

## In This Issue

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## The Libertarian Party needs YOU!

by Jim Misa, LPC Volunteer Coordinator

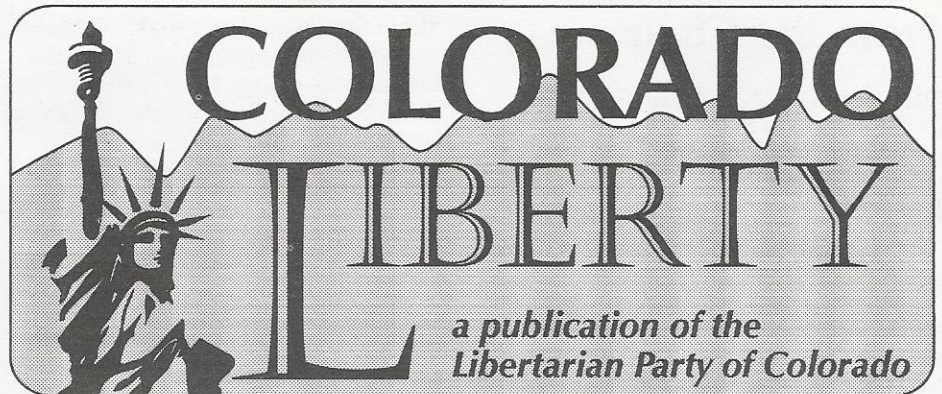
Yes, money may be the mother's milk of politics, but volunteers are the muscle, and the Libertarian Party needs all of both that it can get. That's why I'm calling **you** to donate some of your time to party activities.

What kind of activities? A surprising variety, actually, most of which are fun. Anything from staffing a booth, to helping out at a mailing party (yes, that's party, as pizza, soda, and good conversation are all provided), to serving on various planning committees, etc.

Upcoming volunteering opportunities include serving on the planning committee for our Libertarian Halloween party (2 slots), the planning committee for the '98 state convention (4 slots), and as always, the upcoming monthly *Liberty* mailing party (5 — 10 slots).

But the largest volunteer project looming on the horizon is the phone campaign for Success '97. We will need at least 100 brave souls to help contact and invite every registered Libertarian in the state (approx. 2,700) to the Success '97 seminars, which will train activists in effective campaign, outreach, and fundraising techniques. Once trained, these activists will then propel our candidates for Half a Slate in '98 on to victory.

Project Half a Slate is our best chance yet to elect Libertarians to the State Legislature. Imagine representatives from your party, the party of



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August, 1997

principle, representing *you* on the floor of the State House! And **you** can help make it happen! How? By contacting me at 303-394-4688, or by

writing to 1234 York St. # 7, Denver, CO 80206, and let me know what kind of volunteer work you're available to do.



## Got Milk? Got Problems!

by Don W. Johnston

On the heels of the big tobacco lawsuit comes milk addict Norman Mayo, 61, suing Safeway and the Dairy Farmers of Washington for clogged arteries and one minor stroke after a lifetime of drinking whole milk without any warning labels.

Mayo, a former smoker, believes he may have avoided his health problems if warning labels had been placed on milk cartons. "Milk is just as dangerous as tobacco," he said, "and should have similar warnings." Now, Norman Mayo, milk-a-holic, drinks only nonfat or skim milk; he's officially sworn off the hard stuff.

In light of this new lawsuit, I figure it is just a matter of time before sugar addicts, coffee addicts and junk food addicts all start suing their dealers in court for health damages. Now that the liberal media and government education has undermined self-responsibility, claiming that we are all brain-dead addicts and victims of slick advertising campaigns, it may become lucrative for the irresponsible amongst us to blame others for their poor health conditions.

Joe Camel made me do it, your honor. Tony the Tiger got me hooked. It was the Pillsbury Doughboy!

Once we start calling bad habits "addictions," we create an endless list of illnesses to treat and make it easy to pass the blame onto others, since all addicts like zombies are not expected to be responsible for their actions.

I think the lawsuits against the tobacco industry may have opened a Pandora's Lunch Box where the producers of the four major food groups (dairy, meat, chocolate and pizza) may soon find themselves responsible for poisoning the over-indulgent.

What better way for government to start dictating your total diet than by cracking down on all those dangerous things you might consume, and the industries that produce them?

Create a public crisis and steal some individual rights: sounds like a government double-decker, with extra sauce and lots of baloney to me.

Trouble is, who is going to produce the food we eat, once we start suing the hand that feeds us? Certainly, everything in life is poisonous and it is merely the dose that determines the fatality.

(Reprinted with permission from page 8 in the May/June 1997 issue of the *Utah Liberator*, Vol. 3, No. 1)



## From the Chair

From the Acting Chair (Larry Hoffenberg) this month.

While Sandra Johnson is enjoying some well-deserved time off with her family, I'm thrilled to report some great news.

### **We're getting our money back!**

Against Governor Romer's best efforts and better judgment, he has reluctantly agreed to refund about \$80 per taxpayer, \$140 million in all. Romer is no political dummy. He thought he could get away with keeping "only" \$10 or \$20 of our money. Only the threat of a political backlash made him accept the fact that the money belongs to the taxpayers, and we want our money back!

Critics of capitalism deride corporations for being greedy. As vividly demonstrated here, it is *Government* that has the most insatiable appetite for money; to be specific, **our** money! The only thing more insatiable is their desire to gain and retain political advantage, power, and prestige.

To sum it up in a phrase, **Thank you, Doug Bruce!**

1992's Taxpayers' Bill of Rights (TABOR) put the State of Colorado on a fiscal diet, albeit not a very strict one. Under TABOR, Colorado's fiscal 1996 spending was allowed to grow by 6.6%, hardly a starvation diet. The state is eating still more and more saturated fat each day, and the arteries are hardening.

More important than the \$80 per taxpayer, TABOR has saved us hundreds of millions, perhaps billions, of dollars over what the politicians and bureaucrats would otherwise have taken from us if they had free reign with our money. Without TABOR, who knows how fast the state's spending and taxes would have increased each and every year since 1992.

Which brings us to Doug Bruce's current petition initiative. This measure for the 1998 ballot will provide **real** tax relief, in the form of a first year cut of \$25 per taxpayer in **each** of these taxes: utility, property, motor vehicle, and income. In year two and thereafter, the cuts would be \$50 in each tax. The utility tax would be abolished for most taxpayers in a couple of years, and the motor vehicle ownership tax would be gone in

about five years. This is **real** tax relief!

While the proposal still allows the bureaucrats a huge \$200 million dollar loophole that I would prefer not be included, overall this is a major, highly visible step in the direction of **real** tax relief and toward making government more accountable and responsible with **our** money.

For more information or to sign up to be a **paid** petition carrier or to help out with the task, write to: Tax Cut Committee at P. O. Box 26018, Colorado Springs, CO 80936 or call 719-550-0010.



Taxpayers have found another friend, in the person of Jon Caldara, RTD director representing the Boulder area. Jon has organized the Concerned Commuters of Colorado (CCC), a political action group dedicated to defeating RTD's proposed 66% tax increase that will be on November's ballot in the six county metro-Denver area.

Jon sums it up by saying, "By their own calculations, RTD's Guide the Ride plan will do nothing to alleviate traffic congestion or to reduce air pollution. Guide the Ride is DIA on wheels." Well folks, DIA was sold to the taxpayers at \$1.5 billion and it finally came in at \$6 billion. Guide the Ride is *starting* at a conservative \$6 billion. Will it come in at \$24 billion? Let's derail this train wreck before it leaves the station.

LP of Colorado board members Doug Anderson, David Bryant, and I are active in this multi-partisan effort, along with Libertarian former RTD director Dave Bishop of Aurora, Democrat Paul Danish of Boulder, Lakewood City councilwoman Kathy

Knobel, and Republican Dick Sargent. **You** can help, too, with your contributions, and with your time and energy. If you'd like to help keep RTD out of our wallets, please call CCC at 440-4282 or write to: PO Box 1695, Boulder, CO 80306. Send whatever you can, \$100, \$75, or \$50. Even \$25 would be a great help. Look for much more information on CCC and our efforts in the coming months.

On the national level, President Clinton celebrated with all the usual pomp and circumstance as he signed into law the so-called balanced budget agreement. Frankly, I'll believe a balanced budget when I see it. Or as motivational expert Anthony Robbins says, "I'll see it when I believe it." Either way, I don't see it and I don't believe it.

All of the so-called spending cuts won't happen until 2001 or 2002, **after** Clinton, Gingrich, & Co. are out of office. We've been down this road before. What happened to Gramm-Rudman-Hollings? The annual federal budget should be \$200 billion in surplus by now.

Of course the so-called spending cuts are not cuts at all. They're merely reductions in some fantasyworld pie-in-the-sky rate of increase.

As 1996 LP vice presidential candidate Jo Jorgensen put it, it's as if you weighed 300 pounds and set a goal to get down to a trim and fit 200. You go on a strict diet, work out at the gym five days a week, and after a year you make it down to 225. Congratulations, you lost 75 pounds, right? Not according to the powers that be in DC! According to them, you **gained** 25 pounds!!! Only in the delusional mind of a bureaucrat could federal spending that increases by 5% instead of 7 or 8% be called a "cut."

The so-called leaders of the so-called Republican Party should be ashamed of themselves, especially Newt. During the 1996 election campaign, this slimy salamander continually and correctly pointed out that Dole's proposed "cuts" in Medicare weren't cuts at all, but reductions in the rate of increase. Now, when the Republicans want to take political credit for this balanced budget deal, these reductions in future rates of increase are all of a sudden "cuts." Talk about double-speak!

(continued next page)



Of course the current round of so-called tax cuts aren't cuts at all. They're merely a 1% reduction in the rate of expected revenue growth. They're pure fiction, based on unrealistic and unsustainable assumptions that the economy will continue to grow by leaps and bounds.

There are no cuts in income tax rates. There is no tax simplification. In fact, this legislation adds thousands of new pages of gobbledygook to the tax code. The only beneficiaries are the legions of leeching lawyers and accountants who thrive on such "reform."

There's that great scene in the Monty Python film "The Meaning of Life," where an obscenely gluttonous restaurant patron named Mr. Creosote FINALLY has his fill. That's the federal government, and we need to put them on a starvation diet immediately, before America gets splattered with Spam.

"To Life, Liberty, and the Pursuit of Happiness,"

Larry Hoffenberg  
Public Information Director  
LP of Colorado

P.S. Tune in to AM 1280 "Ralph" radio in Denver every Sunday evening from 9:30 -10:00 to hear my weekly Libertarian commentary .

## Kudos

- Kudos to Stuart Barr, Rob Gilmour, Jim Misa, BetteRose Smith, Dave Bryant and David Aitken for assembling the last issue of the Liberty for mailing.
- Kudos to Larry Hoffenberg for pinch-hitting for Sandra Johnson in the Chair's duties.
- Kudos to all the folks who gave generously to the latest fundraising letter from BetteRose Smith.
- Kudos to Bill Fargo for his extremely thorough cleanup of the office.
- Kudos to the folks who kept the stadium tax off this November's ballot. Boos to Pat Bowlen, who rescheduled it for a May election next year, thus diluting the negative vote.

## Calendar

### August

- 8/30-9/1 - Sat - Victory 2000 - Philadelphia Airport Marriott, Mentioning Victory 2000 or Libertarian Party will get registrants the special rate. The hotel's number is 215/492-9000 and the Marriott reservation line is 800/682-4087.

### September

- 9/2 - Tue - Ft. Collins 1st Tuesday Breakfast Club - 7:00am - Tony's, 224 S. College, (970) 224-3116
- 9/6 - Sat - Board of Directors - 3:00pm - home of Sandra Johnson, HCR 68, Box 51, Fort Garland, CO 81133, (719) 379-2767. All members welcome; public comments 2:45 and 5:00
- 9/9 - Tue - Denver Activists' Meeting - 7:00pm - home of David Aitken, 1240 Ogden #4 (303) 831-4334
- 9/10 - Wed - Boulder County Libertarians - 6:30pm - Tryllions, (303) 443-9179
- 9/26-28 - Fri-Sun - Gun Rights Policy Conference - Denver. Free. To register or get info, call (206) 454-4911 or e-mail jbarsaf@aol.com

### October

- 10/1 - Wed - Board of Directors - 7:00pm - LPCO Office, 720 E. 18th Ave #309, Denver. (303) 837-9393. All members welcome; public comments 6:45 and 9:00

### November

- 11/8-9 - Sat/Sun - Success '97 - Denver. This two-day workshop is your chance to learn the secrets and techniques of Libertarian political success. Call Kris Williams at the national office (202) 333-0008 x231. Program and dinner: \$89; program: \$59; dinner: \$50

### July, 1998

- 7/2-5 - National Convention - Washington, DC. (202) 333-0008

"A well-regulated population being necessary to the security of a police state, the right of the Government to keep and destroy arms shall not be infringed."

—S. Thompson, M.D.

"It is the highest impertinence and presumption, therefore, in kings and ministers to pretend to watch over the economy of private people, and to restrain their expense. ... They are themselves always, and without exception, the greatest spend-thrifts in the society. Let them look well after their own expense, and they may safely trust private people with theirs."

—Adam Smith

"Wealth of Nations"

## Colorado Liberty

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### Colophon:

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## Letter

It is amazing that an old well established industry can be extorted of billions of dollars, be accused and penalized for fraud, and be held responsible for gross financial mismanagement by the government. This should be very disturbing to any one with a rudimentary understanding of the principles of due process and the concept of voluntary action, which is freedom. I am talking about the recent proposed extortion of the tobacco companies.

The basic premise for this extortion is that tobacco is the biggest cause of illness in the united states. It is blamed for AIDS, ear infections, psychological problems, heart attack, circulatory problems, degenerative joint disease, cancer, and so on. All the above mentioned diseases have increased as the percentage of people who smoke has decreased. The reality of the increasing socialization of medical care has opened the door to the claim that anything that increases the costs to the public should then be under the control of appropriate bureaucrats. The fact is, that as smoking has reduced from over 50% of the population in 1965 to under 30% of the population now, the cost of treating the sick has gone from \$35 billion in 1965 to over \$1.3 trillion in 1996. How can this be?

The tobacco companies are accused and penalized for fraud for doing such things as surveying the population for marketing purposes. This same standard is apparently not

appropriate when the government does this to establish the customer base for welfare. Apparently the belief of bureaucrats is that welfare is innocuous to the health and welfare of citizens. Improving the product for better consumer acceptance is a

to harass tobacco to the point where giving in to extortion of billions of dollars seems like the best way out for the tobacco companies. These persecutors have used their public positions as well as public funding for this harassment.



*"Here you are, Senator—a computer list of people whom you can fool some of the time."*

conspiracy, according to bureaucrats, despite the fact that this is what business must do to survive. Using attractive packaging is a criminal act when done by tobacco companies, as are advertising and sponsorship.

The tobacco companies have never been convicted by a jury of any of this stuff, including liability for health claims. A certain group of disingenuous officials has convicted the tobacco public without trial, based on little fact and many fraudulent claims. This group has used its power

should shun businesses and political units that believe in stripping freedom from 28% of the population.

Sincerely,  
Gene Leverett, DVM  
Limon

These penalties and loss of freedom are a power grasp on the order of the Japanese internment during WW II. We now have a situation where people are expected to pay for a stadium, but are restricted from using it because of the smoking policy. Smokers are paying for public buildings as well as hospitals, and are being denied comfortable use of them. Taxes are increased on tobacco and restrictions on public places increase.

I think that, at least, the Libertarian party

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## Libertarians say, "Just Say No"

WASHINGTON, DC — Cheech and Chong, Uncle Sam wants you!

That's right: The federal government is looking for a few good potheads to smoke marijuana... and get paid to do it.

But the Libertarian Party — America's leading advocate for drug legalization — thinks it's a dopey idea.

"When it comes to using taxpayer money to subsidize dope smoking, Libertarians just say no," said Steve Dasbach, the party's national chairman. "We don't support the government paying people to smoke pot any more than we support the government throwing people in jail for doing so."

Federal health officials recently announced that they were looking for 20 volunteers — all "habitual marijuana smokers" — for a government-funded scientific study into the effects of marijuana on motor skills.

The study will be conducted at the Bowman Gray School of Medicine in Winston-Salem, North Carolina, using high-grade marijuana grown at the federal government's seven-acre "pot farm" in Oxford, Mississippi.

Like with all federal jobs, the benefits are great: Free, high-quality marijuana, \$50 per visit payments, immunity from criminal prosecution, and free cab rides to and from the laboratory. In all, the experiment will cost taxpayers more than \$50,000.

"Only the federal government could spend \$50,000 to throw a pot party," said Dasbach. "Squandering tax money this way is the ultimate reefer madness."

But all jokes aside, the experiment has a serious side, said Dasbach, because while the government is

paying people to smoke marijuana, it's also spending \$16 billion this year to throw hundreds of thousands of Americans in jail for doing the exact same thing.

"Yes, it's ridiculous that the government is paying people to smoke dope. But it's tragic that during the four days this experi-

ment is conducted, 6,572 Americans will be arrested for marijuana offenses," said Dasbach.

According to federal figures, someone in America is arrested every 54 seconds for a marijuana offense — approximately 600,000 people a year. And 80% of those people are arrested for mere possession.

The Justice Department is even fighting recent attempts in California and Arizona to legalize medical marijuana for people dying of AIDS or suffering from glaucoma or cancer.

"Despite the government's war on compassion, there is a place for marijuana in medicine, and a legitimate role for marijuana in research," said Dasbach. "But such studies should be conducted by privately funded hospitals and researchers — not by bureaucrats addicted to wasting other people's money."

And that's why pork projects — or, in this case, smoked pork projects — like the Bowman Gray School of Medicine study should be shut down, said Dasbach.

"We need to take a weed-whacker to this program," he said. "The government has no business being a tax-subsidized drug pusher. It's time for a new War on Drugs — to force the federal government to stop paying people to smoke marijuana."

Since 1972, the Libertarian Party has called for an end to Drug Prohibition, arguing that laws against drugs drive up crime rates, funnel law enforcement resources away from preventing violent crime, corrupt the judicial system, and violate the Bill of Rights.

—Libertarian Party  
press release

## Medicare and "Capitalist Greed"

By Vin Suprynowicz

You need heart surgery. You can choose between two competing practices:

One surgeon drives a fancy car and lives in a big house. He took the job because it pays in the mid six figures, easily beating out hundreds of other medical students, discovering both the theory and the manual skills came to him as easily as falling off a log.

Your other option is a government-run hospital where, as a matter of considerable pride, the doctors refuse to accept pay any higher than the nurses' aides. The surgeon who will handle your case is an earnest young man who took post-graduate medical courses at an inexpensive medical college in the Caribbean after spending the past two years in Bill Clinton's AmeriCorps program, painting pig sheds in Alabama.

Noble young man with a mission to serve ... or greedy capitalist?

As with any other field of endeavor, the free market with its "focus on the almighty dollar" has historically done the best job of encouraging individuals to seek out the employment where their talents are most valued by their fellow men.

But now, with the well-publicized indictment last month of three managers of the nation's largest for-profit hospital chain, Nashville-based Columbia/HCA Healthcare Corp., some of Washington's usual suspects are braying that medical care and profits don't go together.

The profit motive "has no place in the health care system," says Rep.

(continued next page)

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## Medicare "Greed"

(continued from page 5)

Pete Stark, the California collectivist credited with prompting the probe of Columbia/HCA. For-profit hospitals "will self-destruct because they'll get too greedy. I think Columbia's getting into that corner right now."

It's significant that most of the problems being faced by America's now-booming "for-profit" medical segment seem to result when this different paradigm interfaces with government bureaucrats inherently suspicious of "greedy capitalists," and thus far more likely to cry "fraud" than they are to blow the whistle on any amount of incompetence or misallocation in a wholly government-run system, like, say ... the Veterans Administration hospitals.

Hospitals have no realistic choice but to accept Medicare patients, and it's no secret Washington's main initiative in containing runaway Medicare costs has been to pro rate payment of billings for such care, down to an official rate of 89 cents on the dollar (it's often lower) — even before the current "budget-balancing deal" on Capitol Hill, where most of the Medicare savings come in the form of "lower reimbursements."

The government has engaged in this "ratcheting down (of) the reimbursements," Holman W. Jenkins, Jr. writes in the Aug. 5 Wall Street Journal, "in the full and complete knowledge that its payments don't cover the cost of the services provided, and that hospitals make up the difference by 'cost shifting' to other patients whose bills are paid by private insurers. If anybody has been gaming the system, it's the fine people of the Health Care Financing Administration, the federal body that runs Medicare. And their unindicted co-conspirators are a flimflam outfit known as the U.S. Congress. ..."

Frightened by federal forms that promise "imprisonment, fine or civil penalty" for seeking too much reimbursement, doctors actually tend to "downcode" their bills,

creating further shortfalls in hospital reimbursements, Jenkins explains. Yet when hospital administrators revise the billings to more accurately reflect the real services provided, they risk of being accused of "fraud."

Does this mean no one at Columbia/HCA did anything wrong? It's too soon to know. Certainly, investors who pressure managers to keep repeating the kind of 15 percent annual earnings growth Columbia/HCA has been showing, may invite trouble.

But the problem here is not the tentative resurgence of the profit motive, but rather the government net in which these businesses still find themselves largely ensnared.

"Depending on sunspots or the mood of the auditor, some charges are permissible on Thursday, a felony on Friday, and OK again on Monday," Jenkins reports, under Medicare regulations which "run to 45,000 pages."

How many profitable auto manufacturers do we imagine would be left

in this country — what kind of innovation would we find in auto design, and how long would waiting lists be — if each auto buyer paid only \$1,200 for her vehicle, and the dealer then had to wade through 45,000 pages of regulations in order to send in a "claim form" to Washington for his remaining \$22,800, knowing he might get as little as 60 cents on the dollar, months down the road, and in the meantime could be indicted for fraud for "overcharging the government" by as little as \$40?

Did I mention the amount of "excess" capital overhead for which Columbia/HCA is alleged to have "overbilled" Medicare in these "fraud" indictments?

\$1.7 million over 10 years.

Vin Suprynowicz is the assistant editorial page editor of the Las Vegas Review-Journal. Readers may contact him via e-mail at [vin@lvj.com](mailto:vin@lvj.com). The web site for the Suprynowicz column is at <http://www.nguworld.com/vindex/>

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— Harry Browne



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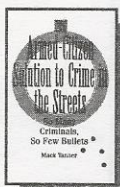
by Adam Starchild

Are you one of the many people in pursuit of the American dream of wealth, independence and the ability to control your life? If so, here are some harsh facts you should know: lawsuits are being filed at the rate of 100 million cases a year. If this pace continues, it can be estimated that each wage-earning person in the United States (80 percent of the population) can expect to be sued five times during his/her lifetime. Despite these alarming statistics, you may believe you are safe from lawsuits or asset forfeitures because you don't do anything dangerous. But the reality of life in America is that you don't have to do anything dangerous to be sued — all you really have to do is be in the wrong place at the wrong time. In this eye-opening book, author Adam Starchild describes in detail the many safe, legal methods you can use to protect your hard-earned assets and directs you to little-known sources that can provide the kind of planning and support necessary in today's unpredictable world. 5 1/2 x 8 1/2, softcover, 168 pp. **\$15.00**

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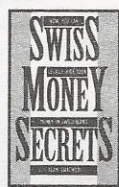
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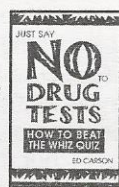
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by Ed Carson

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## Warning: Government Hazardous to Health

WASHINGTON, DC — Warning: The Surgeon General has determined that the U.S. Government is hazardous to your health.

That's the grim warning the Libertarian Party wants to slap on politicians, after the federal government confessed this week that Cold War nuclear tests exposed 230,000 Americans to high levels of radioactivity — and may cause 75,000 people to develop fatal thyroid cancer.

"If it's good enough for the tobacco companies, it's good enough for the federal government," said Steve Dasbach, chairman of the Libertarian Party. "Americans have a right to know about the health risks associated with repeated dosages of government irresponsibility."

This week, the National Cancer Institute admitted that government nuclear tests in the 1950s and 1960s

showed the lower 48 states with Iodine 131 — and exposed people in five states to enough radiation to cause lethal thyroid cancer. Especially vulnerable: Children under age five, who received radiation dosages three to seven times above the average.

In all, the NCI estimates that 10,000 to 75,000 people may develop thyroid cancer as a result of the fallout. Scientists were uncertain about the exact mortality rate, because the only similar accident they could study was the 1986 Chernobyl nuclear reactor meltdown — and because radiation-caused cancer can take up to 40 years to develop.

Unfortunately for the millions of Americans exposed to the atom bomb fallout, the U.S. government sat on the embarrassing data for 15 years, said Dasbach.

"In 1982, Congress ordered a study into the health consequences of the Nevada nuclear tests, but the National Cancer Institute didn't issue a report until this week," he noted. "Thousands of Americans were left to die, unaware and untreated — because politicians didn't bother to warn them that they had been

radioactively poisoned by their own government."

Even more astonishing, said Dasbach, is the fact that no one — except for Libertarians — is calling for criminal trials for the government officials responsible for the catastrophic nuclear testing, or for the cover-up.

"Politicians ordered these dangerous atomic tests," he said. "Military personnel administered them. And federal bureaucrats hid the data for 15 years. Where are the demands for justice? How many people must die before politicians are held criminally responsible for their deadly decisions?"

Even worse, these nuclear tests are just the latest in a long line of secret, deadly government actions, noted Dasbach. For example...

\* In 1994, Congressional hearings revealed that 500,000 Americans were endangered by military tests between 1940 and 1974 — including covert experiments with mustard gas, LSD, and biological agents.

\* In 1997, President Clinton issued an apology to the families of 400 (continued next page)



## Government Hazardous to Health

(continued from page 7)

African Americans who were left untreated for 40 years as part of the government's infamous Tuskegee syphilis experiments.

It's that long history of deadly federal experiments and subsequent cover-ups that prompts Libertarians to demand criminal trials for the government employees responsible — and also suggest "warning labels" for politicians, said Dasbach.

"As many as 75,000 Americans might die because of the Nevada nuclear tests — but the only action politicians are taking is to decide whether to spend more taxpayers' money to medically monitor the people they put at risk," he said.

"Here's another suggestion: Find out who was responsible. Put them on trial. And make them personally pay reparations to their innocent victims.

"And in the meantime, force politicians to wear warning labels similar to what they require on cigarette packs — Warning: The U.S. Government can kill you. Because that's the real lesson of this tragedy: Government is hazardous to your health."

— Libertarian Party press release



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*"I don't think we have time to send off for the  
"free" government booklet on this."*

## Tobacco Medicaid Audits Abrogate the Rule of Law

*Cato scholar assails settlement talks, says principles must not yield to politics*

"Important legal principles are under siege by opportunistic politicians willing to deny due process to a single industry selected for its deep pockets and public image rather than its legal culpability," says Robert A.

Levy, senior fellow in constitutional studies at the Cato Institute.

In a new Cato Policy Analysis, "Tobacco Medicaid Litigation: Snuffing Out the Rule of Law," Levy argues that state suits against tobacco companies would deny the companies fundamental legal rights. "The rule of law must be steadfastly upheld today, or none of us will be secure tomorrow," he writes.

Thirty-nine states are currently suing the tobacco industry to recover Medicaid outlays for smoking-related illnesses. Levy examines a new Florida statute that strips tobacco companies of their traditional rights and puts in their place a simple rule of law: the state needs money; the

industry has money; so the industry shall give and the state shall take.

"Juries have repeatedly concluded that smokers are responsible for their own behavior," Levy says. "Yet under the new regimen, if a smoker happens to be a Medicaid recipient, individual responsibility is out the window. By legislative fiat, liability hinges on a smoker's Medicaid status, a fortuity totally unrelated to any misdeeds of the industry."

The study addresses numerous constitutional issues raised by the tobacco Medicaid litigation, including due process and free speech, and tort issues, including causation and assumption of risk. Levy notes, for example, that the state is not required to show that a particular party was harmed by using tobacco-as is required under traditional tort principles. Instead, causation may be proven by statistics alone. "One would think that the industry could at least investigate whether patients suffering

(continued next page)

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### Unlawful Medicaid Audits

(continued from page 8)

from 'smoking-related illnesses' ever smoked. Wrong," he writes. "Incredibly, the industry will be allowed to depose only 25 of 400,000 Medicaid claimants."

Levy also assails settlement negotiations between tobacco companies, state attorneys general and their contingency-fee lawyers. He argues that settlement will deny private citizens access to the courts, violate the federal system of dual sovereignty and reward states that have abrogated the rule of law.

"It is not the durability of an industry that matters most," Levy concludes. "Far more weighty is the sustenance of a legal system that maximizes freedom while demanding accountability. This study is not a defense of the tobacco industry. It is a defense of the rule of law."

Cato Policy Analysis no. 275  
<http://www.cato.org/pubs/pas/pa-275es.html>

## Libertarian Victory 2000: Learn from the Winners!

Libertarian Victory 2000 is a three-day training session for Libertarians to be held over Labor Day Weekend in Philadelphia. Sponsored by the Liberty Council in conjunction with the Delaware Valley Libertarians, this will be an opportunity for elected Libertarians to capture some media attention.

Speakers will include elected Libertarians Bonnie Flickinger, Don Gorman, and Brian Thomas. They'll conduct programs on the "secrets of their success" as well as on "I won, now what?"

Bumper Hornberger will conduct a four hour session "The Stonewall Jackson Campaign Speech and Debate Workshop," where candidates and spokespeople will learn how to be effective and put Dems & Reps on the defensive. Pennsylvania political consultant David Kamioner and Gene A. Cisewski will conduct a session "Eisenhower and Patton: Campaigning to Win," where we'll focus on the

distinction between issues, governing, and the political mechanics of winning, with special emphasis on media relations. Dick Boddie will conduct a session, "An Organized Herd of Cats is a Force to be Reckoned With," focusing on identifying personality types and putting the right people in the right jobs for the most powerful effect. Finally, we've opted for a Comedy Cabaret where stand-up comic Tim Slagle will perform.

Sunday afternoon, we'll move from the hotel to Center City Philadelphia for speeches from elected Libertarians and some candidates in front of Independence Hall.

The events run Saturday, August 30 - Monday, Labor Day, September 1. For those who might come in on Friday, the 29th, there'll be an early-bird hospitality suite. The sessions will wrap up at 12:30 on Monday.

Registration categories follow: Basic (includes all workshops and Comedy Cabaret): \$99. Saturday Candidates Luncheon: \$35. Sunday night banquet honoring elected Libertarians: \$75. Full package, including all sessions and meals: \$175. All revenue generated (if any) beyond the expenses of the campaign will go to 1997 LP election campaigns.

We've negotiated a \$79 single/double (+tax) rate with the Philadelphia Airport Marriott. Mentioning Victory 2000 or Libertarian Party will get registrants the special rate. The hotel's number is 215/492-9000 and the Marriott reservation line is 800/682-4087. The hotel is connected to the airport via skywalk, so there's no hassle with transportation once people arrive.

We've negotiated discounts with USAir. For first class and lowest published fares, our folks can get an additional 5% off. For unrestricted coach fares with 7 days advance purchase, there's an additional 10% off. Some restrictions apply. When booking reservations to get the discount, just tell them that you're with "Gold File Number 79670305."

Make hotel/transportation reservations directly with the vendors. Register for the event with the Liberty Council, P.O. Box 12075, Washington, D.C. 20005-0975. The Liberty Council now accepts MasterCard and VISA in addition to checks, share drafts, and money orders.



*Happy the Hempster Hamster, whose visage should have adorned last month's article about this month's HempFest in Boulder. Well, better late than never.*

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*Have you met my friends Ayn,  
Murray, Harry and Richard?*

# IT'S REALLY BIG

*Am I the only one  
who thinks this way?*

*Men 8: Women 1*

# IT'S REALLY COMING

*Is there sex after activism?*

# IT'S REALLY DIFFERENT

*Do hermits gather?*

*If we build it...*

# IT'S ABOUT TO CHANGE THE WAY YOU THINK ABOUT POLITICS

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## The Ant and the Grasshopper

### *The Original Version:*

The Ant works hard in the withering heat all summer long, building his house and laying up supplies for the winter. The Grasshopper thinks he's a fool and laughs and dances and plays the summer away.

Come winter, the Ant is warm and well fed. The Grasshopper has no food or shelter so he dies out in the cold.

### *The New Authoritarian-Liberal Version:*

It starts out the same, but when winter comes, the shivering Grasshopper calls a press conference and demands to know why the Ant should be allowed to be warm and well fed while others are cold and starving. CBS, NBC and ABC show up and provide pictures of the shivering Grasshopper next to film of the Ant in his comfortable home with a table filled with food.

America is stunned by the sharp contrast. How can it be that, in a country of such wealth, this poor Grasshopper is allowed to suffer so?

Then a representative of the NAAGB (The National Association for the Advancement of Green Bugs) shows up on "Nightline" and charges the Ant with "Green Bias" and makes the case that the Grasshopper is the victim of 30 million years of greenism. Kermit the frog appears on "Oprah" with the Grasshopper, and everybody cries when he sings "It's Not Easy Being Green."

Bill and Hillary Clinton make a special guest appearance on the CBS Evening News and tell a concerned Dan Rather that they will do everything they can for the Grasshopper who has been denied the prosperity he deserves by those who benefited unfairly during the "Era of Greed." Richard Gephardt exclaims in an interview with Peter Jennings that the Ant has gotten rich off the "back of the Grasshopper," and calls for an immediate tax hike on the Ant to make him pay his "fair share."

Finally the EEOC drafts the "Economic Equity and Anti-Greenism Act", RETROACTIVE to the beginning of the summer. The Ant is fined for failing to hire a proportionate number of green bugs and, having nothing left to pay his retroactive taxes, his home is confiscated by the government.

Hillary gets her old law firm to represent the Grasshopper in a defamation suit against the Ant, and the case is tried before a panel of federal judges that Bill appointed from a list of single-parent welfare moms who can only hear cases on Thursday afternoon between 1:30 and 3:00 PM when there are no talk shows scheduled.

The Ant loses the case.

The story ends as we see the Grasshopper finishing up the last bits of the ant's food while the government house he's in — which just happens to be the Ant's old house — crumbles around him since he doesn't know how to maintain it. The Ant has disappeared in the snow. And on the TV, which the Grasshopper bought by selling most of the Ant's food, they are showing Bill Clinton standing before a wildly applauding audience announcing that a new era of "Fairness" has dawned in America.

The End

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