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# LIBERTY PLEDGE NEWSLETTER

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## Local Campaigning Brings Victory in Nevada; Interesting Results in Pennsylvania, Maine

A Nevada Libertarian was elected to a city council seat, a Maine Republican leader switched his affiliation to Libertarian, and the LP of Pennsylvania chair accidentally won the Democratic nomination for a city council seat, topping off the list of recent positive developments resulting for local LP activity.

Ernest Walker, of the LP of Nevada, won 55 percent of the vote to win a seat on the Sparks City Council in a recent non-partisan election.

In a particularly bizarre development, Hugh Odhner, chair of the LP of Pennsylvania, accidentally got himself elected as the Democratic nominee for Perkasio city council. Odhner circulated petitions at the polls for the recent primary election, in order to be placed on the general election ballot as a Libertarian in the council race; however, confused voters wrote him in as both a Republican and a Democrat. Neither party put up candidates in the primary.

Odhner would have won the Republican nomination as well, if not for a rule setting a minimum number of write-in votes required.

Odhner will appear on the general election ballot as the Democratic *and* Libertarian nominees, with the votes added together.

No Republican nominee will appear on the general election ballot. The Republicans still have the option of waging a write-in campaign for the seat, but Democrats out-

number Republicans in the area.

The LP of Pennsylvania is also running a candidate for county commissioner on the same ballot.

In Maine, Dr. Paul A. Fichtner resigned from the Republican party and joined the LP. Fichtner told LP of Maine Chair Nick Youngers that the LP's position on the Gulf War was a significant factor in the decision.

Fichtner was serving as chair and treasurer of the Greenville, Maine, Republican Committee when he switched his party affiliation. He currently serves on a statewide land use regulatory commission, which is appointed by the governor.

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### ...And Other Items of Interest

- Local LP activists will be organizing and participating in a variety of activities in celebration of the Fourth of July holiday and highlighting this year's Bill of Rights anniversary. LPers in Illinois will be entering a float in a large Chicago area parade. The LP of California is coordinating a number of July 4th activities across the state.

- The National LP recently sent a prospect letter to 10,000 members of the Gun Owners of America, soliciting membership in the LP. The letter reminds the gun owners that the Republican party has never stood firm in support of gun owners rights.

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LIBERTARIAN PARTY NATIONAL HEADQUARTERS

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Submitted by Carl Schumacher

JOSEPH SOBRAN

# Libertarians: On the verge?

While only one Democrat — a Greek liberal from Massachusetts — has declared for the presidency in 1992, two candidates, even more obscure than Paul Tsongas, are seeking the nomination of another party.

Andre Marrou and Richard Boddie want to be president, sort of. Actually, it's hard to take seriously the presidential ambitions of anyone who runs on the Libertarian Party ticket. The Libertarian vote usually runs in the tens of thousands.

That could change next year. After a brief wartime surge in popularity, President Bush is settling into the customary Republican relation to the electorate: tepid. He will probably win by default against whomever the Democrats strap to the altar.

Joseph Sobran, a senior editor of National Review, is a nationally syndicated columnist.

Third parties suffer during close elections, when the voter suffers from the delusion of being able to make a difference. By the same token, they prosper during lopsided campaigns, when the vote is seen as having a primarily symbolic value.

In 1992, a critical mass of voters may be sufficiently disgusted with the so-called two-party system to cast their ballot for a real alternative, especially if Mr. Bush looks like a shoo-in. What we really have is a one-party system with moving parts. The Reagan "revolution" changed nothing except the voters' sense of futility. Change at last seemed possible, even if Ronald Reagan only talked about it instead of delivering it (while federal spending nearly doubled).

Sensing that a big electoral shift may be at hand, Messrs. Marrou and Boddie are vying for the Libertarian nomination next year. Mr. Marrou is a well-spoken, serious man, one of the few Libertarians ever elected to public office: He served three terms

in the state legislature of Alaska. Mr. Boddie is Mr. Excitement. Truly, he is. He can electrify a crowd with both prepared remarks and spontaneous repartee. He has the born preacher's gift for handling a crowd (he's the son and grandson of ministers) by alternating moral challenge with humor. His purpose in running is appropriately missionary: He wants to make "Libertarian" as much a household word as "Democrat" or "Republican," and he insists he's just the man to do it.

One of Mr. Boddie's selling points is that he's black, which makes him something of a novelty: a black politician calling for the demise of the welfare state. He comes across superbly on TV: quick-witted, fiercely funny, magnetic. I've never seen a candidate who defined himself so sharply in a few seconds. If he gets the nomination, Mr. Boddie is sure to get the Libertarians more media exposure than they've ever had before.

Interestingly, no Libertarian I've talked to has suggested that Mr. Boddie's color would be a handicap. It's simply assumed that it would be an asset. The rap on him, rather, is that he's new to the movement and that Mr. Marrou's positions are more thoroughly reasoned. I suppose it comes down to whether the Libertarians should at this point think in terms of governing or just getting on the map.

The Libertarians could pick up a hefty protest vote from conservatives who have had it with Mr. Bush and the Republicans. The trouble is that the Libertarians tend to alienate the conservatives, who associate libertarianism with advocacy of legalized drugs, legalized abortion and legalized homosexuality. Many conservatives disapprove of these things and associate legalization with official approval.

If the Libertarians want to make real gains, they need to change their image — the first impression they make, which so often invites dismissal. In point of fact, drugs, abortion and homosexuality are not, as such, primary Libertarian concerns. Their real goal is sharply limited government, beginning with a slashing of federal taxes.

Personally, Libertarians are generally conservative in demeanor and morality, though with a large sprinkling of Bohemians and eccentrics. They don't approve of drug use; they merely think the state uses drugs as an excuse — one of many such excuses — for curtailing individual liberties. They likewise think homosexuality simply belongs in the area of protected private behavior.

A large minority of Libertarians even oppose legal abortion, believing that the unborn child is entitled to the protection of even a minimal state. Mr. Marrou would set an early limit of about two months for abortion, using brain activity as the criterion for personhood. Mr. Boddie would keep abortion legal, but unequivocally calls it "murder" as a moral matter.

If the Libertarians can convince conservatives that they stand for constitutional government rather than moral relativism, they may forge an important new coalition in 1992.

# State's Libertarians convene in Carlisle

## Party holds high hopes for '92

By Val Walton  
Patriot-News

Fed up with what they say is too much government control, members of the Libertarian Party of Pennsylvania met this weekend to set their national agenda.

The group, billing itself as America's third party, opened its 1991 convention early yesterday in the Best Western Inn, Carlisle, with a keynote address from the party's National Chairman, David K. Walter.

Walter, a native of Valley Forge, told the group that 1992 could be a great year of growth for Libertarians because President Bush probably will win reelection easily, opening the door for alternative parties to win votes.

Blasting the records of the Democratic and Republican parties, Walter pushed the Libertarian theme that American government has become too big and intrusive.

He called for less military intervention abroad and less government intrusion in commerce and business.

"In a healthy society, the two major parties should be outdoing each other to expand freedom," Walter said. "As we all know, they do not."

Democrats and Republicans aren't finding solutions to national problems such as drugs, high taxes and the erosion of public education, and are only making matters worse, he said.

"The war on drugs is a waste of time and money," he said. "It's only causing more crimes and death."

Like the 20-year-old party — which has just under 10,000 members nationwide and pushes individual rights — Walter believes that drugs should be legalized because the war is an excuse to trample rights and is a rerun of prohibition, which increased organized crime in the 1920s.

His speech drew enthusiastic applause from an audience of about 30 people.

Also present at yesterday's program were Joseph Sobran,



David K. Walter  
Favors legalized drugs

critic-at-large of the National Review who was a featured speaker, and Andre Marrou, one of the Libertarian's presidential candidates.

Speaking on the theme: "The need for a third party and for a conservative-libertarian alliance," Sobran said the "two-party system is like professional wrestling — lots of noise and hoopla and excitement, but the outcome is predetermined."

Marrou, a former Alaska state representative who also addressed the group, said if he is elected he would follow through on another of the party's philosophies by abolishing the Internal Revenue Service through reducing government. He also said he would bring America's military home from abroad to "defend the United States."

"This would be a good time to invade Pennsylvania," he said. "Because all of our troops are over there."

Members of the state party, which is the country's third-largest, yesterday also elected officers and delegates to the Libertarian's National Convention in Chicago this August.

The convention ends today.

Submitted by Don Ernsberger

Submitted by Rick Sincere

# COMMENTARY

## Don't let the feds be thought police

By RICHARD E. SINCERE JR.

I AM AS close to a free-speech absolutist as anyone can imagine. I believe that the survival of a liberal, democratic society depends on broad application of First Amendment protections for speech, assembly, religion and the press.

But I disagree with a bill introduced by Republican Congressman Henry Hyde of Illinois, the College Speech Protection Act of 1991. The act would prohibit any private college or university that accepts federal money from making or enforcing "any rule subjecting any student to disciplinary action solely on the basis of speech or other communication" that the First Amendment normally protects from government restrictions.

One impetus for Hyde's bill was Brown University's expulsion of a student for shouting anti-Semitic, anti-gay and anti-black epithets in a college courtyard in the middle of the night. This incident has been widely misinterpreted as punish-

ment for the student's speech or ideas, rather than his rude and uncivil behavior. On other campuses, sanctions have been used against students and faculty for the expression of "politically incorrect" ideas.

Hyde relates his bill to the Civil Rights Restoration Act of 1987, which says the federal government can regulate any and all aspects of a college's operations if it accepts federal funds directly (in the form of research grants, for instance) or indirectly (by accepting tuition payments from students receiving federal scholarship aid).

Under these criteria, only Grove City College in Pennsylvania and Hillsdale College in Michigan would be exempt from the new law; they alone refuse, as a matter of principle, to take financial aid from the U.S. government.

The First Amendment does not prohibit private individuals or entities — parents, corporations, churches, fraternal associations, colleges or newspaper publishers — from restricting speech or expres-

sion of those in their employ or under their control. It only applies to government.

Speech-suppression codes, now all the rage on U.S. campuses, are generally a bad idea. They are broadly and vaguely written, poorly administered, and serve to undermine the very cause they seek to advance — deterring speech and behavior offensive to minorities defined by race, ethnicity, gender or sexual orientation. Moreover, the codes inhibit robust discussion of controversial and discomfiting thoughts in the environment best suited for free-wheeling discourse.

Far worse than well-intentioned but nebulous standards of "political correctness," however, is the idea of extending the reach of the federal government to regulate the content of speech at private educational institutions.

Non-public colleges and universities are private, voluntary associations that should be able to set their own standards of civility and demar-

cate their own boundaries of acceptable behavior. Their members — students, faculty and staff — are free to leave if they disagree with those standards.

A "religious exemption" in Hyde's bill for denominational colleges acknowledges this, but too narrowly. Why should a church-related college be allowed, say, to prohibit a public lecture on the theory of evolution while a non-sectarian institution, no doubt animated by an integrated educational philosophy all its own, be barred by law from prohibiting a lecture on creationism?

We should not expand the realm of government interference in the private lives of citizens and their freely formed associations. The only thing more fearsome than self-anointed campus leaders taking on the raiments of thought police is federal bureaucrats doing the same.

Richard E. Sincere Jr. is an Arlington writer and member of the Libertarian Party of Virginia.

The Cavalier Daily,  
Univ. of Virginia ↓

Submitted by Jim Lark

# Libertarian party blasts drug sting

By DIANE DEBERRY  
Cavalier Daily Staff Writer

While members of the University community still are reeling from the shock of Thursday night's drug raid on three fraternity houses, one organization already has started to protest the actions of the federal Drug Enforcement Agency.

David Garland, vice president of the University Libertarians, said his organization has begun a postering campaign around Grounds to convey the message that "although drug use may be stupid, it is not a criminal activity. We challenge the notion that our government is doing us a favor by using our resources to pursue drug users rather than real criminals such as burglars and rapists," Garland said.

The group posted fliers Saturday night stating, "Drug use is a vice, not a crime. Stealing is a crime. Our government should learn the difference," and "Hey DEA! Go arrest real criminals! (You know... thieves, rapists, politicians...)"

The posters encourage students to call local, administrative and political officials to complain about the current drug policies and to promote the legalization of drugs.

Garland said the group hopes to have a

rally this week if they can generate enough student support.

He added it is the policy of the Libertarian party to support the view that a person "should be allowed to do anything that is freely chosen and is peaceful. We continue to try to build some support for a rational drug policy."

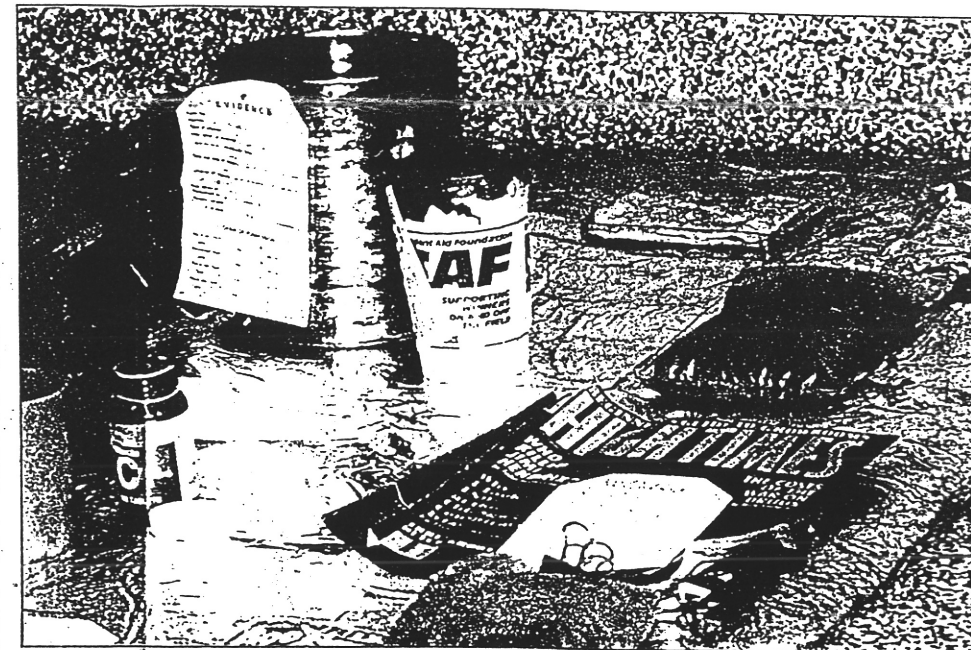
According to Garland, members of the Newcomb Hall maintenance staff removed the group's posters from Newcomb Hall bulletin boards Saturday night.

"They said the basis for removing the posters was because they contained controversial subject matter," Garland said. "They also claimed that they would have to check on Newcomb Hall policy for removing posters. I found out later that there is no policy."

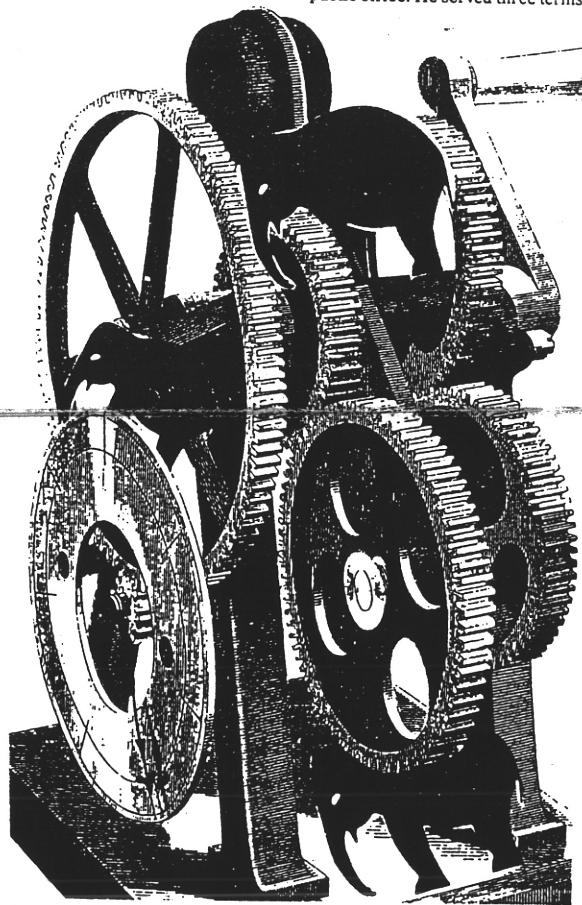
"We are a legitimate [Contracted Independent Organization], and their actions are nothing more than censorship, which is clearly illegal," he said.

Garland added he has drafted a letter to Larry Powell, Newcomb Hall student building manager, informing him of the incident and asking to be reimbursed for the posters that were removed.

Powell was unavailable for comment last night.



Various drug paraphernalia confiscated during Thursday's drug raid appears on display at a press conference Friday. Following the raid, the University Libertarians began a poster campaign urging the DEA to "arrest real criminals."



# Boaz speaks on drug laws

By Kimberly Tolhurst  
University Journal Staff Writer

David Boaz, author of *The Crisis in Drug Prohibition*, addressed the issue of drug legalization last night in the Chemistry Auditorium.

In his speech, which was sponsored by Students for Individual Liberty, Boaz outlined the negative effects of prohibition and compared the current prohibition of drugs to alcohol prohibition in the 1920s. He explained that the illegality of drugs makes them expensive and thus increases crime.

"An addict must commit crimes because what should be a two dollar a day habit becomes a 200 dollar a day habit," Boaz said.

Boaz cited the spread of AIDS as another result of illegality of drugs.

"If needles were available in drug stores people wouldn't share," he said.

Another concern which Boaz expressed was that the efforts to control drug use has resulted in the abuse of civil liberties. He explained that since there is usually no complaint in drug cases, law enforcers must resort to wire tapping, entrapment and the use of informants.

"This [issue of civil liberties] has been brought home to Charlottesville this week," Boaz said, referring to the recent raid of three fraternities for drug dealing.

Corruption, destruction of inner city communities, an increase in black market crime and the creation of stronger drugs, according to Boaz, are also derived from the illegality of certain substances.

Boaz believes that the war on drugs is futile. He explained that people will always find ways to bring drugs into the United States. He added that smugglers often swallow condoms filled with drugs in order to transport drugs into the U.S. undetected. Others place drugs in the suitcases of children who are travelling alone.

Boaz compared drugs such as cocaine, heroin and marijuana to legal drugs such as alcohol and tobacco, explaining that far fewer people are addicted to illegal drugs. He also commented on drug related deaths, saying that alcohol caused 100,000 deaths last year and tobacco caused 350,000, while cocaine and heroin were responsible for only 5,000 deaths and marijuana none.

Boaz closed his speech by addressing the issue of drugs in relation to personal rights.

"People have the right to lead their lives as they choose as long as they don't violate the equal rights of others. We should be able to decide what we put in our bodies. No social reform could have more positive results than making drugs legal," Boaz said.



Journal photo by Cathy Wolfe

David Boaz speaks in favor of drug legalization last night.

Univ. Journal,  
Univ. of Virginia  
Submitted by Jim Lark

## The War on Drugs and FIJA

by  
Robert Anton Wilson

According to the *Christian Science Monitor* (February 13, 1990), many delegates at the February meeting of the American Bar Association believe that the "war on drugs" has placed such a crushing burden on the Federal Courts that the system simply cannot bear it any longer.

Because drug cases now account for 44 per cent of all criminal cases and 50 per cent of all criminal appeals, ABA President Stanley Chauvin estimated that it now takes 3 to 5 years to bring a civil case to trial,

and the delays will steadily increase as more and more drug cases clog the system. A 15-member ABA panel recommended that more drug cases should be taken out of the Federal system and turned over to State courts.

By coincidence, or synchronicity, the same day, a State Supreme Court judge pointed out that the States simply can't take on this additional burden. California Chief Justice Malcolm M. Lucas in a State of the Judiciary address to the legislature indicated that drug cases "are swamping the courts. The system has begun to take on so much water we are close to foundering. Too often, civil cases get drowned."

Justice Lucas was especially concerned that the increasing delay in hearing civil suits has long postponed important cases "that affect the environment, civil

rights and other important aspects of our lives." (*Los Angeles Times* February 13, 1990).

Of course, the Bush administration ignores these warnings. The "war on drugs" continues to escalate, with the Bill of Rights getting more and more trashed every month.

By May 23, 1990, according to another *LA Times* article, the State Judicial Council of California complained that the problem had gotten even worse.

Noting that drug cases by now make up 60 to 65% of all criminal prosecutions and "drug-related" cases, the SJC expressed "serious alarm" at the growing backlog of civil cases indefinitely postponed. They also pointed out, as an ominous symptom of things to come, that San Diego ceased to hear civil cases at all for one month recently, to catch up on the drug overload.

William E. Davis, state administrative director of courts, added that the only reason the system has not completely broken down yet is that most cases are plea-bargained and never come to trial. "I hate to say it," Davis told the press, "but it even 1% or so started going to trial instead of pleading, we couldn't sustain it."

And the Bush administration still pays no attention and

continues the war. Whatever George and his friends lack in common sense, they make up in machismo.

More and more distinguished voices are speaking out, calling for an end to a war that can't be won. Conservative columnist William F. Buckley. Mayor Kurt Schoke of Baltimore (a former federal prosecutor). Astronomer/TV star Dr. Carl Sagan. Former NY police commissioner Patrick Murphy. Judge Robert Sweet. Former Secretary of State George Shultz. Will Hearst, editor of the *San Francisco Examiner*. As Peter Reuter of RAND said (*LA Times*, November 20, 1989), "There is an enormous closet elite interest in legalization... This is the central question they [intellectuals] want to discuss."

Since Congress shares Bush's abject submission to mob prejudice as the guide to all political decisions, the voices of the intellectuals will have no more effect than the voices of the judiciary. We seem to be stuck with the War for a long time.

Or are we? In 22 states, there are organized movements fighting for a new Constitutional Amendment, called FIJA, which can stop the "war on drugs" and every other idiocy or tyranny that Washington tries to impose on us.

FIJA means Fully Informed Jurors Amendment. It would order all judges, in all 50 states, to inform jurors that they have the right to acquit in any case, whatever the proven facts, if they disapprove of the law.

This means also that a single juror can hang the jury and force a

mistrial if she or he sincerely considers the law a bad one.

American (and English) juries have always had this right, but judges are usually loath to tell the jurors this. Only Maryland has an article in its Constitution obliging judges to tell jurors that they have this right of nullification.

This right was written into the Magna Carta and built into our own system because our ancestors understood that it takes a long time to pressure a government into changing a bad law. Jury nullification guarantees that a law can't be enforced unless 12 people selected at random—a cross section of the community—all agree that the law is a good one, or that people should be punished for breaking it.

Frankly, with the Supreme Court dominated more and more by the Authoritarian Right Wing, I think the fully informed jury is the last hope we have for preserving any of the Bill of Rights. In a sense, it doesn't even matter if the FIJA Amendment gets beyond 22 states and accumulates enough support to become the law of the land. Knowledge of it is moving at such a momentum that more and more jurors will know, whether the judge tells them or not, that they can nullify any law they find tyrannous, repugnant, against their individual conscience, or just plain idiotic (like the anti-pot law).

The greater the number of prospective jurors who know that, the sooner we will get rid of the "war on drugs" and all the other gross and petty tyrannies imposed on us by the Bombs-and-Jesus crowd who have ruled this country for most of the past two decades.

If you want to know more about FIJA, write to FIJA, PO Box 59, Helmsville, Montana 58843. **M**