

The Military Draft Revisited, Part 1.

ARTICLE XIII

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Seems clear enough, does it not? Slavery and/or involuntary servitude is constitutionally permissible only as a punishment for crime determined by due process of law. This prohibition is in force anywhere in the United States, its territories and possessions. Congress has the defined duty of enacting any legislation that might be necessary to assure the executive branch and anyone else that Article XIII means exactly what it says, RIGHT?

Well, if you believe a word of what you've read since the first "Article XIII" above, your name just isn't Senator John Stennis (D-MS), Senator Dewey Bartlett (R-OK), etc. Stennis wants a re-institution of the draft. His reasoning is as simple-minded as it is revolting. For one thing, the volunteer military just cost too much for penny-pinching politicians to tolerate. If that doesn't convince you, here's the clincher—the unemployment rate is high in the draft-aged sector of the population anyway. Being in the army will keep them off the streets and out of trouble.

This tendency to ignore certain provisions of the constitution—or even enact legislation of obvious unconstitutionality—is nothing new. In his book, The Bill of Rights, Its Origin and Meaning, Irving Brant says, "For hundreds of years, Englishmen had been fined, whipped, pilloried, imprisoned and had their ears cut off for speech

and writings offensive to government or society. Surely, say those who believe that 'NO abridgement' means 'abridgement only when, on balance, it is thought necessary,' the framers of the First Amendment could not have intended to wipe out abridgements of speech and press so thoroughly and respectably established. If they had such an intention they would have not used so ambiguous a term as 'Congress shall MAKE NO LAW.' They would have said 'no law WHATSOEVER.' " It's my guess that Mr. Brant thinks "no law WHATSOEVER" would suffice—no need to include, in red letters, "HEY, BUB! THIS MEANS YOU!"

It would appear then that the U.S. Constitution is not worded clearly enough to convey much meaning to a majority of Congresspersons, and that even if it were, they wouldn't heed its prohibitions anyway. That's why some of South America's worse police states can also have some of the world's prettiest constitutions.

Hard-won victories such as the end of the draft and legal gold ownership have been few in number, and if any of us thought we could safely forget about our victories and carry our battle against statism elsewhere, we were mistaken, because the enemy is just as interested in regaining lost ground as it is in subjugating us in the still free areas of our lives—such as they are!

Permanent progress in the direction of individual freedom must come from a grass roots movement. I have been saying this ever since I took over as editor of the Libertarian Penn fourteen months ago. There are about seven or eight people in the whole state on whom we can count to do anything; I'm not sure if any of the other 100+ members even open the Penn. We're trying hard, but we need help. Please let us hear from you!

—Bill Lewis
Editor



"The question [of a military draft] is nothing less, than whether the most essential rights of personal liberty shall be surrendered, & despotism embraced in its worse form."

—Daniel Webster

Notes & Asides On White Elephants

* The two PennDOT employees we told you about in last issue of the Penn who painted ten mile lines on the snow and ice covering a Crawford County state highway have been fired; their two immediate superiors handed written reprimands. No explanation was ever made public. Meanwhile the new six-lane I-79 bridge crossing the Ohio River, opened last September to traffic, has been closed indefinitely due to the cracking of welds along the length of its main beam. PennDOT, like the marines, could use a few good men.

* Details have been finalized. Dr. Allen Meltzer of Carnegie-Mellon University's Graduate School of Industrial Administration will address the LP of Western PA's Supper Club at the Howard Johnson's Motor Lodge, 3401 Blvd. of the Allies, Pittsburgh, PA, 15213 (Oakland). Price is \$7.50 a person with a choice of Salisbury Steak or Roast Turkey. Call Bertha Murphy @ (412) 563-4347 for details. Better hurry. It's being held on February 10th!

* We would like to thank the eleven persons who joined the State LP in the past month. It is undoubtedly the greatest percent increase in membership in our history.

* LP member Tony West has organized a Philadelphia area Objectivist Study Group. The first meeting was held at the home of Eastern PA LP Vice-Chair Frank Bubb, drew 32 people. For information on future meetings write Frank at: 97 Dartmouth Ave., Swarthmore, PA 19081, or call: (215) 544-1866.


& Sunrises

The 1980 elections are crucial for the survival of the Republican Party, because the men and women who hold elective office in 1981 will do the Congressional re-districting based on the 1980 census. If Republicans do not hold some strong positions in state legislatures around the nation, the Republican Party can be re-districted virtually out of power....and consequently out of existence.

Civil libertarians have already begun to leave the Democratic ranks for the Libertarian Party; and economic libertarians are deserting the Republican Party heading for the same philosophical place. Part of the LP's national staff comes from conservative Republican ranks, others on the national staff worked for McGovern in 1972. All are now dedicated libertarians.

They, and the active state organizations, are "planting the seeds of ideas," as one Chicago columnist described the growth of the Libertarian movement. With work—and we must work together—the "new dawn" of 1976 can become the "sunrise" of 1978, the growth of 1980, and the end of state tyranny within a decade.

—Excerpted from "Election Returns," which appeared in The Illinois Libertarian.

 **Declare your independence**

LIBERTARIAN PARTY OF PENNSYLVANIA

Stew Engel
14 Elm St.
Newport, RI 02840

