returned by mail or brought to the City Hall by July 15 [after LP News went to press].

At stake: Whether to repeal the city's 3% tax on food purchased for home consumption. A "yes" vote will save taxpayers about \$2.3 million annually, and reduce the city's general fund by about 17%.

"The time is right, the revenues are growing quickly in this town, and the city has plenty of [other] revenue sources," Mike Humbert, Chair of the Western Slope Libertarian Party, told the *Grand Junction Sentinel*.

However, mayor pro-tem Noelle Hagan, a critic of the tax cut, said it would "cripple government." In comments to the *Grand Junction Sentinel*, she said the repeal was sponsored by "people who don't like government."

The repeal initiative is the work of the Western Slope LP, which said it wants to repeal the tax because it places an unfair burden on the poor and elderly.

"A sales tax on food is the most regressive of all taxes; those least able to pay must pay a higher proportion of their limited incomes," said Humbert.

Home consumption

If passed by voters, the initiative would eliminate the tax on food purchased for home consumption, but would not change the tax status of packaged food or meals purchased in restaurants.

Libertarians collected more than 500 signatures from registered voters to qualify the tax repeal initiative. On April 21, the city clerk certified that Libertarians had submitted the required number of signatures.

In response to critics who say the city government needs the revenue from the grocery tax, Humbert noted that the city budget has doubled in the last six years, from about \$20 million to about \$38 million.

"They keep saying [the tax cut would result in] a cut in the budget, but they don't say sales tax revenues have been growing significantly," he told the *Daily Sentinel*.

For example, said Humbert, instead of slashing services, city poli-



■ Western Slope LP Chair Mike Humbert: "The time is right, the revenues are growing quickly in this town, and the city has plenty of [other] revenue sources."

ticians could restrict the number of city-owned vehicles, and postpone or cancel \$52 million worth of expan-

sions and new building projects.

"The city of Montrose claims it needs the money, but Libertarians say citizens on fixed and low incomes need the money more," he said.

The tax cut initiative is facing some heavy opposition. In May, the Montrose Chamber of Commerce's 21-member board of directors voted to oppose the sales tax repeal, saying it would not "foster positive economic growth." The repeal is also opposed by the Montrose Economic Development Corporation and by a group of residents calling themselves the Committee to Protect Our Quality of Life.

However, the Libertarians have supporters, too. Douglas Bruce, who crafted the 1992 Taxpayer's Bill of Rights (TABOR) amendment to the Colorado constitution, wrote a public letter urging Montrose residents to support the tax cut.

If passed by voters, the grocery tax repeal goes into effect July 16.

What They're Saying About The Free State Project:

"I think FSP is a TERRIFIC idea. I know a lot of people have botched 'new country' and 'let's take over a county' ideas, but FSP is different. Not only do they have the best plan I've seen for actually making it happen, it's one that doesn't ask people to front a bunch of cash or risk making any moves, until a critical mass has been reached. Even if it's a long shot, the chance of having an example of freedom at work — that 'shining city on the hill' — is too good to pass up."

Louis James, free-market.net

"Who has not dreamt of a place in which common sense and mutual respect replace most of the laws on the books and people don't need the threat of government in order just to behave themselves? But how many have ever done anything about it?"

Keith Olbermann, MSNBC

"What can be done now? Are there any signs that those Americans who want to unconstitutionally control the lives of others are going to let up soon? I say no, but there's a peaceful resolution proposed by Free State Project, whose motto is, 'Liberty in our lifetime.'"

Walter Williams, economist and author

"A free state might show the rest of the world what can be done ... Let's think seriously about this."

Claire Wolfe, libertarian author

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Get sponsors for ballot bill and earn \$50

A ballot access reform bill filed by Congressman Ron Paul is so important, says *Ballot Access News* publisher Richard Winger, that he's willing to give \$50 to anyone who convinces other U.S. Representatives to co-sponsor it.

The bill, "HR 1941, has no chance of passing unless it obtains many co-sponsors," said Winger.

To bolster HR 1941's chances, Winger said *Ballot Access News* (B.A.N.) will give \$50 to any Libertarian who gets his or her Congressional representative to sign on as a co-sponsor.

To qualify, write to your Congressional representative asking them to co-sponsor HR 1941. If they send a letter promising to sponsor the bill, forward a copy of that letter to *Ballot Access News*, along with a copy of your letter to the representative.

"If your member of Congress becomes a co-sponsor of HR 1941, B.A.N. will pay you \$50," said Winger.

If multiple Libertarians contact the same Congressperson who agrees to sponsor HR 1941, the \$50 will be given to the

Libertarian with the earliest-dated response from the Congressperson. The deadline for the offer is December 31, 2003.

Any Libertarian who gets a new co-sponsor for HR 1941 will also get a free three-month subscription to *Ballot Access News*, said Winger.

HR-1941 (The Voter Protection Act of 2003), which was filed by Paul on May 1, would make it easier for third party and independent candidates to qualify for the ballot in federal races.

HR-1941 stipulates that any candidate who gathers 1,000 valid signatures of registered voters in a district — or from 1,000 eligible voters in districts without partisan registration — must appear on the ballot with a party designation.

The bill is needed because numerous states have passed restrictive ballot access laws, said Winger.

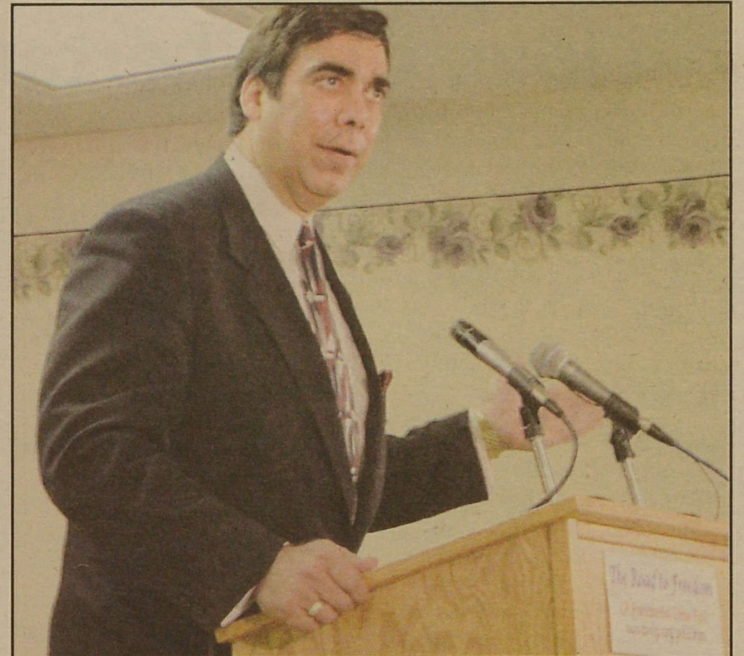
"Unfortunately, some state legislatures have passed laws that make it impossible for anyone but the Democratic and Republican nominees to get on the ballot for the U.S. House," he said.

If signed into law, the bill would ease the U.S. House ballot access requirements for roughly two-thirds of the states, said Winger.

To contact Winger, e-mail: ban@richardwinger.com. Or write: B.A.N., P.O. Box 470296, San Francisco, CA 94147. Or visit: www.ballot-access.org/.



■ Ron Paul: Bill lowers barriers.



Libertarian presidential contenders debate before C-SPAN cameras in Belton, Missouri

■ Libertarian presidential contenders Michael Banarik (left) and Gary Nolan appear at a candidate's forum sponsored by the Cass County LP and the Jackson County LP on June 9.

The event, which was held in Belton, Missouri, was broadcast on C-SPAN's *Road to the White House* on July 6.

At the forum, Badnarik, a computer consultant who also teaches classes about the U.S. Constitution, and Nolan, a syndicated radio talk show host, each described their campaign goals and strategies, spoke about the issues, and answered questions from the audience.

About 80 people attended the event.

"A lot of planning and effort went into making this a big

success," said Badnarik. "I would like to thank all of the Libertarians from Missouri who made me feel so welcome during my visit."

The Cass County LP also sponsors an online LP presidential straw poll at <http://cass.molp.org>.

Nolan won the June 2003 poll with 38.5% of the vote (172 votes). Badnarik came in second with 26% (116 votes), followed by science fiction writer L. Neil Smith at 11% (49 votes).

For information about the Michael Badnarik for President campaign, visit: www.badnarik.org.

For information about the Gary Nolan for President campaign, visit: www.garynolan.com.

The Power of Just One Signature

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"I wanted to let you know that one of the last editions of LP News was EXCELLENT, including the [Libertarian Viewpoint] insert, which gave lots of information on the LP, perfect for spreading the word. I've long felt a change was needed for outreach info. This is just the ticket!"

—Deb Hamm, Westminster Colorado

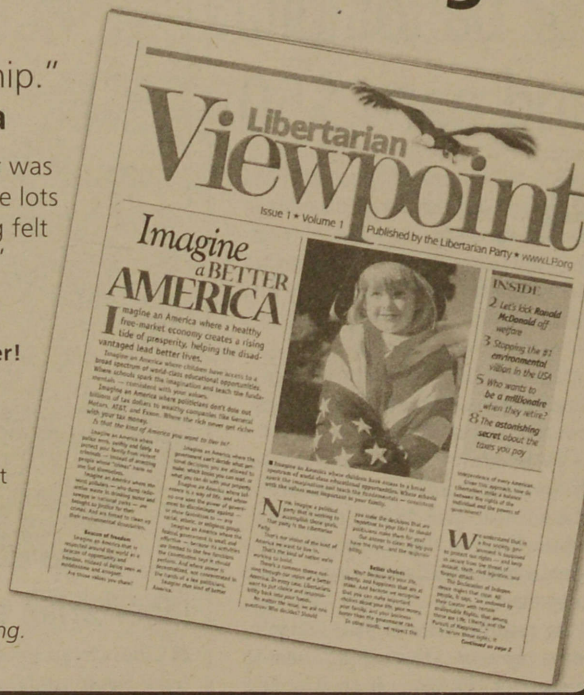
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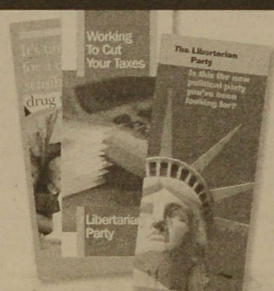


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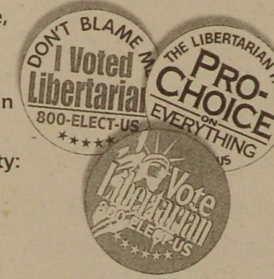
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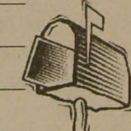
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In North Dakota, LP member circulates ethanol initiative

Continued from Page 3

nol continues to be subsidized, when it benefits no one but these corporations and their investors."

SB 2222 is also probably unconstitutional said Cooper, since the North Dakota constitution, Article X, Sec. 18 states: "...neither the state nor any political subdivision thereof shall otherwise loan or give its credit or make donations to or in aid of any individual, association or corporation except for reasonable support of the poor..."

The worst thing about the subsidy, said Cooper, is that it won't help the environment — or the economy.

"It takes more energy to make a gallon of ethanol than the gallon contains," he noted. "[And] more jobs are lost due to higher taxes than are created."

**"SENATE BILL 2222
takes money from
every taxpayer
in North Dakota,
and gives it to huge
corporations."**

—Clint Cooper

Ethanol is a grain alcohol — made by fermenting and distilling crops such as corn, sorghum, potatoes, and wheat — that is blended with gasoline to create "gasohol." In 1990, the federal Clean Air Act Amendments

mandated the sale of oxygenated fuels like ethanol/gasoline blends.

Currently, the U.S. uses about 2 billion gallons of ethanol a year — about 10% of the nation's total motor fuel consumption.

Ethanol supporters say the fuel reduces harmful carbon monoxide emissions because of its high oxygen content, provides income for American farmers, and reduces dependence on foreign oil imports.

However, critics say ethanol is just a form of corporate welfare that enriches massive corporations at the expense of taxpayers.

For example, direct crop subsidies for the ethanol industry have cost more than \$30 billion since 1996, according to the *Times-Leader* newspaper (Wilkes-Barre, Pennsylvania).

"Virtually every independent assessment — by the U.S. Department of Agriculture, the General Accounting Office, NBC News, and several academic journals — has concluded that ethanol subsidies have been a costly boondoggle with almost no public benefit," reported the Cato Institute's Stephen Moore in 1997.

Political muscle

"Yet the mighty ethanol subsidies still flow. Why? Ethanol's survival has nothing to do with economics or the environment and everything to do with political muscle. Almost 70% of ethanol is produced by America's premier agri-giant, Archer Daniels Midland, [which] has spent a small fortune on [lobbying] Capitol Hill over the past 20 years," he wrote.

The drive to repeal SB 2222 is being led by Cooper, Ralph Muecke, and "several citizens of [Valley City], where a new ethanol plant was proposed to be built," said Cooper.

"They had heard reports of the environmental degradation caused by such plants and wanted no part of one in their area," he said.

But Cooper said the petitioning is going slowly; by the end of June, activists had only collected about 5,000 signatures.

"People are responding overwhelmingly in our favor," he said. "However, we are desperately short of committed and industrious petition circulators, and it looks to me as if we are going to be short of the needed number of signatures."

For more information about the initiative effort, visit: www.stopthief-nd.org/.

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POLITICS 2003

President George W. Bush: Libertarian?

■ In Kansas, **Larry Manes** was elected to the Allen County Community College Board of Trustees. In New Hampshire, **Don Gorman** was elected Trustee of the Trust Fund in Spring elections. In Massachusetts, LP State Chair **Kamal Jain** was appointed to the state HAVA (Help America Vote Act) Steering Committee. In Wisconsin, **Kirby Bran** was appointed to the State Elections Board, replacing previous LP representative **Adam Dick**, whose term expired. In Oregon, in late results for the May 20 election, **Christie Mroczek** won a seat on the Aloha Park Local School Committee (Beaverton School District).

■ **Miscellaneous:** Just in case you were wondering what the problem was with President George W. Bush, Democratic presidential hopeful John Kerry has a theory. In the *New Yorker* (June 16 & 23), Kerry said, "The Bush Administration agenda isn't conservative Republicanism, and it's not radical Republicanism — it's extreme libertarianism." In California, the state LP executive board passed a resolution supporting an increase in LP dues from \$25 to \$50. The resolution said the increase is necessary because "the current level of basic membership dues fails to adequately fund the vital functions and overhead costs of the Libertarian Party at both the national and state levels."

■ In Michigan, **Paul Hitch** is a candidate in a non-partisan race for the Lapeer Community School Board of Directors. Also in Michigan, **Christopher Gonzalez** is running for Dearborn Heights city council; **John Stempfle** is a candidate for Grosse Pointe city council; and **Erin Stahl** has launched a bid for Saint Clair Shores city council. In California, the East San Gabriel Valley LP has announced it will try to recruit 40 candidates for non-partisan races in November.

■ **In memorial:** Longtime Libertarian **Dyanne Petersen** passed away. Petersen was an editor for *Laissez Faire Books*, a past State Chair of the California LP, and the founder of the Libertarian Supper Club in New York City. Libertarians will miss her "wit, enthusiasm, and humor," said friend **Nicole Loveland**. Also, **David Morris**, who managed **Jo Jorgensen's** 1996 vice presidential campaign, has died. A memorial service was held in Greenville, South Carolina on June 22.

■ **Media & entertainment news:** According to Terra Lycos, libertarian radio talk show host (and LP member) **Neal Boortz** is the fifth most popular radio personality on the Web (based on the number of online searches). Libertarian **Art Bell**, who retired in 2002, came in at number eight on the list. Self-described libertarian **Trey Parker** and creative partner Matt Stone of *South Park* fame are working on a new movie, *Team America*, that will spoof the war on terrorism, mindless action movies, and celebrities. In Oklahoma, Tulsa area LP Chair **Angela O'Dell** was invited to write a "Leadership Response" for *Tulsa Today*, along with the county Democratic and Republican parties.



■ **Trey Parker:**
A new movie.

■ In Massachusetts, **Chris Crawford** was honored with the state LP's Lifetime Achievement Award at its state convention in May. In Ohio, at the LP state convention, **Paul Green** was presented with the state LP's Volunteer of the Year award, **John Stewart** won the Leadership Award, and **Brian Carey** received the Libertarian of the Year award. In Michigan, the Oakland County LP awarded its annual prize, "The Oakie," to 30-year LP member **Dianne Szabla** for meritorious service. In New Hampshire, LP member **Evelyn Logan** was named editor of the Gun Owners of New Hampshire's *Firearms & Freedom* publication.

■ In Nebraska, **Nydra Karlen** was re-elected State Chair. In Oregon, **Tom Cox** was elected State Chair and convention delegates voted to adopt the porcupine as state party mascot. In Montana, the state LP executive committee endorsed the concept of the Free State Project (FSP). The vote took place on May 25, after the party hosted the FSP-themed Grand Western Conference. In New Mexico, **Richard Obergfell** was elected State Chair. In Michigan, **Lawrence W. Johnson** was elected Chair of the Washtenaw County LP. In Virginia, former LP executive director **Steve Dasbach** was appointed interim State Chair by the State Central Committee, following the resignation of the chair and vice chair. Dasbach will serve until a special state convention in August.

■ In Kentucky, **Teresa Fisher** is running for mayor of Jeffersonville; **Kirk Singh** is a candidate for Jeffersonville council (District 2), and **Greg Hertzsch** is seeking a seat on the Clarksville town council (District 2). In New Jersey, five LP candidates have qualified for the ballot for the November election: **Emerson Ellett** (State Senate, 11th District), **Ray Cragle** (State Assembly, 14th District), **Jany Sabins** (State Assembly, 27th District), **Len Flynn** (Monmouth County Freeholder), and **John Taylor** (Highlands Borough Council).

THE FORUM

Just like the rest of the world, what Iraq really needs is liberty

The article "What Iraq Needs Is Western Values" that appeared in The Forum section of the June 2003 LP News was riddled with misconceptions.

The "pull quote" prominently displayed reads, "Property rights are anathema to Islam. An individual's life and values may be sacrificed to the claims of his family, clan, tribe or ruler."

This assertion, like the entire contents of the article, is in flagrant contradiction of Islamic scripture, philosophy, teachings, and law. Not only is private property sacred in Islam, but it was the Islamic civilization that introduced the West to many of the modern values of which, not only Iraq, but most of the world is now in such desperate need.

Denies false idols

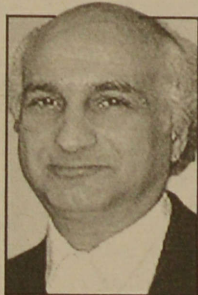
The fundamental teaching of Islam: "There is none worthy of worship except God" denies the false idols of family, tribe, clan, and rulers, and makes every individual directly responsible to the divinity.

Abu Bakr, the very first Caliph, said in his inaugural address, "It is true that I have been elected your

amir.... If I give you a command in accord with the Qur'an and the practice of the Prophet, obey me. But if I give you a command departing from the Qur'an or the practice of the Prophet, you owe me no obedience, but must correct me. Truth is righteousness, and falsehood is treason."

Islamic law recognizes the importance of private property, equal justice, religious tolerance, and above all that the law is above the state. Envious of the imperialist powers that had once colonized them, most of the modern secular states of the Muslim world — especially Iraq under Saddam Hussein — turned their backs on the Islamic tradition and replaced it with European socialism, leading to the tyrannies that plague the Muslim world today.

Property has been sanctified in



By I. Dean Ahmad

Islamic law from the beginning. (See, e.g., the Qur'an 2:188, and 6:152.) This is a right of both men and women, and envy is denounced (4:32): "And in no wise covet those things in which Allah hath bestowed his gifts more freely on some of you than on others: to men is allotted what they earn and to women what they earn: but ask Allah of His bounty: for Allah hath full knowledge of all things."

"Inviolable"

In his Farewell Pilgrimage, on the high holy day of Islam, the Prophet declared: "Your lives and your property shall be inviolate until you meet your Lord. The safety of your lives and of your property shall be as inviolate as this holy day and holy month" (Muhammad Haykal's *Life of Muhammad*, Indianapolis: American Trust, 1976, p. 486).

Morally, theft, fraud, and injustice have been prohibited by the Islamic law. Islam does not merely respect the right of contract in the abstract, but holds contracts to be of such importance that some specifics of Islamic contract law are found in the Qur'an itself.

The most ironic misconception about Islam is the assertion that it lacks respect for reason. The Qur'an emphasizes the need for humans to use their rationality in order to avoid falling into the worship of false gods.

The modern West, which turned its back on Aristotle in the Dark Ages, recovered Aristotle from the Arabic translations of the Muslims. They emerged from the Dark Ages when the Crusades put them in contact with the thriving scientific civilization of the Muslim world. [See, e.g., Imad-ad-Dean Ahmad, *Signs in the Heavens: A Muslim Astronomer's Perspective on Religion and Science*.]

The Magna Carta was imposed on King John by noblemen who returned from the crusades after seeing how Saladin put the law above his own human authority. [See e.g., Rose Wilder Lane, *Islam and the Discovery of Freedom*.] John Locke abandoned his pragmatist philosophy for a natural rights view after learning about Ibn Tufayl from his translator at Oxford. [See G. A. Russell, *The "Arabick" Interest of the Natural Philosophers in Seventeenth Century England*.]

The value of reason, liberty, rule of law, and civil society are not unique to the West. They are universal values.

■ **About the author:** *Imad (Dean) Ahmad is president of the Minaret of Freedom Institute, a Washington, DC-area Islamic think tank. A resident of Maryland, he is a past State Chair of the Maryland LP, a past LP candidate for U.S. Senate (1988), a seven-time member of the national LP Platform Committee, and a winner of the "Samuel P. Chase Freedom Award" from the Maryland LP.*

The death penalty: It's time for us to oppose it

The rightness or wrongness of the death penalty is not a topic that has been much discussed in Libertarian circles. The national Libertarian Party Platform is silent on this issue. Many Libertarians have mixed feelings on this.

I would like to argue that Libertarians and the LP should actively be opposed to the existence and use of capital punishment anywhere in the United States or elsewhere.

Beyond the fact that I believe that the death penalty is an evil in its own right, I believe that it is a dangerous power for any government to ever possess. Any government that is powerful enough to kill its own citizens is powerful enough to take away our freedoms in other ways, too.

In the past, death has been a punishment in the United States and England for many crimes other than murder: Rape, treason, theft, robbery, etc. Can't you see that, in a time of peril during war or a terrorist incident, it could be expanded to cover many types of alleged offenses? In a time of great trial, couldn't you foresee its use against groups or persons who merely oppose the government in some way?

That's why, except in very limited cases of self-defense (of a person or the nation), the power to take a life should never be vested in anyone's hands, including governments.

By John H. Gibson

Not a deterrent

The death penalty has proven to be ineffective. States that have it do not seem to have any lower murder rate than the states that do not have it. Therefore, it does not appear to be much of a deterrent.

There have been many cases where innocent persons have been freed from death row by the work of legal groups who have discovered evidence clearly showing the condemned man to have been wrongly convicted (frequently by the use of the fairly new DNA analysis of evidence). There is no way to right such a wrong once a person has been killed.

Those sentenced to the death penalty are composed of a very large percentage of minority persons. Those with money to buy a good defense

See **DEATH PENALTY** Page 17

Using the Left's meta-contextual language

Libertarians come in many hypothesized flavors, but very few genuine libertarians see themselves as being on the political left.

Thus, from this fairly self-evident proposition, most libertarians see themselves as either being on the "right" — or at least they do not see themselves as being on the "left." However just what do left and right really mean?

I would contend that within the context of libertarianism, left and right are actually meaningless. Libertarians can see that there is actually little to choose between "conservatism" and "socialism" circa 2001 in real terms of policy and underpinning assumptions as to the role of the state.

Meta-contextual

What libertarians need to understand is that there are indeed important differences between the left and right, but they are meta-contextual rather than ideological. That is to say, the left and right come from very different traditions that strongly color their respective views of how the world really works.

Bearing this in mind, libertarians need to realize that by mentally al-

lying themselves to the right, they are actually not making a useful ideological distinction at all. In fact, by doing so, they run the risk of clothing themselves in cultural meta-contextual baggage that is often profoundly unhelpful.

What is needed is a more dispassionate analysis as to what other people understand by left and right, and a more pragmatic use of that meta-contextual baggage for our own purposes.

For example, a key "vibe" of the left tradition is the view of the world as a struggle from the bottom against forces of hierarchy. Thus an anti-business proposition, that portrays the corporate boardroom as an essentially hostile power center to the "common man" employee is an "easy sell" when presented to someone who views the world from within that meta-context.

However, a meta-context is just a



By Perry DeHavilland

"THERE ARE indeed important differences between the left and right, but they are meta-contextual, not ideological."

tradition of thought, not a philosophy per se.

Let us take the fact that as the airline industries across the world are said to be in dire troubles, various interventionist governments are pouring tax monies into these companies to prop them up.

This is not really the sort of issue to greatly exercise people on the traditional left, who view economic intervention as perfectly normal, or the right, who view "helping" companies as perfectly normal, provided they are big companies. However, this issue can indeed be made to resonate with the left by framing it in the terms

that fit their traditions of thought:

"Yet again the boardroom is using its corrupting influence with politicians to screw the common man and take our tax money to reward poor management by the board and bail out some fat cat shareholders."

What have we just done? We have just made a seemingly "anti-business" argument designed to fit within the meta-contextual world view of the left.

Extend the logic

Many on the left are actually natural allies of the libertarian view on civil liberties — yet they cannot extend the same logic to economic liberties. Part of the problem is the fact that libertarians, largely speaking from the meta-context of the right, frame economic issues in such a manner as to predispose opposition from the left.

If we are to rescue the left from collectivism, we must learn to speak the language of the left and tap into deep traditions of resistance and non-deferential social values that could serve us well.

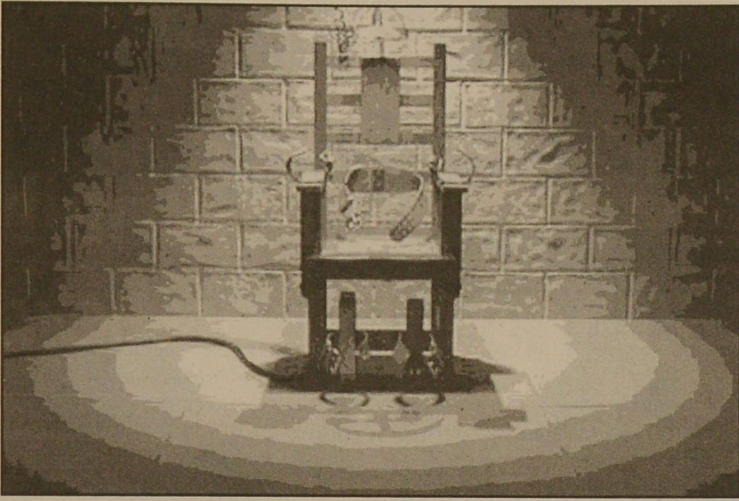
It is not just a case of picking the issues to attract people from the left

See **LANGUAGE** Page 17

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Why Libertarians shouldn't be neutral on the death penalty

Continued from Page 16

seldom receive the death penalty. The poor defendant facing capital punishment often must accept the worst attorneys. The attorneys, in turn, often receive minimal pay for their services and have little or no financial resources to hire experts or investigators. Thus, legal representation is often "assembly line" and a joke.

Also, police, prosecutors, and judges are often under intense pressure to arrest and convict someone, anyone, in highly publicized cases. As a result, capital punishment is imposed in a highly selective and unfair manner.

Imposition of capital punishment damages and demeans both society and the individuals who must carry out this sentence, ie: prison guards, executioners, etc. Even family members of the victim are demeaned by the long, long wait for the "punishment" to be carried out — their lives are also in turmoil and despair for years. Also, the costs of carrying out

an execution generally far exceed the cost of a long prison sentence.

Imposing death on a person may not allow him/her time to repent and or change to a better person. Even though they may be locked up for a long time, even in prison people can make a contribution to their fellow humans. For example: by writing, counseling, and showing kindness to others. Death is final.

Terrible tragedy

If the crime committed was murder, killing the offender can never bring back the victim. His or her death is a terrible tragedy, but killing the alleged perpetrator merely compounds the tragedy. After all, "Two wrongs do not make a right."

For all these reasons, the Libertarian Party should be in the forefront in opposing capital punishment.

■ **About the author:** Libertarian Party member John H. Gibson lives in Port Clinton, Ohio.

Using the language of the Left

Continued from Page 16

but how we present them.

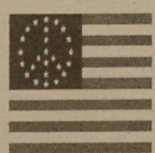
Whilst the use of language may be cynical, no ideological compromise is required and there is nothing dishonest about the argument being made.

Once we realize that left and right are just traditional meta-contextual frames of reference and do not have any real objective political content in and of themselves, we can effectively inject our libertarian memes into both the left and right world

views. By doing this, we broaden our ability to communicate with people who might otherwise see us as being "one of them" rather than "one of us."

When in the ring and fighting the good fight, do not deny yourself a good left hook.

■ **About the author:** Perry DeHavilland is a British libertarian. A longer version of this essay appeared in the *Libertarian Alliance's* Tactical Notes No. 29.



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THE VOLUNTEER

How to change people's minds by using cognitive dissonance

Would you like to change people's minds about politics? Well, you can't.

You can't because only that person can change his or her own mind. But you can help them get to that point, and I'll tell you how.

First, let's look at how "changing one's mind" really works. We are a thinking species — as we move through life, we build mental models describing how the world functions. We make models for everything, from how a business meeting should go to what the role of public school is, and we expect the world will generally stay within our model's expectations.

When we encounter unexpected concepts or behavior, we might have to adjust our model.

We don't like changing models because that takes mental effort, so we try to make small adjustments or ignore the problem. But when unexpected concepts persist and our model doesn't accurately describe our world, we must eventually scrap the model and make a new one — and that's when we change our mind.

To induce someone to change their mind, we present concepts that don't fit their model but won't go away. When faced with a reality that won't

reconcile with our assumptions, our first defense is to ignore or dismiss the offending contradiction.

Skilled debaters highlight the mental conflict, producing what is called "cognitive dissonance," by juxtaposing two concepts that are both true but can't exist under the listener's assumptions. This "short sharp shock" rattles around in the listener's head, refusing to go away, until they reconsider their views.

Something must give, so their model crumbles and they must build a new one.

The Pink Pistols

For a great example of cognitive dissonance, consider the Pink Pistols (www.pinkpistols.org), the national gay-friendly shooting group started by Libertarian activist Doug Krick.

Those who had grown comfortable pigeonholing gun owners as knuckle-dragging homophobic misanthropes could not reconcile their stereotype with the reality of an organized group of shooters from sexual minorities. Instead, many had to rethink their views on gun ownership.

By David Rostcheck

On many political issues, from the drug war to Social Security to the environment, Libertarian positions contrast dramatically with conventional wisdom, and these issues provide great opportunities to challenge your listener's assumptions.

When using cognitive dissonance, remember to distill your message down to the simplest, clearest thought that conflicts with the listener's ingrained expectations. You won't change your listener's mind all at once, so don't get into minutiae — drop your mind bomb, then disengage and wait for it to work.

Don't expect immediate results, and be prepared to smile through a dismissive rebuke. If your listener later returns with cautious questions, be prepared to feed them a bit more and let them digest it.

You can't change someone else's mind, but you can often help them change it themselves. So go shake up some minds!

■ **About the author:** Massachusetts Libertarian David Rostcheck is the executive director of North Bridge Training, a training company. This essay is reprinted from the August 2002 issue of Massachusetts Liberty.

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THE CHAIR

Should the party raise its membership dues?

In each of the past three National Committee meetings, we've discussed and debated the issue of membership dues.

I recently received an email excoriating us on the National Committee for raising the membership dues. Sorry, you'll have to find another reason to excoriate us, because we haven't raised the membership dues — we've only discussed it.

This is understandably a touchy issue for many members. There are a significant number of members that seem to favor raising the dues to a higher level. The arguments are many, and the justifications for doing so are quite strong. The number one justification to me is that we haven't raised membership dues for a very long time, yet our costs for just about everything, from paper to staff to rent to postage, have climbed steadily since our last increase.

Additionally, when most states joined the Unified Membership Program (UMP), the net cost of membership in both the state and national parties actually went down significantly (for those members who joined both parties). Moving to UMP actually created a reduction in membership dues to most of our membership.

On the other side of the issue, there is also a very large contingent of members who either feel we should leave the membership dues right where they are, or even reduce the membership dues amount in order to reduce a perceived obstacle to increasing our membership.

We have received motions from the executive committees of several states requesting or endorsing a dues increase, and similar motions standing in opposition. What else should we expect from Libertarians?

We have not rushed into a decision on this issue. I wouldn't even say the National Committee is leaning one way or the other. We're gathering more information in order to not rush into a decision, and to calmly weigh the benefits and costs of a change to our membership dues.

An independent survey of our basic members has been conducted, and we have established the "elasticity" of our membership base. We know that if we raise membership dues by a certain amount, we'll see a net reduction in members of a certain percentage. From this we can determine if there is a financial net benefit in making such a change.

However, the decision is really not just an equation. If we were a business, we could raise our prices to increase our gross, while losing part of our customer base. That would be a simple decision. But we're not a business — we're a political party. The cost to us of a decrease in membership has ramifications far beyond the bottom line.

Likewise, a large increase in members at a reduced membership price would certainly enhance our membership numbers, but could have a very negative effect upon our bottom line. To lose money on every member can hardly be made up by an increase in volume.

Additionally, any change in membership dues, up or down, has a resultant cost in terms of effecting the change. All of our UMP contracts are predicated upon a \$25 per year basic membership price, and would have to be renegotiated. We could hardly institute a change in the membership dues that put more money into the national LP's coffers while reducing the amount shared with the state affiliates. That would not be right.

We also have to consider the cost of changing all of our literature to whatever new price would be established. This cost would include not only changing the literature, but also using up old literature, and possibly even destroying excess inventory that carried the old membership amount. Even with the best planning, we're likely to have many pieces of literature out there that carry the old price. Do we honor that price in the future or not? And let's not forget that every affiliate carries this same price on all of its literature.

There are many more factors that we're considering, and we will not rush into any change.

I think it's totally appropriate for the National Committee to consider membership dues changes — that's what market driven organizations do. I think it's our job. How we will decide is still up in the air.

What is *not* up in the air is this: we're striving to further reduce our costs at the national level, and to maximize the value that each and every member receives for their membership. That is a move that I hope no one objects to.



By Geoffrey Neale

LP NATIONAL CHAIR

Six 'victimless crime' laws that should be immediately repealed

EDITOR'S NOTE: How can Libertarianism solve America's problems? Each issue, *LP News* will showcase how "Libertarian Solutions" — or interim steps in a more libertarian direction — can help improve our nation.

By Bill Winter
LP NEWS EDITOR

There's a crime being committed in America.

It's not murder — although one murder is committed every 33.9 minutes, according to the FBI's Uniform Crime Report.

It's not rape — although one forcible rape occurs every 5.8 minutes.

No, the real crime is that so many of those murderers and rapists get away with their crimes.

According to FBI figures for 2001, only 62.4% of murders were "cleared" — that is, a suspect was arrested and charged with the crime. And only 44.3% of forcible rapes were cleared.

But that's the "good" news. The bad news is that the clearance rate for other crimes is even lower.

For example, if your car is stolen, there's only a 13.6% chance that the police will make an arrest. If someone breaks into your house, there's only a 12.7% chance that the burglar will face charges.

Overall, for the crimes against persons and property the FBI tracks in its Uniform Crime Report, the annual clearance rate is an astonishingly low 19.6%.

Which means that, for a typical criminal, there's an 80% chance that he will never be caught for any individual act of violence or theft.

Why is the clearance rate so low? One explanation is that police spend so much time arresting people for victimless crimes.

Half the arrests

According to Peter McWilliams in *Ain't Nobody's Business If You Do*, the standard reference on the subject, "Roughly half of the arrests and court cases in the United States each year involve consensual crimes — actions that are against the law, but directly harm no one's person or property, except, possibly, the 'criminal's'."

McWilliams estimates that about 4 million Americans are arrested each year for what he calls "consensual crimes." In addition, about 750,000 people are serving time in jail for victimless crimes, and another 3 million are on probation or parole.

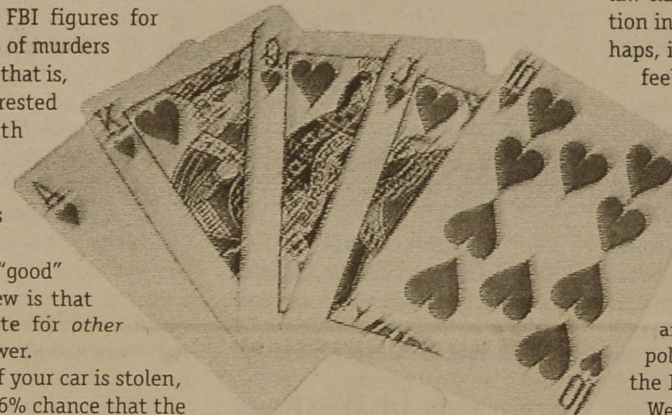
Add up the number of police, court-appointed lawyers, judges, correctional officers, and probation officers needed to investigate, arrest, book, arraign, bring to trial, defend, imprison, and monitor such "crimi-

Libertarian SOLUTIONS

nals" — and you begin to understand why so many murderers walk free.

If the United States is serious about defending innocent people from vicious and avaricious criminals, a good first step would be to stop wasting police resources on crimes where there is no victim.

There are hundreds of such crimes that should be abolished — ranging from prostitution to mandated motorcycle helmets. However, in the interest of dealing with a manageable number, here are six that Libertarians could start with:



Most state governments arrest people for engaging in the 'wrong' kind of gambling.

Abolish laws requiring adults to wear seatbelts.

Over the Memorial Day weekend (May 24-26, 2003), one of the largest law enforcement efforts in American history took place: In 29 states, 11,300 law enforcement agencies set up 18,000 random roadblocks.

What kind of dangerous criminals

were they looking for? Terrorists? Child molesters? Serial killers?

Nope. People who weren't wearing seatbelts.

It was the National Highway Traffic Safety Administration's "Click It or Ticket" project. Over the weekend, police issued 425,000 citations for seatbelt violations.

No longer just a matter of personal choice, not wearing a seatbelt is now against the law in 49 states. (Only New Hampshire is the exception.) In 18 states, you can be pulled over for not buckling up; in another 31 states, it's a "secondary" offense.

The problem with such laws, according to the Independence Institute (February 10, 1999), is that "no jurisdiction that has passed a seatbelt law has shown evidence of a reduction in road accident deaths" — perhaps, in part, because belted drivers feel safer, and so they drive more recklessly.

Even worse, "making seat belt laws a primary offense gives unscrupulous police officers a pretext to pull over minorities, young people, people with pro-gun bumper stickers, or any other type of person the police officer may not like," noted the Independence Institute.

Wearing seatbelts is good sense. But it should be your decision — not the business of 11,300 law enforcement agencies.

Abolish laws making it a crime to "scalp" tickets.

In 22 states and dozens of major cities, there are strict laws against ticket scalping. In another three states, there are minor restrictions, according to *The Cato Journal* (Spring/Summer 1995).

Under such laws, it's a crime to sell a ticket for a sporting or entertainment event at a price higher than the face value (or higher than some arbitrary amount, such as \$1 over the face value).

These laws impose penalties ranging from a fine of \$500 (New York state) to two years in prison (Pennsylvania, for multiple offenses).

Why is ticket scalping illegal — since it is a "crime" which involves nothing more than a willing buyer and a willing seller?

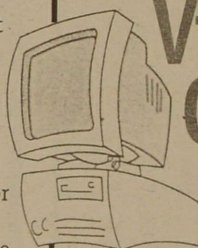
Politicians say anti-scalping laws "protect the fans." However, that's not true, since fans are also buying the higher-priced scalped tickets.

It would be more fair to say anti-scalping laws protect fans with more time than money (who are willing to stand in line to purchase tickets), while discriminating against fans with more money than time (who are willing to pay higher prices for the convenience of scalped tickets).

However, you can make the case that scalping laws actually "protect the tax revenue" — that is, they make

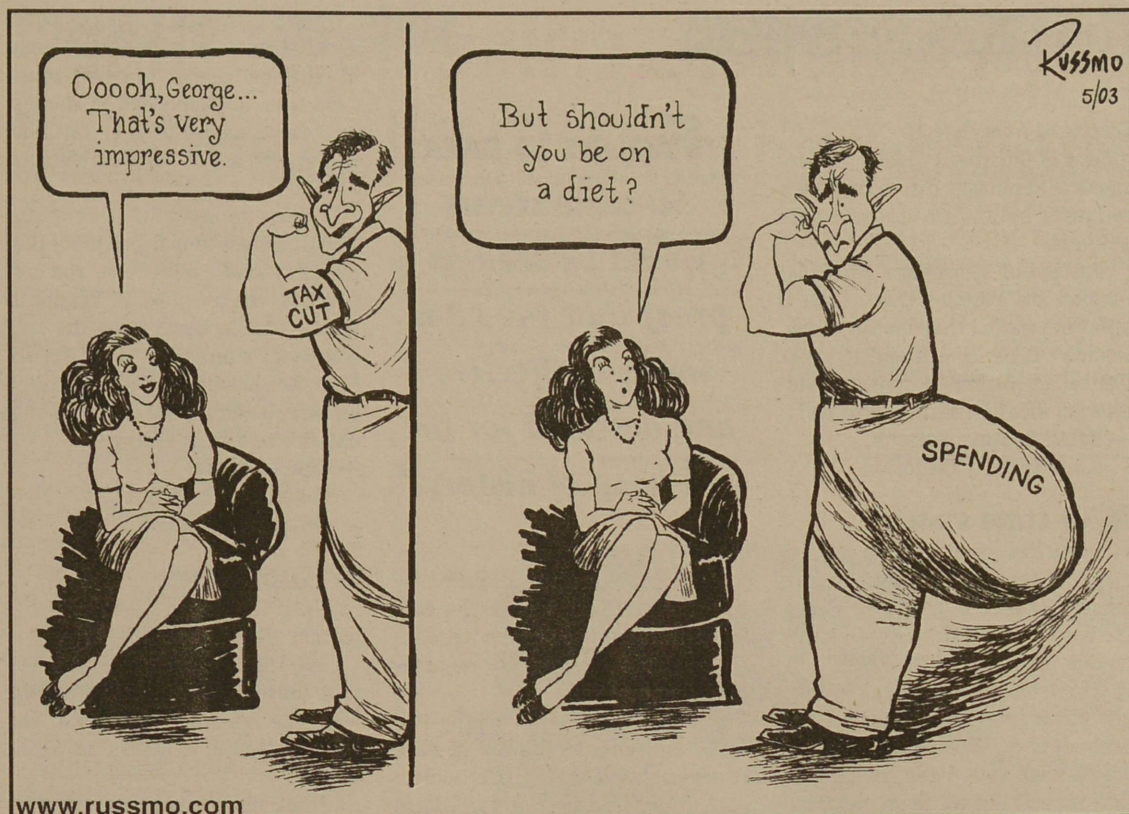
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THE MAILBOX

■ Formula for problems

Thanks for "Saving the environment starts with stopping the government" [Libertarian Solutions, July 2003]. These articles are useful outreach tools because they don't "dis" liberal or conservative opinion in a personal way; they simply inform us of the facts and other, better means of solution.

After reading many such sensible articles, I realize that there is a formula for perceived "problems" in American life: $x + G = x\sum + G\sum (y + T) - F$.

"X" is any perceived "problem," and any libertarian knows what the big "G" stands for (government.) So add government involvement (G) to virtually any problem (x) and you get (drum roll here) more of the problem ($x\sum$) coupled with the seeming necessity for more government intervention ($G\sum$), multiplied by additional problems "y," plus higher (T)axes and erosion of (F)reedoms.

You can plug anything into this equation: drugs, public education, pollution, discrimination, gambling, pornography, etc.

Oddly enough, even though I possess the ability to think logically and communicate clearly, in some states I must have the public school board determine whether I'm giving my homeschooled children a good education. That is, equivalent to that of government schools — I could never do that in good conscience!!

— RETTA FONTANA

Rochester, Michigan

■ Education reality

As a longtime reading teacher educator, I am at odds with Barry Loberfeld's explanation of "Why com-

"WHILE CHRISTIAN societies in Western Europe were suppressing reason, Islamic societies were making great scientific advances."

pulsory education is a contradiction of realities" [The Forum, July 2003]. The insufferable "realities" to which Loberfeld refers are not unalterable, his contention to the contrary notwithstanding.

That is because it now is scientifically well-established that antisocial behavior by an adolescent student, who typically refuses "to play his part in the [present-day government school] educational equation," has been created by years of mis-education. This instructional malfeasance by teachers begins when children are in grades K-3.

During those years a large majority of children face such an ineffective form of reading instruction that it is destined to deny them full opportunity to learn to read proficiently. As a consequence, in 2002 only 31% of the nation's white fourth-graders could read at that level. This figure drops to 12% for black students. (See National Assessment of Educational Progress data.)

Loberfeld is shocked that a teenager in his class announced "that she wasn't going to do this anymore." I

submit it was not compulsory education that brought on this contrary outburst. It was a rational rebellion against the indignity of not being taught to read in the most time-effective manner available.

— PATRICK GROFF

San Diego, California

■ Commendation?

Sure, Judge Breyer deserves a commendation ... as much as a mugger who knocks you down and takes your wallet, but refrains from kicking you in the kidney as he leaves! [The Issues, "LP commends judge for one-day sentence," July 2003.]

Do try to remember that while [California medical marijuana patient Ed] Rosenthal only got one day in jail, aside from time already served, he also got a substantial fine, and is now a convicted felon, deprived of many civil liberties for the rest of his life. No small thing, one would think, in the view of Libertarians.

— BRETT BELLMORE

Capac, Michigan

■ Western values?

Regarding Elan Journo's article in the June LP News, "What Iraq needs is Western values" [The Forum]: Why use the term "Western values" just because the most recent great wave of progress in applying reason came from Western Europe?

While Christian societies in Western Europe were suppressing reason in the Middle Ages, Islamic societies were making great scientific advances. The criticisms in the article about Islam today could just as easily apply to Christianity in the West in the Middle Ages (and to some

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THE PULSE

The SARS solution?

Where does liberty stop and the right of a person to spread a potentially deadly disease start?

At what point — if any — is government required to step in and help handle a "public health" crisis like SARS (Sudden Acute Respiratory Syndrome)?

Is an epidemic best handled by a federal government? State governments? Local governments? Or by private medical organizations?

These were the kinds of questions that LP News readers wrestled with as they responded to this month's unscientific Pulse question — "What, if anything, would a Libertarian government do to handle a potentially lethal SARS epidemic?"

As befitting a complicated question, the answers were frequently nuanced and lengthy — and difficult to summarize.

That said, LP News readers' responses fell into three categories:

■ 42.1% suggested that government had zero role in handling public health emergencies.

■ 36.8% said government had some role, although they disagreed over what that role should be, and which branch of government should be involved.

■ 15.8% said government had a major role in dealing with infectious diseases — including, sometimes, the power to quarantine people infected with a contagious, deadly illness.

Another 3.7% gave ambiguous answers.

Here's a representative cross-section of the responses:

■ I would much rather take a chance with SARS, or some other epidemic, than be subjected to a paranoid, overreacting government quarantine, evacuation, martial law, or some other devastating intrusion we might not even imagine. This is just one more thing government should not do. The real danger is not SARS, but an outbreak of "Governmentitis."

— JOHN MARTIN, Los Angeles, California

■ Libertarian government must advance personal responsibility. SARS-afflicted persons enjoy no right to expose or to contaminate others, or to impugn involuntary taxpayers to subsidize them. Responsible SARS people voluntarily remove themselves from all public places and people, at their own cost, or government must quarantine those behaving irresponsibly.

— CHRISTINA GROTH, Hobbs, New Mexico

■ It would be more accurate to ask, "What would a libertarian government have already done *before* SARS arrived?" A libertarian government would have already eliminated government subsidization and control of medical research. It would have dismantled the FDA by now, which would have already allowed alternative technologies to emerge that previously could not have emerged, from the grassroots level.

— WALT THIESSEN, Hardy, Virginia

■ During an epidemic a Libertarian government should work to protect the public from fraudulent scams that would be facilitated by a panic. By the same token, a free press should be maintained to distribute all available information. As this information worsens and the fear level rises, people will isolate themselves, causing the epidemic to burn itself out. Also, a free market in medical research would provide the best opportunity to develop cures for future epidemics.

— BRET DOERR, Traverse City, Michigan

■ If the epidemic happened during the changeover from the current Democratic/Republican socialist system to a Libertarian society, then existing government health agencies could be retained while encouraging unregulated free-market health organizations to join in. If the epidemic happens, say two to five years after all taxes, regulations, and government agencies are eliminated, then free-market health organizations will be large enough and capitalized enough to handle said epidemic 100%, in which case the LP government would do nothing.

— JOHN R. BOYD, Reno, Nevada

■ I fail to see how a Libertarian response to SARS would be any different from the current scientific response that is controlling the epidemic. Just as we don't allow people to drive drunk, we won't allow people infected with a deadly virus to spread it uncontrolled. Some aspects of public health have been legitimate governmental functions.

— DOUGLAS E. MCNEIL, Baltimore, Maryland

■ Article I Sec. 8 of the Constitution: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States." A SARS epidemic is certainly a call to our self-defense, and

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the government would have the right to build a temporary medical infrastructure aimed at defeating this disease until a vaccine or cure is found. This is not advocacy for big government but rather a limited government using its Constitutional right to provide common defense.

— PAUL OTTAVIANO, Seal Beach, California

■ Do nothing.

— DAVID POWELL, Yanceyville, North Carolina

■ Weren't less intrusive governments (like Canada) better at containing SARS than more intrusive ones (like Red China)? I'm not claiming Canada is a Libertarian paradise, but I'd move to Toronto before Beijing.

— WILLIAM BERRY, New Bedford, Massachusetts

■ Except for getting the hell out of the way, I would expect any government calling itself "Libertarian" to do nothing. The free market is the solution, no matter what the problem is. When I'm sick, I don't call the government, I call my doctor. When he gives me a prescription, he calls the pharmacist. When she orders drugs she calls the pharmaceutical companies, who in turn is supplied by researchers. There is no proper place for the government in this chain of events.

— RETTA FONTANA, Rochester, Michigan

■ SARS's death rate is 20 times higher for old people than young people. Maybe it was designed by the Health Department to solve the Medicare and Social Security problems. Libertarian position? It is a state problem, so there will be at least 50 positions.

— BILL WALD, Everett, Washington

Oct. Question: Support the FairTax?

Ask fans of the group Americans for Fair Taxation why they support the so-called FairTax — a federal consumption sales tax — and they quickly rattle off the reasons:

■ The IRS and income tax would be abolished.

■ You'd be able to keep every penny from your paycheck.

■ It's a voluntary tax: The more you purchase, the more you pay in taxes; the less you buy, the less you pay in taxes.

Under the FairTax proposal, the federal government would levy a 23% tax on all goods and services. This new national sales would replace the income tax, Social Security FICA taxes, and Medicare taxes.

(The small print: Used goods and business purchases would not be taxed. To ease the tax's burden on the poor, the federal government would send a monthly rebate check to cover the 23% consumption tax spent on necessities, up to the federal poverty level.)

While the FairTax would be revenue neutral (and thus wouldn't save you money), supporters say it would offer a big improvement over today's tax system since it would be less intrusive and invasive than the IRS. While not a perfect solution, it represents a step in a libertarian direction, they say. So, our question (suggested by Jerry Dixon, Santee, California): Should the LP support the FairTax?

■ **QUESTION:** Should the Libertarian Party support the FairTax as a way to eliminate the IRS and income tax, and to make taxes simpler and more fair? (Please keep answers to 100 words or less.)

■ **DEADLINE:** September 8, 2003

Sept. Question: New Amendment?

The U.S. Constitution and the Bill of Rights are pretty impressive documents. They pioneered the concept of limited government and laid out a whole list of inalienable rights that government cannot curtail. But here's the problem: When it comes to actually curbing the growth of government, the Constitution stinks. And when it comes to protecting individual liberty, the Bill of Rights is leakier than a bucket of swiss cheese. After 200+ years, it's time for an upgrade. So here's the challenge for clever Libertarians (suggested by Richard D. Fuerle, Grand Island, New York): If you could write one Constitutional amendment that would be effective at *really* curbing the growth of government — and hog-tying the big-government schemes of power-hungry politicians — what would it be? And, oh yeah: It has to be an amendment that has *some chance* of passing.

■ **QUESTION:** What Constitutional amendment could you write that would: 1) Promote liberty and: 2) Have a good chance of passing? (Please keep answers to 100 words or less.)

■ **DEADLINE:** August 8, 2003

ENTRY GUIDELINES: Include your name and your city/state; anonymous answers won't be tallied! Enter just once per month.

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groups of Christians today). History shows that humans can modify their religious beliefs to accommodate progress.

Instead of attacking a particular religion and claiming that reason is a Western (rather than human) value, wouldn't it be more useful to assist libertarian Muslims in spreading libertarian ideas in Muslim societies?

— KELLY RUSSELL SIMPSON
San Francisco, California

■ 50-state status?

When looking at funding petition drives to get our presidential candidate on the ballot in all 50 states, the party needs to look at the whole picture [The Pulse, July 2003].

The petition drive doesn't just get our presidential candidate on the ballot; it is an outreach program, and it is a drive to tell the government that we will not let them crush our spirit.

The petition drive is part of an advertising program. Petitioners contact a significant number of citizens that are registered to vote and they ask them to help get the Libertarian Party on the ballot.

This lets citizens know that there is a third party; there is another choice. It tells the two controlling parties that we are willing to fight for freedom. It tells LP members that National cares about them.

State affiliates that have oppressive ballot access laws cannot accomplish the task of collecting enough signatures on their own. In some states, to achieve party recognition, the affiliate needs to collect more signatures than the presidential candidate.

Without party recognition, Libertarian candidates will not be able to run as a Libertarian, and thus lose the publicity we get by running under the party banner.

This publicity is always worth more than the cost of a petition drive. Imagine 100,000 people hearing the word Libertarian during the drive; imagine 1 million hearing the word Libertarian during election season.

We need to remember that history shows when candidates do not run, the parties become extinct. We need to ask ourselves: Do we want the LP to become extinct in the states with oppressive ballot access rules?

— RICHARD PRAWDZIENSKI
Edmond, Oklahoma

■ 50 states is essential

The world is run by those who show up. In the context of politics, the most visible and meaningful place to "show up" is on the ballot. After being fully present and accounted for in 1992, 1996, and 2000, it would be a great mistake to go AWOL in 2004.

In recent years we have seen the rise and fall of the Reform Party, the Natural Law Party, the Southern Party, and the U.S. Taxpayer's/Constitution Party. These organizations still exist, but continue to grow weaker. The Green Party seems to

**"FAILURE TO SEEK
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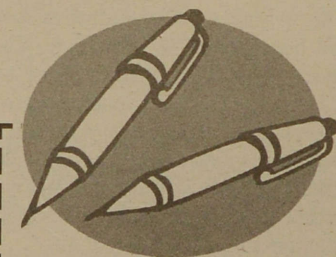
have troubled times ahead, since they don't appear to have a celebrity candidate for the next presidential election. In fact, they may not run anyone at all.

The only alternative to the two major parties that appears to have staying power is the LP. After achieving historic numbers of candidates for Congress the past two election cycles, after more than a decade of having a candidate on every ballot for the highest office in the land, do we really want to abandon 50-state status, the very thing that most readily separates us from the failed parties?

Petitioning for ballot access is expensive. But everything about politics is expensive. The assumption that more can be gained by putting our resources toward local campaigns and foregoing 50-state status is faulty. Donors will give money to what they believe will be effective. They will fund ballot access or fund local campaigns as they see fit. But if 50-state status is not attempted, overall donations will decrease because those who favor that goal will be less motivated to contribute, while those who want to fund local campaigns will do so anyway.

However, there will almost certainly be fewer campaigns in states without access, driving down the amount of resources drawn to the LP.

Further, the appearance of diminished effectiveness due to a failure to achieve nationwide ballot status will result in some degree of demoralization throughout the entire LP.



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Framingham, MA 01702

And as Richard Winger of *Ballot Access News* pointed out, great gains in reducing barriers to ballot access have been accomplished in the last 20 years because of the continual robust presence of the LP on electoral ballots.

Failure to seek 50-state status would be seen by many as proof that the LP is weak, ineffective, and destined for the ash heap of history. If we want to continue to be the only consistent alternative to the Republican/Democrat duopoly, a position on every ballot for our country's only nationwide race is essential.

— CHRIS POWELL

Chairman, Oklahoma LP
Bethany, Oklahoma

■ Stupid laws

As a longtime Libertarian, I present the following idea:

Any legislator who votes for a law that proves to be unconstitutional would be removed from office, and not be allowed to return to public service.

Think how stupid laws would be affected!

— JACK C. MCEWEN

Saint Petersburg, Florida

■ Twain or Tucker?

One of the quotes you had attributed to Samuel Langhorne Clemens ["Eighteen truths about government," *The Forum*, July 2003] is incorrect. The proper citation is:

"No man's life, liberty, or property are safe while the legislature is in session." Judge Gideon J. Tucker (1866).

Just a minor quibble, but we do want to get things right.

— TOM W. GLASER

Miami, Florida

■ **Editor's note:** A search on Google came up with 427 attributions of that quote to Mark Twain. Only 122 sources cited Judge Gideon J. Tucker as the originator of that quote. Interestingly, several of those said the quote was actually from Anonymous, as "quoted by Gideon Tucker."

■ Back to the Platform

Thank you to Chairman Geoffrey Neale for bringing the war debate back to the party Platform [From the Chair, "Who decides what is said in the LP's name?," June 2003].

When I became interested in learning more about the LP, the first thing I did was read the Platform. The Platform is the basis of my interest in the party.

While pro-war members such as Walter Bales [The MailBox, June 2003] make valid points on the "concept of war" with the "radical Islamic fundamentalist terrorists," we stray from the fundamental Libertarian question: Why are those fundamentalists attacking the US and our people in the first place? Is it really because they don't like us, our way of life, or our religion (as many say), or is it because we infiltrate, occupy, and control dozens of countries, especially theirs, with our CIA, military, and State Department? (To support oil and/or be the policeman of the world.)

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THE MAILBOX

Continued from Page 20

I believe the objective of the LP Platform is to advocate a noninterventionist policy that would theoretically eliminate the terrorists' interest in the United States in the first place. Should we, as a party, advocate reaction and retaliation, or should we advocate a system that would prevent the problem in the first place? Is it the LP's job to solve or support the problems that the Republicrats caused?

While we should support our troops to avoid the antiwar stigma imposed on Vietnam vets, I would submit that support for this war is not the LP's debate.

As Neale points out, the LP should stick to our Platform. It's times like these that members should read the Platform and decide if this is the party that supports your principles. Maybe you're really a Republican who has a few differences with that party.

Personally, I joined the LP due to the Platform, and I would not want to waver from those principles for an emotional involvement in a two-generational Bush new world order.

— DEAN WEST

Milton, Washington

■ 1776 in Iraq?

Our president's statement on July 4th that the spirit of 1776 still echoes around the world, sounded like a typical Bush bombastic faux pas. However, in retrospect, he did make sense. The spirit of 1776 embodied the desire of people to throw off the yoke of tyranny and suppression by an occupying power. Is this not what the Iraqi people are trying to do?

The British had committed none of the transgressions in colonial America that we have in Iraq. They were not invading the homes of the common people, commandeering their possessions and shooting women and children; they had not turned large areas of this country into rubble; they had not scattered cluster bombs and radioactive waste on our cities; nor had they destroyed this country's infrastructure or attempted to commandeer our resources to reimburse their chosen contractors to "rebuild" at exorbitant cost. Their only oppression was to attempt to recoup their expenses for the Seven-Year War by taxing Americans.

Mr. Bush should learn a lesson from 1776 — it is impossible to impose your will on people, thousands of miles away, who only want their freedom and are willing to die for it.

— CHARLES PRENDERGAST

Los Angeles, California

■ Atheism and Stalin

Does God have anything to do with freedom?

Barry Rowe and Herb Gassman [The MailBox, July 2003] may doubt it, and they're heartily welcome in the party and in the USA, but they prefer evangelical Christian George Bush's government to atheist Kim Jong Il's government (so do I, of course).

Worldwide, atheistical and Islamic governments are tyrannies; governments with Christian influence afford

much more freedom. Consider semi-Christian culture as a source of freedom. Neither Saudi Arabia nor North Korea would tolerate Rowe and Gassman.

At the personal level, isn't it fair to say that the Christian gospels portray Jesus as a free man in the face of His unfree world?

At the theological level, interpersonal love is built right into the Christian Trinity: God the Father loves God the Son loves God the Holy Ghost. So Christian countries feature productive relationships.

Allah is (1) fictitious, and (2) unitary — simply one, all alone — so Muslim countries feature monolithic, arbitrary government: One Allah, one ayatollah.

Atheism and paganism are dog-eat-dog. Some dogs are nice, and some (especially top dogs like Stalin) are exceedingly nasty, but peace and love are not built into the center of the system as they are in Christianity.

As to details, the Bible advises a tax rate below 10% and calls eminent domain into question (I Samuel 8);

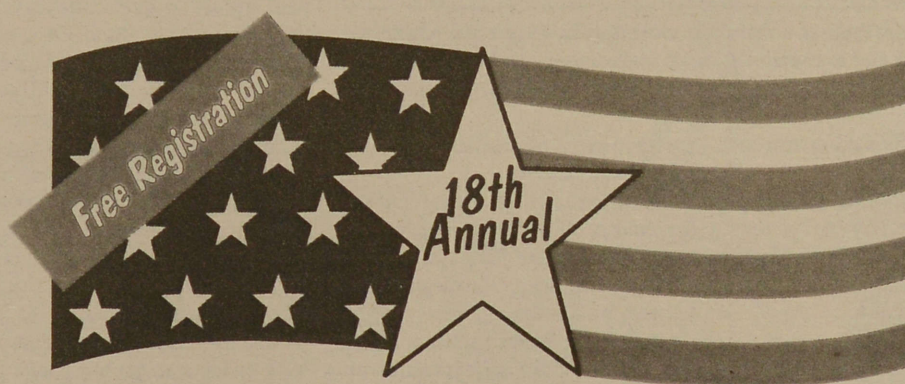
it gives government the purpose of, one could say, protecting liberties (I Timothy 2); it gives government the job mainly of terrorizing evildoers (Romans 13) — not schools, parks, health insurance, welfare, etc.

Of course people and governments live by assorted compromises, not simply by built-in tendencies.

It's a good thing most atheists don't live down to Stalin, and it's too bad Christians don't live up to Jesus.

— ANDREW LOHR

Chattanooga, Tennessee



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Repealing victimless crime laws

Continued from Page 18

it illegal to sell high-priced tickets for which the government doesn't get its cut.

New York Attorney General Eliot Spitzer admitted as much in a 1999 report. Defending scalping laws, he wrote: "Ticket scalping is sometimes referred to as a 'victimless' crime. To the contrary, the victims [are] the fans ... and the State of New York, which loses ... tax revenues."

However, greedy politicians aside, fighting ticket scalping is a losing game, especially since the Internet has made it easier than ever to resell tickets. Politicians should acknowledge reality — and allow ticket entrepreneurship to flourish legally.

■ Abolish laws against private sexual activity between consenting adults.

In June 2003, the Supreme Court ruled that a Texas law prohibiting sodomy was unconstitutional. That law had made it a crime for homosexuals to engage in certain sexual acts. As a result, similar laws in more than a dozen states are almost certain to be repealed.

However, that won't solve the USA's sex problem. According to *Ain't Nobody's Business If You Do*:

- In 10 states, fornication (sex between unmarried adults) is illegal.
- In 27 states, adultery is against the law, with punishments ranging from a \$10 fine to life in prison.
- In 10 states, cohabitation (unmarried adults living in the same residence) is illegal.

Fortunately, relatively few Americans are punished under these laws. But the fact that such statutes exist at all has a chilling effect on Americans, and gives police the power to



■ Not wearing a seatbelt is a criminal violation in 49 states. (Only New Hampshire is the exception.) In 18 states, you can be pulled over for not buckling up; in another 31 states, it's a "secondary" offense

arbitrarily threaten, harass, and arrest individuals.

When it comes to consensual, private, adult sexual activity, it's time to put the "sex police" out of business, once and for all.

■ Abolish "blue" laws.

On May 25, 2003, New York city residents were able to do something that had been illegal for 300 years: Purchase liquor on a Sunday.

The state had just repealed its blue laws, which made selling booze on the "Lord's Day" a crime.

Blue laws originated in Puritanical New England in the 17th century. Designed to protect the sanctity of the Sabbath Day, they were named after the blue paper on which they were printed.

Today, such laws are in retreat. In 1900, every state banned the Sunday sale of liquor; today only 24 do, according to the Distilled Spirits Council of the United States.

However, a crazy patchwork quilt of blue laws still remain, regulating

a wide variety of business and non-commercial activity:

- In Texas, it is illegal for car dealerships to be open on consecutive Saturdays and Sundays.
- In Alabama, it is illegal to go hunting on Sunday.
- In York, South Carolina, stores like Wal-Mart can sell groceries on Sunday morning, but can't sell clothing until 1:30 p.m.

While legal challenges have been filed against blue laws, the Supreme Court has upheld them.

For example, wrote Dave Roland for the First Amendment Center, in *McGowan v. Maryland* (1961), the court ruled that such laws are allowed if they promote the "health, safety, and welfare of the public."

Here's an idea: Let individuals and businesses decide what's best for their health, safety, and welfare.

The *Oracle* newspaper (University of South Florida, January 5, 1997) said it best: "Blue laws are silly and serve no purpose. They should simply be eliminated."

■ Abolish laws that make marijuana illegal.

Police love marijuana laws. How else to explain the fact that in 2000, police arrested more people for puffing the weed than they arrested for murder, rape, robbery, or aggravated assault (646,000 for marijuana; only 625,243 for violent crimes.)

As a result, America's jails and prisons are filling up at an unprecedented rate.

"Today there are far more people in federal prison for marijuana crimes than for violent crimes," wrote Eric Schlosser in *Reefer Madness*, a book about America's black markets.

Worst of all, many of these "criminals" are sick people. Schlosser, writing in *The Atlantic* (April 1997) noted: "Paraplegics, cancer patients, epileptics, people with AIDS, and people suffering from multiple sclerosis have in recent years been imprisoned for using marijuana as medicine."

What kind of sentences are people serving? "The laws of at least 15 states now require life sentences for certain nonviolent marijuana offenses," wrote Schlosser. "In Montana, a life sentence can be imposed for growing a single marijuana plant or selling a single joint."

Despite this, America's marijuana habit shows no sign of going up in smoke. According to Schlosser, marijuana may be America's largest cash crop, with a cash value of "up to \$25 billion." (In 2001, "the value of the nation's largest legal cash crop, corn, was roughly \$19 billion.")

The government now spends \$4 billion a year to fight marijuana — a drug that has never been proven to cause a single death. As long as a single murder remains unsolved, there are better ways to spend that money.

■ Abolish laws against gambling.

In 31 states and DC, state governments sponsor legal gambling — either lotteries that are heavily promoted on television, or ubiquitous scratch-and-win lottery cards sold.

Despite their role as the nation's leading promoters of wagering, most states are equally active in arresting people for engaging in the "wrong" kind of gambling.

Over the last few years, for example, police have arrested people for video poker (Georgia), sports gam-

bling (New Jersey), numbers games (Ohio), dice games (Illinois), slot machines (Mississippi), poker games (Texas) — and even illegal bingo (South Carolina).

Two-thirds of Americans have gambled, according to the Federal Commission on the Review of the National Policy Toward Gambling. And many are placing unlawful bets; fully 25% of American men plan to place an illegal bet on the next Super Bowl, reported *Psychology Today*.

For some people, gambling can be a problem that leads to financial ruin and despair. But for most Americans, "gambling is simply a matter of fun, a voluntary and harmless pursuit that many find rewarding. In moderation, it is neither less wholesome nor less rational than other sources of entertainment," wrote Guy Calvert (Cato Policy Analysis, June 18, 1999).

Given this, politicians' efforts to stamp out wagering is a losing hand; it's time for them to fold it.

Conclusion

Different victimless crime laws are passed for different reasons.

Some are designed to keep you from doing something that may be damaging to your finances (gambling) or harmful to your health (drugs, seatbelts). Some are intended to keep you from doing things that are "immoral" (consensual sex). Some are meant to keep you from engaging in taboo acts of commerce (scalping tickets, blue laws).

However, all these illegal activities have three things in common:

First, they directly harm no one except, sometimes, the person engaged in the "crime."

Second, they are an affront to America's heritage of freedom. As Peter McWilliams wrote: "The American dream is that we are free to live our lives as we see fit, providing we do not physically harm the person or property of others."

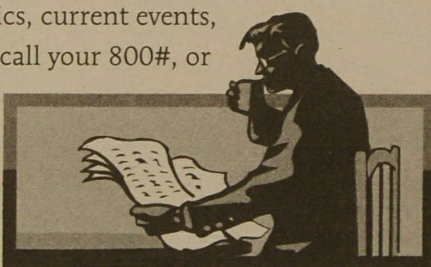
And third, they drain valuable law enforcement resources away from real crimes — and make it possible for 37.6% of American murderers to still walk the streets and for 65.6% of rapists to be free to rape again.

For all these reasons, victimless crimes laws should be repealed. The fact that politicians refuse to do so is the *real* crime.

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■ November 6-9, 2003

Freedom Fest 2003, Bally's and Paris, Las Vegas. Sponsored by Mark Skousen and Holland World Seminars. Speakers TBA. For information, visit: www.freedomfest2003.com/.

■ March 12-14, 2004

California LP Convention, San Jose DoubleTree Hotel, San Jose. Speakers TBA. For information, e-mail: mark@garlic.com. Or visit: www.ca.LP.org.

■ May 27-31, 2004

Libertarian Presidential Nominating Convention, Marriott Atlanta Marquis Hotel, Atlanta, Georgia. Speakers TBA. Questions, comments, suggestions, e-mail: convention@hq.LP.org.

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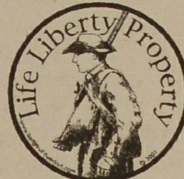
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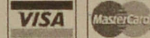


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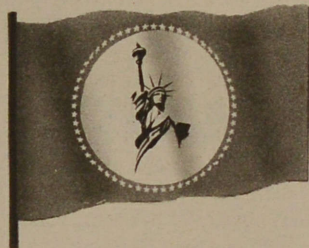
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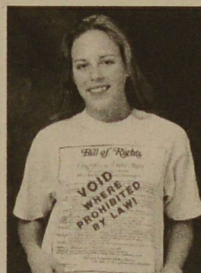
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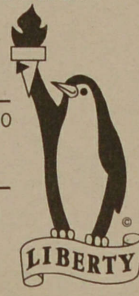
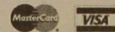
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UPCOMING

■ August 2-8, 2003

Cato University Summer Seminar, Rancho Bernardo Inn, San Diego, California. Sponsored by the Cato Institute. Speakers include Charlotte Twight (author, *Dependent on DC*), G. Marcus Cole (professor, Stanford Law School), David R. Henderson (economics professor, Naval Postgraduate School), and Randy Barnett (author, *The Structure of Liberty*). For information, visit: www.cato-university.org. Or call: (202) 789-5229.

■ August 3-9, 2003

Mises University, Mises Institute, Auburn, Alabama. Courses, seminars, and reading groups on the Austrian School of Economics. Speakers include: Walter Block (author, *Defending the Undefendable*), David Gordon (*Mises Review*), Jörg Guido Hülsmann (Mises Institute), and Richard Vedder (Ohio University). For information, e-mail: pat@mises.org.

■ August 5, 2003

Patrick Henry Supper Club, China Buffet Restaurant, Richmond, Virginia. Speaker is Kevin Rollins (publisher, *Beltway Free-Marketer*). For information, call: (804) 266-6572. Or e-mail: leonard@richmondliberty.org.

■ August 15-17, 2003

Louisiana LP Convention, Sheraton Baton Rouge Convention Center Hotel, Baton Rouge. Speakers include Geoffrey Neale (LP National Chair), James Lark (former LP chair), and Dr. Eric Mack (Tulane University). For information, call Mike Wolf: (225) 923-0499. Or visit: www.la.LP.org.

■ August 21-24, 2003

"Toward a Free and Virtuous Society" Student Conference, West Cornwall, Connecticut. Sponsored by the Acton Institute. An introduction to the principles of liberty for students of religion, theology, and philosophy. For information, call: (616) 454-3080. Or visit: www.acton.org.

■ September 26-29, 2003

Gun Rights Policy Conference, Airport Marriott, Houston, Texas. Sponsored by the Second Amendment Foundation. Speakers include

Wayne LaPierre (NRA), Alan M. Gottlieb (Second Amendment Foundation), Congressman Ron Paul (R-TX), Joe Tartaro (editor, *GunWeek*), and David Kopel (editor, *Journal on Firearms & Public Policy*). For information, visit: www.saf.org.

■ October 16, 2003

Heartland Institute's 19th Anniversary Benefit Dinner, Hilton Chicago Hotel, Chicago, Illinois. Speakers include Robert Poole (founder, Reason Foundation), Brian Wesbury (economic forecaster), Scott Hodge, (executive director, Tax Foundation), and M. Stanton Evans (comic). For information, visit: www.heartland.org. Or call: (312) 377-4000.

■ October 16-19, 2003

"Toward a Free and Virtuous Society" Student Conference, Dawsonville, Georgia. Sponsored by the Acton Institute. An "introduction to the principles of liberty" for students. For information, call: (616) 454-3080. Or visit: www.acton.org.

■ October 18-19, 2003

The Freedom Summit, Best Western Grace Inn at Ahwatukee, Phoenix, Arizona. An "annual seminar dedicated to promoting and advancing human freedom." Speakers include Nathaniel Branden (author, *The Six Pillars of Self-Esteem*), Ron Paul (Congressman, R-TX), Richard Boddie (past California LP U.S. Senate candidate), Harry Browne (1996 and 2000 LP presidential candidate), Boston T. Party (author, *You and the Police*), Vin Suprynowicz (syndicated columnist), and Marc Victor (attorney). For information, visit: www.freedomsummit.com/.

■ October 23-26, 2003

Cato University Fall Weekend Seminar, Le Chateau Frontenac, Quebec City, Quebec, Canada. Sponsored by the Cato Institute. Speakers include Tom Palmer (director, Cato University), Don Boudreaux (George Mason University), and Dan Griswold (Center for Trade Policy Studies, Cato Institute). For information, visit: www.cato-university.org.

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■ **PAGE 1** LP member files suit against electronic voting

■ **PAGE 3** Libertarian in North Dakota fights ethanol subsidy

■ **PAGE 4** Santa Clara LP defeats \$59m tax hike



FIRST WORD

"Given the low level of competence among politicians, every American should become a libertarian."

— CHARLEY REESE, *Alameda Times-Star* (Alameda, California), June 17, 2003

"There is a strong and growing libertarian sentiment in the country of leaving other people alone."

— ROBERT ROBB, *The Arizona Republic*, June 11, 2003

"Americans have a deep libertarian streak. They believe in free choice, and they believe in personal responsibility."

— DR. DAVID BLUMENTHAL, *The Boston Globe*, June 12, 2003

"On the municipal level, the [Libertarian] party is gaining ground, claiming more than 300 officeholders. Republicans have become concerned enough to start swinging. The conservative *Weekly Standard* bashed Libertarians for costing the GOP 'a number of victories in the last election...'"

— SARAH FENSKE, *The Cleveland Scene*, April 30, 2003