



Free Texas

Vol. XI No. 3

News and Views of Texas libertarians, published by the Libertarian Party of Texas.

August 1982

Ballot status appears certain

By SCOTT BIESER
FREE TEXAS EDITOR

The Libertarian Party of Texas will apparently be on the ballot in the November election, although the official decision is not expected until mid- or late August.

A total of 45,188 signatures were turned in to the Secretary of State's office in Austin two hours before the deadline Monday, July 12. Of these, 34,145 signatures were tentatively validated by the office, according to Secretary of State David Dean.

Bill Frasier, Ballot Access '82 Coordinator, said Dean told him the next step in the process will be to check random samples of the signatures with records in the various county courthouses.

Although the number of signatures initially verified by the state is far more than the 23,698 valid signatures required by law, Frasier declined to declare the ballot drive a success until final confirmation is received from Dean's office.

The delivery of 6,961 completed petition forms to the state office culminated 10 weeks of labor by party activists and paid petitioners, as well as \$30,000 raised by party members, Frasier said.

Signatures were gathered from more than 150 Texas counties, with Harris and Dallas counties providing a large majority of them. About 90 percent of the signatures were collected by 40 paid petitioners.

Frasier said the ballot drive cost roughly \$10,000 less than anticipated, but fund raising also fell short of expectations, so that the party was nearly \$8,000 in debt as of mid-July.

"One stalwart ballot volunteer reportedly had his major credit cards suspended until he can pay off the thousands of dollars charged in the past few weeks," said Mike Holmes, LPT Finance Committee Chair.

Holmes is urging all party supporters to contribute extra money to settle the deficit. "We don't want to face the crucial November elections handicapped by overdue ballot drive debts," he explained.

Frasier said lessons learned 1980 ballot drive helped make this year's effort more efficient, particularly in the area of paid petitioners.

"We did better screening on petitioners," he explained. "We started on a good pay rate — and stuck by it."

In 1980 the rate started at 25 cents per "raw" signature, but was raised several times during the 10-week ballot drive. This time, the rate was set firmly at 75 cents per "valid" signature.

"Also, this time the petitioners paid their own transportation costs. No more free vacations to Texas," Frasier said. "Housing we did provide. We rented apartments for them with minimal furnishings."

Another change from the 1980 effort was

that paid petitioners began working the first day after the Republican primaries. Two years earlier were not brought in until a few weeks after the ballot drive had begun.

The 1982 ballot drive contained the cliff-hanger element of previous efforts. Frasier said as of the LPT state convention June 12-13 only 7,000 signatures had been turned in.

"Then, things went into overtime. It was something of a nightmare," he said, adding that most of the total number of signatures were collected in the last four weeks before the deadline.

Collecting signatures is only part of the work involved in a ballot drive. Equally important is validating signatures.

Since most petition signers neither know their voter registration numbers nor carry their cards, party volunteers had to check most of the signatures against voter files obtained — sometimes with great difficulty — from the numerous county clerk's offices.

Validation had already begun by the time of the June convention and continued right up until the hours before the July 12 deadline.

Frasier checked into an Austin hotel the night before with petitions, voter records and three microfiche readers, and was up until the wee hours of the morning with three other bleary-eyed volunteers looking up signature after signature.

Other volunteers in Houston and Dallas also stayed up late validating signatures and brought them to Austin the same day the petition forms were handed over to the secretary of state.

The delivery of the petitions was made into a media event as well as a ceremony for Libertarians who could be on hand. The event was noted by two of the Austin television stations as well as radio stations and newspapers around the state.

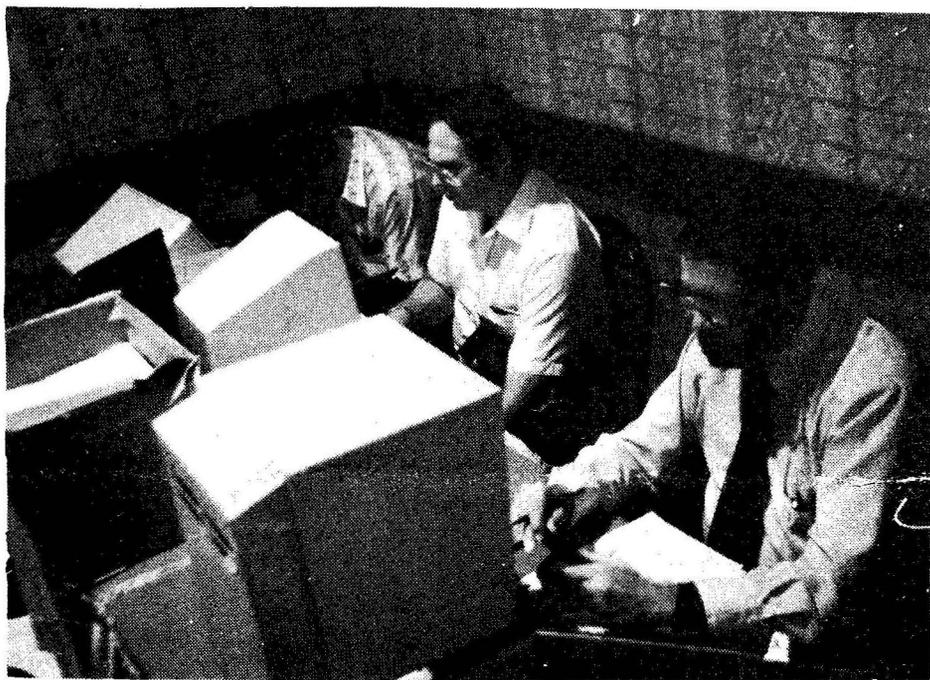
Frasier told reporters the Texas ballot access requirements are among the toughest in the nation and were obviously an attempt by the major parties to prevent competition from third parties.

The LPT enjoys the status of being the only third party in Texas to (apparently) achieve ballot status this year. The Citizens Party of Texas fell more than 9,000 valid signatures short of the required total, according to the secretary of state's office.

The Socialist Worker's Party, reportedly gave up petitioning early on and may sue the state to gain ballot status. Similar previous suits, including one by the LPT, have not succeeded to date.

Status as the only alternative party to the Republicrats is expected to increase Libertarian vote totals in the November election.

Party officials said Frasier, Honey Lanham, Charles Fuller, Alma Kucymbala, Bob Brewer, Bill Elliot, Barry Klein, Tom Glass and Ted Norris deserved special mention for "extraordinary time contributions" to the



Party volunteers use computer microfiche readers to validate ballot petition signatures during the LPT state convention in Houston.

ballot drive.

Success in the 1982 ballot access effort is especially important for two reasons, said Lanham, past state chair.

If LP gubernatorial candidate David Hutzelman can garner at least 2 percent of the vote the party will achieve permanent ballot status in 1984 and 1986. Therefore, the expensive and time consuming ballot drive will not be needed.

Secondly, running a successful ballot drive is necessary to maintain the momentum of growth the party has enjoyed since the 1980 election, Lanham said.

Frasier was elected Texas party chair at the June convention, and also received the "Libertarian of the Year" award for 1982 in recognition of his efforts in the ballot drive and other important activities.

Inside:
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national director
State convention
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El Paso Libertarians earn media attention with active campaigning

By JOHN MCDIVITT
EL PASO CORRESPONDENT

El Paso Libertarians have emerged from a "news blackout" period immediately following the Republican primaries to once again obtain fair coverage from the area's TV stations and newspapers.

Most media outlets in El Paso were very even-handed during the primaries in covering Libertarian candidates' participation in various forums and candidates' nights. But after the primary elections the media's editorial policy seemed to treat LP candidates as if they had lost a primary.

One journalist said that until the petition drive was successfully completed coverage of LP candidates would indeed be sparse. But when more than 45,000 signatures were filed July 12th in Austin the El Paso media became convinced of LP ballot status for November.

(In fairness to the El Paso media it should be noted that excellent coverage was given of the county convention.)

Since the petition filings, however, no news story regarding a political race has failed to mention the Libertarian Party. In El Paso County many races are strictly Democrats versus Libertarians and a great opportunity may be shaping up in the county clerk's race. As a matter of fact, more Libertarians are running for non-judicial offices than are Republicans!

So far three candidates have received extensive television coverage. Cathy McDivitt, 16th District Congressional nominee, has been given ample air time on news shows to present her views on Social Security and taxes. Ms. McDivitt ran the most successful Libertarian congressional campaign in 1980, polling more than 19,000 votes for 15.5 percent of the total.

Brad Harrison, county judge candidate

running a two-way race with a Democrat, was given slots on the local ABC affiliate prior to the county convention and on the NBC station to announce the filing of ballot access petitions.

John McDivitt, county commissioner candidate, has appeared on local news shows to announce the kicking off of the ballot drive and also the conclusion of it. He has also appeared on the half-hour interview program "El Paso Reveiw" which airs on the PBS affiliate.

On that program he defended the National Taxpayer's Union call for a constitutional convention to pass a balanced budget amendment, which was criticized by a Trilateral Commission conspiracy buff.

All in all, so far 1982 has been a very good year for El Paso Libertarians. Good media attention, plenty of good candidates and good prospects in November are winning more and more El Pasoans to the Libertarian alternative.

Convention From p. 4

At any rate, the state party appeared to have confidence in Fraser's leadership abilities, as they not only elected him state chair the following day but named him "Libertarian of the Year" for 1982, an award given annually to a Texas volunteer who has been a consistent activist for many years and has also made a particularly noteworthy contribution to the LP of Texas within the last

year. Finally, convention delegates elected five new members to the LPT Board of Review, which handles challenges to platform planks and has the power to impeach executive committee members. New Board of Review members are Dean Allen, Jeff Calvert, Bill Howell, Mike Holmes and Honey Lanham, immediate past chair.

Bookstore promotion to benefit Texas party

Now there is a way for Texas Libertarians to earn money for their party and better acquaint themselves and their friends with libertarian ideas.

Laissez Faire Books Inc., the book service for the National Libertarian Party, has started a commission sales program with state LPs across the nation.

Under this program, the LP of Texas will receive at least 10 percent of gross sales, and up to 15 percent if gross sales exceed \$100 within a calendar month.

To participate clip the Laissez Faire Books

ad from this issue of *Free Texas* and send it in with your order of one or more books. Of course, you may make your order from one of the many Laissez Faire Books fliers and catalogues already in circulation, but if you do, please include the "Dept. LTX" at the beginning of the street address so that the LPT will get commission credit.

One of the best ways to spread libertarianism is for each libertarian to educate himself as much as possible so he or she can be persuasive and effective presenting the ideals of liberty.

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Finance committee takes on new member

By MIKE HOLMES
FINANCE CORRESPONDENT

New Member Appointed

Houston area CPA Richard Sansing was appointed to the finance committee in June. Sansing was previously active in the UT Libertarian Alliance and the Harris County LP. He has assumed responsibility for pledge accounting, finance committee disbursements and will soon be assisting the committee with preparation of pledge statements to be sent to Independence Pledge contributors.

Pledge Results

The Independence Pledge program has raised approximately \$8,200 as of mid-July at a cost of about \$1,700. "Ballot drive fundraising efforts have undoubtedly affected the pledge contributions since some contributors have channeled their funds directly to the

ballot drive effort," notes Finance Committee member Bill Ware. "We hope that Independence Pledgers who may be behind in their payments will try to catch up in the second half of the year to carry the LPT through the November elections." A mail and phone campaign is planned in the next two months to update pledge records and remind contributors of past due pledges.

State Convention Costs

The 1982 LPT State Convention grossed approximately \$2,500 and cost about \$2,300. All bills are not yet in but it appears likely that the Convention broke even financially.

Ballot Drive Costs

Final tally for funds raised and spent on the 1982 Ballot Drive awaits additional accounting as of press time. Initial estimates of outstanding debt are in the \$5,000-\$8,000 range. A complete financial summary is ex-

pected by the August LPT Executive Committee meeting and will be sent to ballot drive and Independence Pledge contributors. Those who contributed to the ballot drive and who are not already members of the Independence Pledge program will be invited to join the pledge system in the near future.

New Finance Committee Duties

LPT Chair Bill Fraser has suggested that the finance committee undertake a broader role in LPT financial management during his administration. Proposals include inviting additional finance committee members from around the state to assist with special fundraising efforts, adding the preliminary LPT budget planning to the finance committee function, and making the LPT treasurer part of the finance committee along with an expanded LPT oversight function. These and other suggestions will be discussed at the up-

coming LPT Excomm meeting in Austin.

New Treasurer Sought

Persons with backgrounds and interest in finance or accounting are invited to apply to the finance committee for the position as LPT treasurer. Interested parties should contact LPT Chair Bill Fraser or Finance Committee Chair Mike Holmes.

LWV letter campaign

By JEFF DAIELL
HOUSTON CORRESPONDENT

Texas Libertarians need to sharpen their pencils and oil their typewriters this next week or two.

Every LPTer should write to the Texas League of Women Voters politely urging that Dave Hutzelman be included in the planned gubernatorial debates. If the League is arranging debates for other offices, LP nominees should be included in those, as well.

But that should be just one of four letters written by LPTers before the month is over.

One of the big disappointments of Election Night, 1980 was the failure of the three networks to list LP candidates along with those of the larger parties. Even Ed Clark, who was to beat John Anderson in Alaska and was the first third-party nominee in half a century to win ballot status in every possible jurisdiction, was mentioned only in passing.

So, letters are needed in the next seven to fourteen days urging the three networks to include the Libertarian nominees on their tote boards come election night.

Here are the addresses you'll need for the four letters:

- | | |
|---|---|
| Texas League of Women Voters
Suite 109
1212 Guadalupe
Austin, TX 78701 | Gene Janowski
President, CBS
51 W. 52nd St.
New York, NY 10019 |
| Frederick Pierce
President, ABC
1330 Avenue of the Americas
New York, NY 10019 | Robert Mulholland
President, NBC
30 Rockefeller Plaza
New York, New York |

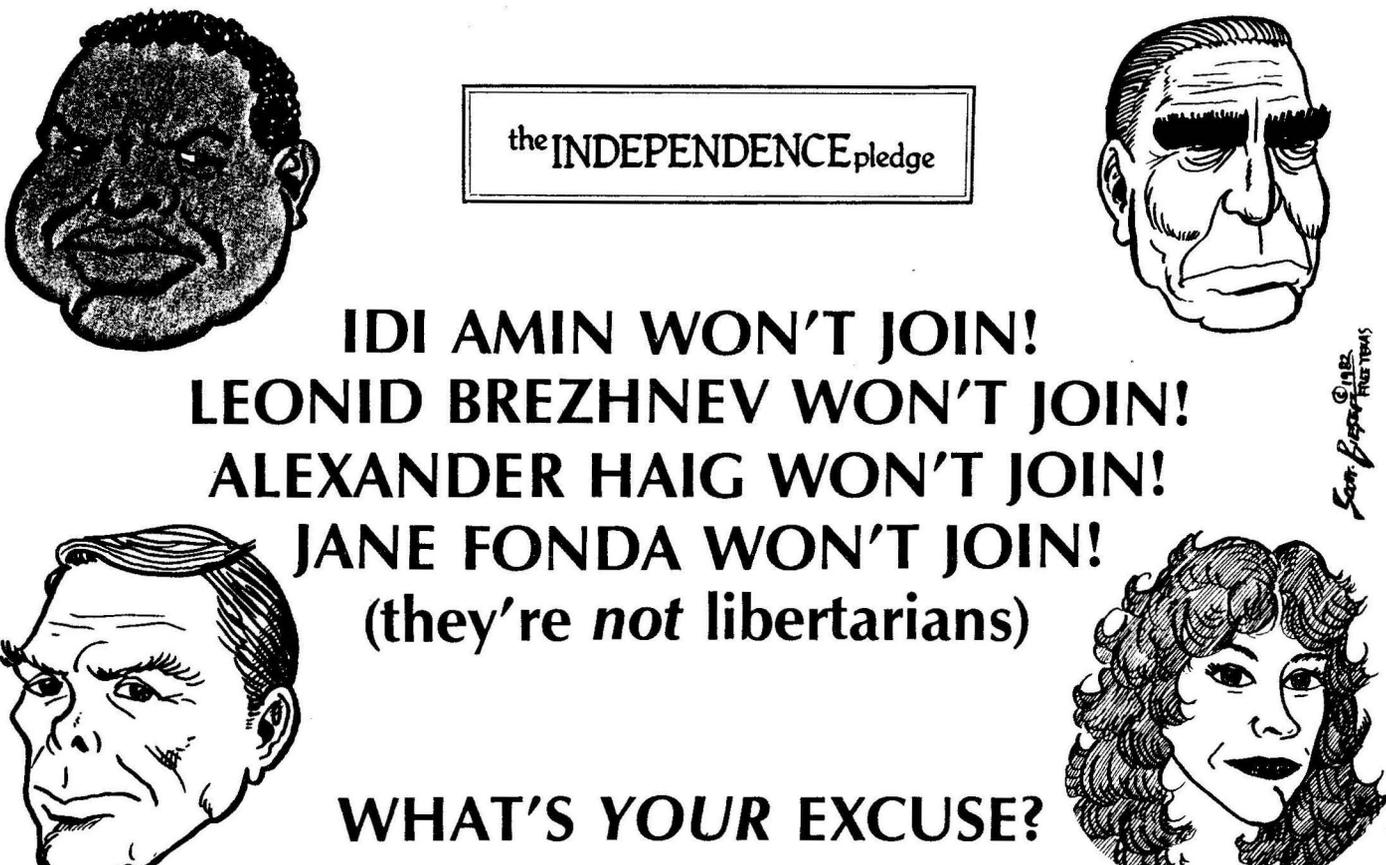
Let your newspaper do the typesetting

Libertarian candidates who find the cost of typesetting campaign literature prohibitively expensive might consider writing letters to the editors of their own city newspaper.

This suggestion by Austin libertarian Fred Ebner, himself a candidate for the Texas Legislature, would effectively kill two birds with one stone. It would help spread libertarian ideas as well as get essentially free typesetting done for campaign literature, courtesy of the commercial press.

As Ebner explained it, letters printed in the paper are already type-set to a standard column width which fit easily on most campaign fliers. Printed letters can thus be easily clipped and pasted onto the camera-ready flier sheet for printing at a far lower cost than if the same letter were set by a professional type-setting service.

Getting a letter printed is easy if some simple rules are observed: 1) Keep your letter brief, preferably from 150-250 words. 2) Stick to one clear topic — don't ramble. 3) Avoid "shock" words which not only might offend otherwise sympathetic readers but may cause an editor to either extensively revise or reject the letter. 4) Type your letter and use double- or triple-spacing.



the INDEPENDENCE pledge

**IDI AMIN WON'T JOIN!
LEONID BREZHNEV WON'T JOIN!
ALEXANDER HAIG WON'T JOIN!
JANE FONDA WON'T JOIN!**
(they're not libertarians)

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Join the hundreds of other Libertarians who support the Libertarian Party of Texas on a regular basis by joining the Independence Pledge program. When you pledge \$5, \$10, \$15 or more per month we will send you monthly mailings with an "insiders" newsletter, Finance Committee updates and special gifts, along with the annual LPT financial statements, status reports and annual budget. Your contribution will help to provide over 50 percent of the funds used to support Party activities such as ballot drives, mailing lists, newsletters, candidate workshops, *Free Texas*, and so on.

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the INDEPENDENCE pledge

- Yes, I want to make a monthly pledge of \$10 \$20 \$25* \$50** \$ _____ for the next 12 months beginning with the month of _____.
- I would like to lend my support by making a lump sum contribution of \$ _____.
- Enclosed is my first month's pledge payment or lump sum contribution.

Name _____
 Address _____ Apt. No. _____
 City _____ State _____ Zip _____
 Phone (work) _____ (home) _____
 Date _____ Signature _____

* Contributors of \$25-\$49 per month will be named Finance Committee Consulting Members.
 ** Contributors of \$50+ per month will be named to the Finance Committee Advisory Board.
 All Independence Pledge participants will receive monthly mailings. We request that monthly pledges be a minimum of \$5/mo.

Please make checks payable to the "Independence Pledge"
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LPT convention brings new rules, officials

By KEVIN LACOBIE
CONVENTION CORRESPONDENT

Extensive revisions to the party's rules and platform, nine nominees for statewide public office and nine new executive committee members emerged from the 1982 Libertarian Party of Texas State Convention held June 11-13 in Houston.

Changes in the party platform generated the most heated debate, with convention delegates accepting general reorganization, streamlining and other changes unanimously accepted by the Platform Committee but rejecting other changes which had had opposition in the committee.

The new state platform will be organized by topic in a manner similar to the national LP platform, although delegates rejected a committee proposal to endorse the national platform outright. Three national platform planks found acceptance, as did proposals to delete the "Secret Police" and "Oaths of Allegiance" Texas platform planks.

Other proposals to delete the "Secession" planks and change the taxation planks were highly debated and rejected. And when an opposing minority on the Platform Committee filed an alternative proposal, the convention sided with the minority — usually after lengthy debate. These included additions of "Children's Rights and Responsibilities" and "Prisons and the Incarcerated" planks.

But proposals from the convention floor generated the most debate and raised some delegates' blood pressures. One proposal from Dean Allen, LPT nominee for Congress, to support amendments to the U.S. Constitution repealing the income tax and requiring a balanced budget was so controversial it generated a self-declared caucus to oppose it and resulted in parliamentary maneuvering by the opposition that angered many delegates.

Other proposals from the floor which passed were a "Health and Medicine" plank addressing points made by the recently-formed Health Freedom Council; the national LP "Immigration" plank; a call for all laws to be written in "plain language;" and stated opposition to the U.S. Voting Rights Act, self-increases of congressional salaries, public funding of political party primaries, and entrapment proceedings.

Floor proposals which were rejected by the convention included planks to oppose the Texas Insurance Code and to accept non-judicial remedies for "property migrations" (in effect, zoning) plus an attempt to reintroduce the "Secret Police" plank.

Debate on all these issues emphasized and contrasted issues involving libertarian principle, public acceptability, the applicability of libertarianism to the topic, the "Chicago" free market stance, and practical results of the proposals in the event they become reality.

Changes to the party rules, although generally less controversial, were nonetheless equally as extensive. Most sections which simply repeated provisions in the Texas Election Code were deleted, since it is already understood that the party's rules must com-

The most important Rules Committee recommendation not accepted by delegates was a proposal to re-organize the State Executive Committee, adding representation from county organizations and chair-appointed, voting members in charge of finance, membership, publications and other committee functions.

Opponents of the exec-com reorganization said the committee could become too large and unwieldy as more and more county parties are organized. They also objected to the chair's having power to appoint voting committee members (although an amendment was offered to make the appointed members ex-officio).

Other proposals approved by delegates included deletion of rules governing local parties, rules referring to the telephone vote, and

out of state and a replacement will be named soon.

Also elected at the convention was a new State Executive Committee, which oversees the various functions of the party between conventions. Bill Fraser of Houston, coordinator of the Ballot Access '82 petition drive, was elected chair. Alma Kucymbala of Dallas was elected vice-chair and Gary Edward Johnson of Austin was elected secretary.

In addition, nine regional representatives were elected from three regional caucuses held toward the end of the convention. Region 1 reps are Robert Mitchell of Tolar, C.B. Maudlin of Fort Worth and Gwynn Groggel of Dallas. Region 2 reps are Theresa Doyle of San Antonio, Fred Ebner and Scott Bieser, both of Austin. Region 3 reps are Katherine S. Youngblood and Tom Glass, both of Houston, and Lloyd Harolds of Baytown. Alternate representatives are (Region 1) Rich Wood of Fort Worth, (Region 2) William R. Kirkham of San Antonio and (Region 3) Peter Elloway of Houston.

The Region 3 caucus was interrupted when one of the members spotted someone in the hotel parking lot stealing the hubcaps from Fraser's car. The entire caucus poured out into the lot, an angry mob in hot pursuit of the thief, who unfortunately was able to escape in a waiting getaway car.

Generally this was a "strictly business" convention compared with the 1981 gathering in Austin of Texas Libertarians, which presented big-name libertarian speakers such as Murray "Mr. Libertarian" Rothbard, David Friedman, George Smith and Dr. Peter Breggin as well as a film festival.

Nonetheless, the Houston convention had a smattering of speakers, most notably Alicia Garcia Clark, chair of the national LP. Clark told conventioners at the Saturday night banquet she has been telling libertarians around the country that Texas party members were well-organized and working hard on a successful ballot drive. "So you guys had better succeed, or else I'll be really embarrassed!" she quipped.

Fraser, speaking at the banquet as ballot drive co-ordinator, said little to raise Clark's hopes. As of that time only 7,500 petition signatures had been collected, less than one-third of the minimum needed to gain ballot status. Fraser exhorted Texas Libertarians to get out and collect as many signatures as they could in the remaining four weeks of the drive.

Continued page 2



A panel of party activists discuss ways to spread libertarian ideas and influence during the LPT state convention in Houston. Panel members are, from left, Katherine S. Youngblood, Gary Edward Johnson, Barry Klein, Fred Ebner, Gene Mitchell and Matt Monroe.

ply with the TEC. Also accepted by a majority of the delegates was the new provision that any Party member who is present at any convention of which he or she is a resident is to be a delegate at the state convention. This will do away with the time-consuming and mostly perfunctory Credential Committee work and with voting on a temporary and then a permanent roll of delegates at the start of the convention.

the permanent parliamentarian. Also, other wording was deleted for the sake of clarity and grammar.

Also during the convention delegates nominated nine candidates for statewide office: David Hutzelman of Houston for governor, Laurel Kay Freeman of Austin for lieutenant governor, Katherine S. Youngblood for attorney general, Janet Tlapek of Houston for comptroller, Alma Kucymbala for state treasurer, Charles S. Fuller of Houston for commissioner of the General Land Office, Stanley Keen of Mertz for agriculture commissioner, Dick Bjornseth of Houston for railroad commissioner and John E. Ford of Houston for U.S. Senator.

Since the convention Tlapek has moved

Lanham NLP director

By SCOTT BIESER
FREE TEXAS EDITOR

Former Libertarian Party of Texas Chair Honey Lanham was elected Interim National Director of the Libertarian Party in what was described as "a major breakthrough for the national party" on Aug. 8.

Eric O'Keefe, who had been director since 1980, was fired by National LP Chair Alicia Garcia Clark after he reportedly refused her request that he resign. The change in leadership occurred during the last day of the National LP Executive Committee's August meeting in Billings, Mont.

After some debate the committee upheld Clark's right to fire the director by a 17-10 vote, said Matt Monroe of Houston, chairman of the National LP Finance Committee and immediate past chairman of the LP of Texas Finance Committee.

O'Keefe's firing came after his management of the party had been severely criticized by Monroe, Clark, Internal Education Committee and Audit Committee Chair Dave Walters, Party Treasurer Vivian Bowers and others.

As a result of O'Keefe's policies, Monroe said, the party "is in bad financial shape — it has been mismanaged."

"Eric essentially did not know how to

work with volunteers. He took everything upon himself. He didn't know how to get volunteers involved," Monroe said.

"He wasn't able to work with Alicia and the other committee members," he added. On the other hand, Lanham "works well with Alicia and also has the support of the ideological faction of the party — Murray Rothbard, Bill Evers, and their friends," he added.

Monroe, who is also Texas's representative to the national committee, expressed optimism for the national party now that Lanham is director. "I believe she's going to be better qualified and I think she will be better prepared to work with volunteers."

Lanham's interim appointment will last six months, Monroe said. During that time the committee will consider applications for permanent director and make its decision early next year, he explained, adding that Lanham is among the applicants being considered for the permanent position.

Monroe urged all Libertarians to support Lanham and the national committee in their efforts to bring the national party out of debt and "to help rebuild the party, both financially and in membership and in other ways." He said it is important that the party be supported by a large grass-roots force contributing both money and effort.

Free Texas

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TCLU director blasts War on Drug Users

By MICHAEL GROSSBERG
AUSTIN CORRESPONDENT

Governor Bill Clements' new anti-drug proposals offer a demagogue's solution to the crime problem, Texas Civil Liberties Union director John Duncan charged recently.

Clements has "already done about as much demagoguery and damage as possible, even without the new laws," Duncan told Libertarian Party members at the Travis County chapter's June meeting.

Duncan expressed the TCLU's opposition to Clements' "Law 'n Order 83" proposals, a list of 41 new laws which the governor is circulating to law enforcement agencies across Texas.

Many of Clements' proposals are simply a

"rehash" of bills, such as oral confessions and anti-pornography laws, that have been rejected biennially in each legislative session since 1975, Duncan said.

The TCLU opposes two new proposals which would ban non-prescription drugs that look like controlled substances and would permit the seizure of land where marijuana is grown.

Duncan said Clements has manipulated the drug issue very effectively to "stampede" the Legislature into giving more power to the state police than had ever before been seriously contemplated.

"The War on Drugs is a bigger threat to our freedoms than almost anything," Duncan said.

"I really do not think that in the long run the political liberties we have known are con-

sistent with the drug laws that have been passed, with the power that has been put in the hands of the police to enforce the drug laws."

Comparing the current "War on Drugs" to Prohibition, Duncan noted, "If you look at the whole issue of prohibition, it's really an ideal issue for demagogues . . . because every parent has some fear that it could happen to their child."

But Duncan observed that although drug laws offer "the simplistic sort of solution" that appeals to many politicians and parents, prohibition has not stopped drug abuse.

"We've got the harshest drug laws in the country, and we're getting still harsher ones now," he said. "It seems to have little relationship to the level of drug use in this country. But it sells politically.

"I am completely amazed, over and over and over again, at the ineffectiveness of the drug laws."

Duncan acknowledged the serious crime problem, but suggested that harsher sentences and "tinkering with basic procedural safeguards" were not effective solutions.

"These 'solutions' don't really fight crime," Duncan said, "but they are an expression of the public hysteria. There is a public hysteria there which the politicians play upon, attacking the Fourth Amendment, the Fifth Amendment, the Sixth Amendment and increasing the power of the state."

Duncan expressed pessimism about the impact of drug laws on the Fourth Amendment, which is designed to protect citizens against unreasonable searches and seizures.

Referring to a series of recent court cases which have weakened the Fourth Amendment, Duncan said "There are just some horrendous cases, and almost all of them come out of the drug laws.

"Effectively, the Burger Court has repealed the Fourth Amendment as soon as you step outside your door."

The Supreme Court is "slamming the door" on cases where the TCLU wants to argue that "the government should not be able to do this and I as a citizen say stop it," said Duncan.

When asked by a Libertarian Party member what the Texas Civil Liberties Union plans to do to counter Gov. Clements' "War on Drugs," Duncan said, "Nationally, we've been on the defensive since 1980."

"I suspect that for the rest of the decade we probably will be. I think we can anticipate several more years of . . . hysteria about law and order."

Michael Grossberg is a former editor of Free Texas. He now works as a freelance journalist and is on the Board of Directors of the Free Press Association (Box 14248, Austin, TX 78761), a national media group for journalists interested in defense of a free, independent media.

"The LIBERTARIAN FORUM reminds me of something H. L. Mencken would have written — lyrical, delightfully stubborn, satisfyingly doctrinaire, and joyously libertarian."

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FT 1

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County Treasurer
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Initiative and referendum

Clements sells out democracy

By SCOTT BIESER
FREE TEXAS EDITOR

When Governor William Clements was campaigning for office in 1978, he promised voters he would work toward bringing the initiative and referendum process to Texas. If the state legislature failed to pass I&R in the regular session, Clements the candidate promised he would call a special session on the subject.

We are now in the latter half of 1982 and after two regular and two special legislative sessions Texans still do not have the right of direct legislation.

Initiative and referendum is a subject more popular among legislators during political campaigns than in law-making sessions. And small wonder — the process allows voters to make or repeal laws independently of the legislature, thus dramatically reducing the power those politicians have over individual citizens.

Twenty-six states have some form of direct legislation, most of them west of the Mississippi. South Dakota began the trend toward I&R in 1898, and most of the states which now have the process adopted them in the following two decades.

Twenty-six states, most of them west of the Mississippi River, have some form of direct legislation. South Dakota started the trend in 1898, and most of the rest followed suit from then until World War I. Texans had an opportunity to vote for I&R in 1913, but the measure was narrowly defeated.

For most of the time since then, I&R was not used much by states that had it, until the late 1960s and early 1970s. Then, California made headlines with an initiative to legalize marijuana for personal use. Although that effort failed, soon people in several states began initiative campaigns on a variety of topics ranging from bilingualism in public schools, smoking in public places and nuclear power to reducing the size of a state legislature and tax reform.

It was that last topic, and the success of the now-famous Proposition 13 tax reduction initiative in California, that has made the I&R process attractive to some conservatives. Howard Jarvis, who led the successful Prop. 13 campaign, went so far as to declare the right of initiative "more important than the right to vote."

These days I&R is popular with just about everybody except legislators and most special interest groups — which bears out a statement made by early I&R advocate Senator Robert Owen: "You will find all the special interests, and perhaps a few good men misled, and all the crooks in the state, opposed to the initiative and referendum."

But voters do not oppose it. A 1978 poll by Pat Caddell showed 74 percent of the citizenry would be more inclined to vote if they could choose among issues as well as candidates. Various polls in Texas over the past few years indicate between 75 and 90 percent of Texans want I&R.

With all this popular support, why did Gov. Clements fail to deliver on his promise four times in as many years?

During the regular legislative session in 1979, I&R was supported by such groups as Common Cause, the Texas Conservative Union, the Texas Free Enterprise Association, Initiative Texas and Texas 13, the last

group led by former Attorney General Waggoner Carr.

The senate committee killed the measure, and the I&R effort collapsed for the rest of the session. However, the fact that five of the seven senators who opposed the bill in committee did not win re-election in 1980 gave hope to initiative advocates in 1981.

Testifying against I&R during the state senate hearings were lobbyists from nearly every other special interest group in the state.

soon earned him the nickname of Mr. "I&R."

The first scrimmage came during the Senate Judiciary Committee hearings in March. Once again, a host of well-paid lobbyists for special interest groups, from Texas AFL-CIO President Harvey Hubbard to Baker & Botts mouthpiece James K. Nance, assembled to denounce direct democracy.

Ironically enough, Nance, who represents several large corporations as well as the pow-

The same dance was repeated in the House, but this time an I&R measure was reported favorably out of committee. The legislature actually considered three separate I&R proposals, including one which provided for referendum but not initiative.

The field was shortly narrowed to a "castrated" version of I&R, but Rep. Smith was able to get it amended so that it closely resembled the fairer version he originally had submitted.

In the final voting, the I&R measure received 80 votes, which was a majority, but short of the two-thirds out of 150 needed to pass a constitutional amendment.

Senator Mengden then asked Gov. Clements to call a special session in I&R. The governor demurred. During the following year Clements called two special sessions on a variety of subjects, but initiative was not among them. So far no explanation for this strange inaction has come from the governor's office, but disenchanted I&R supporters suspect Clements made a deal with the Democratic leadership to the effect that he would cool it on I&R in exchange for passage of his anti-crime package.

So now we are left without initiative and referendum, which is definitely wanted by the majority of the Texas electorate. But should the Libertarian Party support I&R?

Generally, libertarians do not regard the democratic process as an end to be pursued at all costs. A democracy unlimited by any consideration of minority and individual rights can be just as tyrannical as a dictatorship. In fact, in this century we have seen at least one industrial democracy — Germany — vote into office one of the worst dictators in history.

However, nearly all libertarians favor democracy as a means to an end. Democracy generally dilutes the power of government by placing power in a large number of people rather than concentrating it in the hands of a few. Individual rights can be preserved in a democracy when the electorate is enlightened enough to understand the importance of liberty.

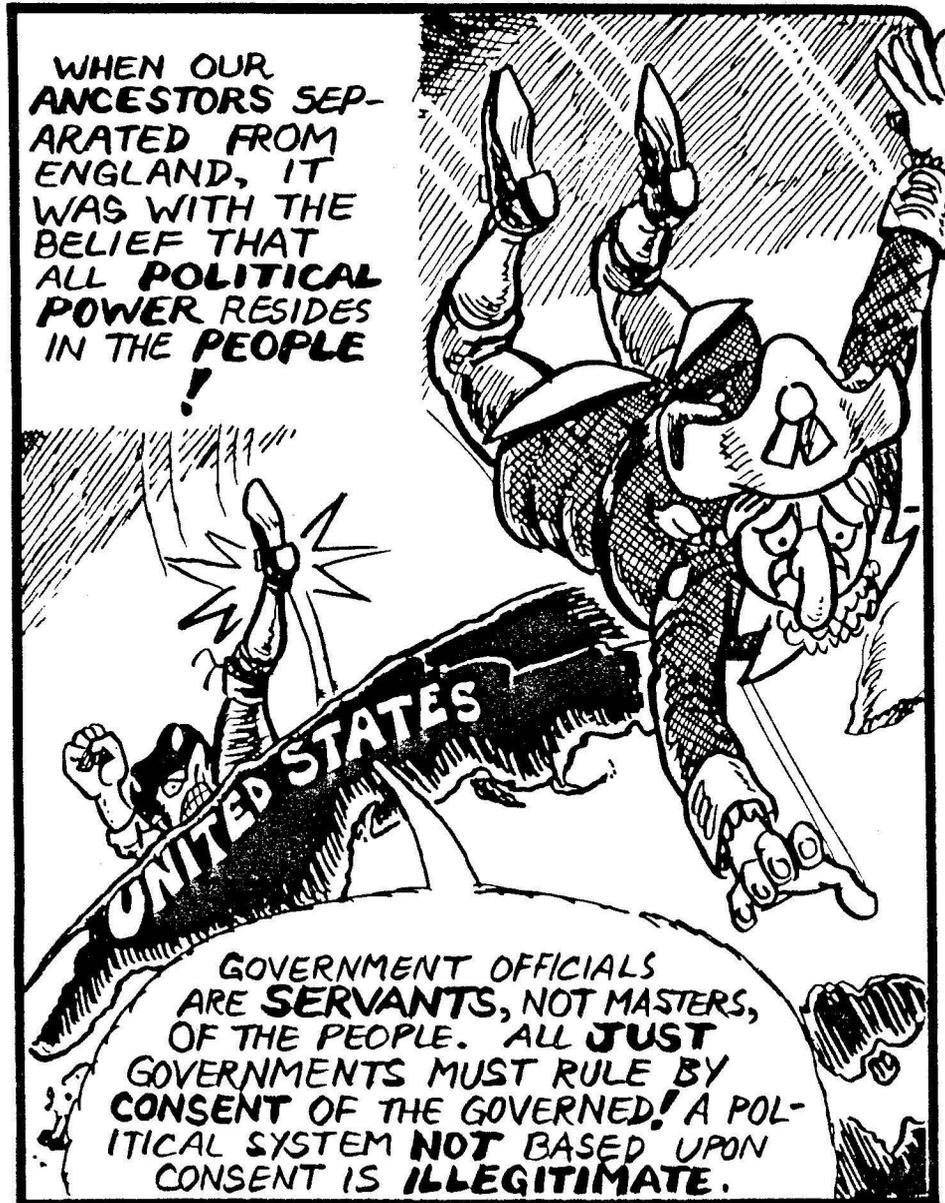
In Texas, the legislature is controlled by a political elite. Large corporate interests, through their lobbyists, dominate the legislative process to the extent that most bills are actually written by lobbyists rather than legislators.

Initiative and referendum, by placing legislative power in the hands of the electorate, would weaken the hold of special interests on the lives of all Texans. It is much more difficult for high-powered lobbyists to influence the voting public than to sway the votes of fewer than 200 elected law makers.

The Register, flagship newspaper of the libertarian Freedom Newspapers Inc., has traditionally refused to endorse candidates in California elections, but does make recommendations on initiative bills.

The Libertarian Party of Texas endorses I&R in its platform. While many Republican politicians also support this process, it is clear that the leadership of both parties would rather not see it come to pass.

Libertarian candidates could thus make gains by pointing out the failure of the "major" parties to bring this boon to Texas and by pointing out that libertarians favor initiative and referendum — as a matter of principle.



Observers at the time said the anti-I&R effort was coordinated by Lt. Gov. Bill Hobby, himself scion of a powerful Houston family.

But after the failure during the 1979 regular session, the heat was on Clements to call a special session to reconsider I&R. But that session never materialized. House Speaker Billy Clayton fell victim to an FBI "sting" scandal and Clements declined to call a special session until the leading member of his rival party could resolve his crisis.

In 1980 I&R proponents redoubled their efforts, led by Sen. Walter Mengden, R-Houston, and Rep. Carlyle Smith, D-Grand Prairie. Carr's Texas 13 Group was again on the scene, and Clements designated a special aide to lobby the legislature and get some sort of I&R bill passed.

One Texas 13 member, Austin attorney Eric Samuelson, split from Carr and worked independently through a position as special aide to Rep. Smith. His tenacious efforts

erful Houston law firm, claimed I&R would leave Texas "at the complete mercy of unelected, unaccountable groups." Louis Welch, former mayor of Houston, warned against "agencies that are adept at whipping up the fires of demagogery."

Hubbard criticized Proposition 13's effects in California, declaring that large corporations are getting a windfall and that Californians suffered a loss of local political control.

Charles F. Matthews, representing the Texas Association of School Administrators, told a tear-jerking tale about his granddaughter in California. It seems Prop. 13 caused public kindergarten classes to be reduced to half-time, and as a result "my granddaughter is getting an inferior education because of Proposition 13."

The final senate committee vote was close — and surprising. The final vote was 5-4 against, and the swing vote was cast by Sen. Kent Caperton, who had actually supported I&R during his last election campaign.

Notes from the Chair

By **BILL FRASER**
STATE CHAIR

At the state convention in Houston June 12th a new state executive committee was chosen. See the activist directory for the names and addresses of all of the new state officers and regional representatives. Please feel free to contact any of us and let us know what you think. We need input from everyone to properly represent the party. We also need to know your interests and jobs you would like to do in the party.

We have entered into a new era of growth in the Libertarian Party of Texas. The last two years have provided an example of what will take place over the next two years. We were on the ballot in 1980 for the first time and there was significant coverage for the LPT in the media and voters supported our candidates which were frequently the only choice they had. The increased visibility of the LPT in 1980 made possible our first election victories in 1981.

We are now on the ballot for the second time and we can expect that our growth will continue in the same exciting way that occurred in 1980-82 time frame.

One of the tasks that we have in front of us is to get two percent of the vote for governor. This will insure that we have "permanent" ballot status and our candidate, Dave Hutzelman, is the man to do it for us. His track record as candidate for Railroad Commissioner in 1980 shows that he can get the votes

needed. What he needs from us is help in his campaign.

Also, we will increase the visibility of the LPT by running candidates for many offices around the state. See the list of candidates in this issue. If there is an "open" indicated, that means we need to get a candidate to fill that slot. Please consider running or helping in the campaign of other candidates. They all deserve your support.

We also need to improve our political skills to be effective. We will have workshops to help people learn how to campaign. This workshop is not only for candidates but also for workers. One of the results of this increased level of political skills will be greater respect in the media for the Libertarian Party. The more professional we are the more the media will take us seriously.

We have to remember that the Libertarian Party is different from other third parties. Not only are we a party of principle, we are also a real grass-roots party which will be around a long time and will reshape the political landscape. In addition we have the image of respectability which other third parties do not have. We are here to stay.

I want to extend a special thanks to the past state officers and executive committee. They did a great job and I hope that we can carry on as effectively as they did. I especially want to thank Honey Lanham for the years of service she has given to the LPT. There has never been a chair like her and her example has been an inspiration to us all.

Editor's notes

Regular *Free Texas* readers will have noted some changes in our publication over the past several months. We have been going through a rather difficult transition, and hopefully now have things straightened out. Thank you for bearing with us.

Former editor Michael Grossberg resigned at the beginning of 1982 in order to pursue a journalistic career in the "objective" news media. For six months following, *Free Texas* was produced by several people, including former LPT Chair Honey Lanham, Mike Holmes, Bill Ware, and Robert Youssef.

They quickly decided the task should be handled by one permanent editor, preferably someone with a journalistic background. I was balmy enough to volunteer.

In closing, I invite all readers to write to *Free Texas* with comments and information on libertarian goings-on around the state. It's too big a state for one person to cover fully by himself, so I have to depend on libertarians all over Texas to be my eyes and ears and let me know what's happening in Lubbock and Longview and Harlingen and Pipe Creek.

NLP pledge program sparks controversy

Editor:

I was more than a little surprised to read in a recent *Free Texas* article that new national LP Finance Chair Matt Monroe will be taking over "a somewhat neglected pledge program set up several years ago."

The national LP pledge program has been anything but neglected. When I became the LP's finance chair in August of 1980, we were averaging less than \$500 per month in pledge income. In the 20 months between then and March of 1982, when I resigned in order to resume my studies, the national finance committee conducted four major drives to encourage LP members to make small monthly contributions to the national headquarters. Hundreds of dedicated and talented volunteers from around the country were involved in these efforts. The result of this work is that the national party is now averaging close to \$10,000 each month in pledge income. This is an increase of 2,000 percent from just 20 months ago.

I hope this letter will serve to lessen your confusion about the status of the national LP's pledge program. I think it's important for LP members to be aware of how successful our pledge program is so that they will be inspired to join it and so that efforts to expand on the program will be fruitful.

Leslie Graves Key
Wisconsin LP

Mike Holmes, LPT Finance Committee Chair, replies:

As author of the *Free Texas* article to which Ms. Key refers I would like to correct any mistaken impression my comments may have caused.

My remarks about the "neglected" LP pledge program stem not from any reflections upon recent National LP Finance Committee leadership but rather from the perspective of a long time national LP pledge program contributor. I have participated in the national LP pledge effort since its inception (around 1974, I believe) and since that time have experienced, as a regular though modest contributor, what I felt was neglect and inattention from the administrators of that program.

Ms. Key illustrates this situation by noting that as recently as August 1980 the national LP effort was receiving less than \$500 per month. By contrast, the Texas LP Independence Pledge program, started in February 1981 (roughly seven years after the national LP program began) averaged over \$2,000 per month in contributions during 1981 alone.

As a long time contributor to the national program I have never once received as a

State Excomm to feature special candidates workshop

All active LPT candidates are invited to a candidate's workshop to be held in Austin Sept. 11-12 in conjunction with the state executive committee meeting.

Bill Howell, who will organize and present the workshop along with Joe Barnett, said those candidates and their workers attending will "learn by doing."

Topics to be covered at the workshop include writing news releases, marking and walking precincts, fundraising, how to dress while campaigning "and all the other essentials of grass-roots campaigning," Howell said.

Both Howell and Barnett are long-time Libertarian activists who have run for elected

office themselves — Howell garnered six percent of the vote and carried one precinct in a 1980 legislative race and Barnett received more than 40 percent of the vote in a recent race for the Arlington city council.

Howell added those attending the workshop should be sure to bring a pad of paper and something to write with.

The meeting and workshops will be held at the Capitol Ramada Inn, 300 E 11th St., in the Amarillo Room. Singles rooms are \$35 per day, doubles are \$44 per day, and extra adults may be added to rooms at \$7 each.

Computer aids communication

By **KEITH HOLDEN**
HOUSTON CORRESPONDENT

One of the difficulties facing Texas Libertarians is the large size of this state. Communications among party activists in the far-flung metropolitan areas are hindered by the expense of long-distance telephone and the slowness of the U.S. Snail service.

But a computer-based information network could overcome these obstacles, allow the state party to function more efficiently and foster better co-ordination among the various county parties.

By using a commercial time-sharing computer service, it is possible to write a piece of information into a file in one city and read it out in another city. The requirements are a terminal (most of the popular home computers, such as Apple, will do) and a modem (a device which ties a terminal into a phone line).

To enter information onto or read information out of a file, you make a local phone call to the computer service and use your terminal to call up the proper file. By using this method, a state-wide or even nation-wide network can be set up.

We should be able to set the network up in

time for the general election in November, so lets use it as an example:

News coverage on election night will be the local and statewide races that are on the ballot in each city. If we have ties to 20 cities in Texas in the network, we will be able to watch the election results of most if not all our candidates.

If the network includes at least one city in every state, we will be able to watch all the state-wide races that the various LPs have candidates in.

Prior to starting up the network, some information is needed:

1) There are a large number of Libertarians who are familiar with computers and some of them will have had experience with one or more of the time-sharing computer service companies. Which are the good and which are the bad companies? Who should we do business with?

2) How many people in how many different cities have a terminal and modem? How many are willing to enter local information into the network?

Anyone interested in helping set up such a network, or who simply has comments or questions should write me. My address is 1516 Bay Area Boulevard #Q4, Houston, TX 77058.

result of my pledge contributions much more than a form thank-you letter, some "VIP list" mailings, and numerous requests for more money. To my knowledge the national LP has never sent its regular pledge contributors (even under Ms. Keys much-improved leadership) copies of the national LP financial statements, budgets or other information about the raising and spending of money which might logically be of interest to those who regularly and faithfully donate their hard-earned and much-taxed funds.

Additionally, I would be hard pressed to point to the last time the national LP even mentioned its pledge program in its newsletter or mailings, much less promoted it via advertising, news articles or special promotions. Unfortunately, the national LP has never devoted much effort to publicly recognizing or appreciating its regular contributors, which I believe is crucial to successful long term fundraising.

Clearly, the National LP fundraising efforts have always seemed to heavily rely upon more expensive "one shot" special appeal mailings rather than the less glamorous but potentially more cost effective pledge program. That Ms. Key was able to produce such a dramatic increase in funds raised by the pledge effort in such a short time

demonstrates the extent to which the National pledge effort was neglected for so long.

While my sources indicate that the national LP pledge brings in about \$5,000 per month (rather than \$10,000) Ms. Key is correct in noting that it is highly desirable to publicize the success of the pledge program in order to encourage more libertarians to participate in it on a regular basis. Ms. Key certainly deserves credit for resurrecting the national pledge program from limbo and for providing a sound basis for the current important expansion efforts devoted to this project by the current National Finance Committee Chair (and former LPT Finance Committee Chair) Dr. Matt Monroe.

Free Texas encourages letters to the editor on any topic regarding Libertarian Party business, libertarian issues, or any other subject of interest to libertarians.

Letters should be typed, triple-spaced. Hand-written copies will be accepted if they are legible (please print rather than write long-hand). Please send letters to Scott Bieser, Free Texas Editor, 2401 Manor Road #134, Austin, TX 78722. Letters become the property of Free Texas and will not be returned.

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