



The Utah Liberator

The Monthly Voice of the Libertarian Party of Utah for the Enlightenment of Our Members & Friends

Vol. 1, No. 4

November 1995

LPUtah May Act To Restore the U.S. Constitution

The following resolution calling for the termination of the Congressional suspension of the Constitution of the United States, which has been in effect since March 4, 1933, will be presented to the state executive committee at its November 30 meeting. All the facts, on which this self-evident resolution is based, have been verified. If have any comments, yea or nay, regarding its adoption by the LPUtah, please call Jim Lorenz, state chair, at 801/583-5611.

Whereas, The Libertarian Party of Utah recognizes that acts of the Congressional body and the Office of the President of the United States of America created an emergency condition, and that on and after March 6, 1933 and March 9, 1933 the same said Public Offices effectively impaired and suspended

the Constitution for the United States of America under pretense of these same created emergency conditions, and that the impairments and disabilities yet exist and are in full force and effect throughout the Nation and several States of the Union as of the date of this resolution, and

Whereas, there has occurred continuous breach of trust, duty and obligation imposed under authority of the Constitution for the United States America, resulting in a continued abridgment of the Rights, Privileges Immunities, and Liberties of Citizens and others, all committed under pretense of a continuing national crisis and furtherance of emergency conditions; and

Whereas, the Foreword of the United States Senate Report 93-549 states "Since March the 9th. 1933, the United States has been in

a state of declared national emergency . . . For 40 years, freedoms and governmental procedures guaranteed by the Constitution have, in varying degrees, been abridged by laws brought into force by states of national emergency . . . And in the United States, actions taken by the government in times of great crises have—from, at least the Civil War—in important ways shaped the present phenomenon of a permanent state of national emergency . . . This vast range of powers, taken together, confer enough authority to rule the country without reference to normal constitutional processes. Under the powers delegated by these statutes, the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communica-

tion; regulate the operation of private enterprise; restrict travel; and in a plethora of particular ways, control the lives of the American people." and

Whereas, Senate Report 93-549 admits and professes that "This vast range of powers taken together confers enough authority to rule our country without reference to normal constitutional process"; and

Whereas, in Title 12 United States Code it is arbitrarily declared that "The actions, regulations, rules, licenses, orders and proclamations heretofore or hereafter taken, promulgated, made, or issued by the President of the United States or the Secretary of the Treasury since March 4, 1933, pursuant to the authority conferred by subsection (b) of the Act of October 6, 1917,

Continues page 2

How I Lost the Taylorsville-Bennion Election

by Jim Dexter

On Tuesday, November 7, 9039 voters of the new "city" of Taylorsville-Bennion turned out to elect a mayor and city council. They could each vote for one of the 11 mayoral contenders and five of the 65 running for the council. Having tossed my hat in the ring for one of the council seats, I received 128 votes, finishing 53rd. The results for us 60 council also-rans are probably best summed up in the title of the Mark Twain story, *The Short History of a Campaign That Failed*.

I was neither surprised nor terribly upset by the results. Before election day I said I'd be content to finish in the top 20, and that if I won, I would demand sainthood on the basis of a verified miracle.

Little Local Interest

About 30% of the electorate voted, a disappointing turnout since this is a new city facing a host of issues, but expectable since this is a local election. Former Speaker Tip O'Neill was right when he said, "All politics are local" but forgot that the locals often don't take much interest in their politics; probably because the media don't pay much attention to them.

Hereabouts, the hotly contested race between two Democrats for

SLC mayor hogged all the attention. *The Deseret News* published photos and brief bios of all candidates on the Saturday before the election. *The Tribune* just published our names, ages and occupations.

Amazingly, the 0.3% of all council

votes cast that I received bested 12 council candidates and three mayoral candidates. The results are incredibly good considering that my "campaigning" consisted of two 50-second talks to around 500 people on two candidates' nights sponsored by the county at the Bennion Jr. High. By all accounts I wowed the audience, got the best response, and was called a "real comer" by one mayoral contender. Not actively campaigning did nothing to overcome my real challenges:

- a) I'm new in the community (all the winners have lived here all their lives), and I'm not LDS.
- b) I have no local connections (e.g., Kiwanis, Lions, Chamber of Commerce, etc.)

Continues page 2



Jim Dexter
For Taylorsville-Bennion Council

- ✓ Crime-free streets and clean, safe neighborhoods
- ✓ Responsible spending; absolutely no new taxes
- ✓ NO "Laj Mahal" city buildings; NO photocopy
- ✓ Reliable, scheduled municipal services
- ✓ Encourage business without tax concessions
- ✓ Maintain our family/residential environment
- ✓ Ask voters what they want thru mailed polls
- ✓ Invest the \$2 million surplus until it's needed

Absolutely
For the Smallest Government!

Resolution — cont'd

as amended [12 USCS sec 95a], are hereby approved and confirmed. (Mar. 9, 1933, ch.1, Title 1, sec. 1, 48 Stat. 1.)" We therefore recognize that every order issued by the President since March 4, 1933, or any order issued thereafter was and is automatically approved and confirmed. These powers being conferred under purported authority of the Trading With The Enemy Act of October 6, 1917, are wrongfully used against the several States of the Union and the People (See *Stoehr vs. Wallace* 55 US 239); and

Whereas, our forefathers recognizing these same conditions wrote to the British Parliament and King of Great Britain in The Declaration of Rights of 1774:

"Whereas, since the close of the last war, the British Parliament, claiming a power of right to bind the people of America, by statute, in all cases whatsoever, hath in some acts expressly imposed taxes on them, and in others, under various pretenses, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable

in these colonies, established a board of commissioners, with unconstitutional powers, and extended the jurisdiction of courts of admiralty, not only for collecting the said duties but for the trial of causes merely arising within the body of the county."

"And whereas, in consequence of other statutes, judges, who before held only estates at will in their offices, have been made dependent on the Crown alone for their salaries, and standing armies kept in times of peace."

Today under pretense of the emergency and reorganization the mischief has been recreated and reinstated within the Nation and several States of the Union, and has once again left the people without any plain, speedy or adequate remedy, and wholly contrary to the true original intent and end of the Union and civil Government as ordained and established by the People; and

Whereas, In November 1994 the Republican State Governors unanimously adopted the Williamsburg Resolve. In it, they said: "The challenges to the liberties of

the people... comes from our own Federal government that has defied, and now ignores, virtually every constitutional limit fashioned by the framers to confine its reach and thus to guard the freedoms of the people" and that Federal action has exceeded the clear bounds of... the Constitution, and thus violated the rights guaranteed to the people"; and

Whereas, The Executive Committee Republican Party of Texas unanimously adopted Resolution #5 on June 17, 1995, which the Libertarian Party of Utah applauds and emulates, and which is the predecessor of this Resolution; and

Whereas, George Washington forewarned the Nation and several States of the Union in his 1796 farewell address:

"If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument good, it is the customary weapon

by which free governments are destroyed ..."; and

Now, Therefore, Be It Resolved that the Libertarian Party of Utah being duly apprised of the continuing emergency declared in effect since March 4, 1933, sans emergency or Amendment, demands that the gold and silver *Coin* be fully reinstated and maintained as the lawful money and tender of payment of debts within the United States of America, and that any and all notes and obligations heretofore or hereinafter issued be brought back to and maintained at par value with the said *Coin*"; and

Be It Further Resolved that The Libertarian Party of Utah hereby demands the rescission of the Emergency Banking Relief Act of March 9, 1933, and all subsequent related acts thereunder, and demands a Presidential proclamation terminating the sham emergency, thereby returning the United States of America to its intended peacetime Constitutional Republic.

Losing — cont'd

c) Before this, the only people in the town who had ever heard of me are my immediate neighbors.

I ran because I'm concerned about the direction my new city government will take, and because, as a state party officer, I felt obliged to try. If elected, I was willing to donate my spare time to the council and hoped they'd pick up my expenses. About a week before the election, I learned the job would pay \$40,000 per year. Had I known that earlier, I would have campaigned with far more fervor!

Libertarian Connection

I received \$35 in contributions from two fellow Libertarians (thank you Andrew Howard and Ken Larsen) and spent a total of \$47.23 to print 50 "posters" and 4,000 minifyers. I had one poster in a small shopping center, and distributed flyers only at the November SLC gun show. One guy, on learning I was a Libertarian, said he would tell all his T-B friends to

vote against me. But another said he'd call all his friends and tell them to vote for me. Hopefully, they cancelled each other out.

I did not run as a Libertarian for two reasons:

- 1) All local elections are nonpartisan (and allegedly nonsectarian).
- 2) Certain Libertarian positions (e.g., legalizing drugs and prostitution) cannot be effected on the local level and are not important to local voters.

Besides, elections are won from the center. A "radical" philosophy like Libertarianism is not likely to go over well with people mostly concerned about crime, safety, photocop, parks, property values, taxes, street lights, etc.

On to '97!

Fortunately, these elections are only good for two years. T-B voters, or whatever the town is eventually called, get to throw the bums out in 1997. In fact, the council elected this year won't be

sworn in until July '96 when the town becomes an official city.

I've already started planning for the '97 elections. By that time things will be different. The incumbents will have an 18-month track record; horrible and deplorable, of course. The power of office may be offset by the facts that a) few people remember the names of their local officials, and b) their decisions will have ticked off some voters (the more the better).

With any luck, the new council will have divided the town into council districts. This year all candidates ran at large, which meant contacting 14,000+ homes and talking to 26,000+ voters. A district with 3500-4500 homes would be a lot easier to deal with. All politics are local, and for a low budget campaign, the more local the better.

And, I must heed Merrill Cook who recently observed that Utah politics are different because endorsements are often more important than issues.

YOUR AD HERE!

Reach 500 or so Libertarian-minded people each month through *The Utah Liberator!* Call Jim Dexter at 801/963-1028 for rates and details.

The Utah Liberator

Published 10 times a year by the Libertarian Party of Utah.

Publisher
Jim Lorenz
Editor & Designer
Jim Dexter

All submissions are welcome. Send neatly typewritten hard copy and/or disk (ASCII [text] format or Word 5.1) no later than the first of the month to:

The Utah Liberator
P.O. Box 526025
Salt Lake City, Utah
84152-6025
801/534-8872
1-800-280-7900

Or, if you're on-line, submit them electronically to:

UtahLib@aol.com

Submissions may be subject to editing for fit, but will otherwise be printed as submitted if we have room in the issue.

Practical Libertarian Tactics #1:

Building Understanding Can Lead To Victory

by Gerard Arthus, Ph.D., State Secretary

Chauna ("Jimmie") Pierce has resigned her position as state secretary to pursue her education. After an arduous search, which saw grown men and women flee in terror at the mention of the dreaded word "volunteer," state chair Jim Lorenz convinced new Utah but veteran Libertarian Gerard Arthus to accept the position.

Now serving as a teaching assistant at the University of Utah where he's pursuing a second Ph.D. (in Economic History and Policy-Making; the first is in Environmental Engineering) Jerry, with two Master's degrees (Political Science and Engineering) is also dean Dean of Human Sciences and Behavior for the Virtual On-Line University (<http://www.athena.edu>). And he's a certified EMT as well.

Jerry moved to Ogden from New York where he actually managed to get elected to public office. We are lucky to have him on the LPUtah team. This is the first in a very important series of articles by one who knows how to win votes.

Practical Libertarian Tactics will consider how we can get Libertarian ideas in front of the public. Since there are at least as many ideas about how we should be able to exercise our personal freedoms as there are

people, this column will be an attempt to maximize the effect each of us as individuals has in the marketplace of ideas. Although we may disagree on various issues, there are certain issues we must all agree upon if Libertarianism as a philosophy is to have meaning.

While there may be more, I have identified three major categories which heavily effect almost all other ideas individuals may have concerning individual freedom. They are:

- **Economics:** Lower taxes, and the stimulation of entrepreneurship and small businesses is the key to a vibrant free market. If these conditions do not prevail, it is futile to talk about economic growth.
- **Bureaucracy:** The reduction of both the size and scope of bureaucracy at all governmental levels in the state through the utilization of new technologies to increase effectiveness, reduce manpower, and lower the cost of government is the key to any questions about economics.
- **Education:** Individuals receiving an education must obtain the tools to make informed decisions. These tools include communicative, analytic, and integrative skills. Critical thinking must be the main purpose of education, not belief or ideol-

ogy. Access to information and the ability to process and handle it is a prerequisite for any democratic form of government. Governments are only as good as the people making decisions.

Side Issues

Notice I did not include moral issues such as abortion, prostitution, homosexuality, guns, etc. In a political campaign one may want to consider these issues selectively. However, moral issues and personal issues will matter very little if we do not first adequately address the three major issues confronting us today. The right to an abortion had little relevance to a Russian peasant who did not own property or have the right to sell the fruit of his labors. In other words, Libertarian candidates must concentrate on the issues which not only effect the most individuals, but, which also let us gain their attention and support.

This column will discuss what we have to do to be a viable political force in next year's elections. We must seriously address these points. If we do not, we are merely wasting our time. I am not interested in promoting ideas or running for office just for the fun of it, or because I liked seeing the newscaster squirm due to a statement I made. If we expect the voters to take us seriously, we must first take ourselves seriously.

I was the only Libertarian ever to get elected to a public office from the Long Island, New York organization. My platform was simple: Taxes, government, and education. I did not allow the campaign to be sidetracked by sensationalism or a circus like atmosphere. I knocked on over 4,000 doors and talked to twice as many people. Personal contact has a much more long-lasting effect than appearances on Oprah or TV ads.

Understanding vs. Ideals

Convincing voters to believe you is important to many politicians, but it is the wrong approach. If someone is stupid enough to believe what I say without understanding it, then any slick-talking con man can convince them of something else. Our mission as Libertarians must be to instill and promote understanding in the electorate, not belief.

Understanding lasts and is cumulative, belief is transitory and for Libertarians is either hypocritical or inconsistent with freedom and individual rights. We should use the Constitution to our advantage: It's all there about limited government, and we can use it to prove our points.

Subsequent columns will focus on specific issues or tactics to help promote informed decision-making and freedom.

FIJAcon III Comes To SLC

by Kaylin Robinson

The Fully Informed Jury Association's (FIJA) third national convention (a/k/a "FIJAcon III") was held October 6-8, 1995, at the Crystal Inn in Salt Lake City, hosted by FIJA Utah. It was the culmination of a year's worth of planning and work.

In true Libertarian style, everything happened at the last minute. LPUtah Chair, Jim Lorenz was the first Utahn to register, and to reserve a booth. Following were Salt

Lake County vice chair Scott Bergeson; then other Utah Libertarians (and non-Libertarians) started to register.

Eventually nearly 100 people from all over the U.S. showed up, making it the most successful FIJA convention ever.

Great Speakers

The speakers and panel discussions covered a variety of topics. Rick Tompkins, a Libertarian presidential candidate contender, spoke about FIJA in Arizona.

Gary Dusseljee, California Libertarian and avid FIJA supporter stole the day with his "FIJA mobile," a van with a huge advertise-

ment for FIJA on the top. Ch. 2 showed up to take a ride in the van, accompanied by Gary, Bart, me, LPUtah vice chair, Jim Dexter, and another local FIJA supporter.

Former LP Vice Presidential candidate Dr. Nancy Lord appeared with Larry Becraft to discuss a "jury tampering" case they are defending in Nevada Federal Court. (The defendant, Yvonne Regas, was arrested for handing out FIJA flyers. They also participated in a panel discussion which included two local attorneys, Mark Besendorfer and Larry Long, a Utah representative and former judge, C.E. "Ted" Bradford, former

representative and FIJA sponsor Phil Uipi, as well law professor Allen Schefflin of California. The discussion was lively.

The legislative panel included two current Utah FIJA sponsors, J. Reese Hunter and David Bresnahan. The list goes on, it is impossible to name everyone who showed up. But the convention was great! And informative.

Libertarian Support

Although the Libertarian Party was the first to adopt the FIJA position as part of its national platform, FIJA does not see itself as a

Continues page 8



Notes From The Chair

Jim Lorenz

Resolution: Please read the proposed resolution (pages 1 and 2) to restore the Constitution very carefully. The fact of the suspension has been known to me for some time but I was unsure on how and when to present it. The Texas Republicans made it a part of their '96 platform, so the cat is out of the bag. Now to put this in front of the media, members of Congress, the Utah Republicans and the LP National Committee. This is THE issue to resolve before the millennium! Maybe we can make Nov. '96 extra interesting.

Gun Show: Many thanks to Chris Kierst, Summit County chair, and Jim Dexter, LPU vice-chair for keeping me company at the Nov. 3-4 gun show in SLC. Fifty-six of the 200 or so attendees who took our poll qualified as libertarians and became eligible for a free, three-month subscription to this newsletter.

This brings the total of potential new members from this year's gun shows to 140. Now we've got to convince these natural libertarians become card carrying, committed (dues-paying) Libertarian fighters for freedom. The road to H%@@ is paved with good intentions, political activity costs money. (Hint, hint.) If you are reading this then know that dues-paying members provided it. TANSTAAFL

State Sec'y: Ms. Chauna Pierce resigned as LPU Secretary to return to school. Thanks Chauna for a difficult job well done, we wish you lifetime success. Dr. Jerry Arthus of Ogden, late of NYC, has agreed to accept the LPU Secretary's chair. Welcome, Jerry and, of course, we hope for your success as well.

Elwell's Back: Jim Elwell, immediate past chair and LPU Treasurer has recently returned from a long overdue and long vacation. Welcome back, Jim.

Membership: This remains our highest priority. Our efforts at the gun shows and other venues prove there's a strong, grass-roots interest in a third party that will undo all the damage done to society, the economy and individual freedoms by the Republicans and Democrats. It is clear that neither of the two mainstream parties has any intention of giving up any of the power they've amassed for themselves in Washington, D.C. and the state capitals.

If you know anyone who's interested in becoming a Libertarian, please complete the Each One/Reach One form on the back cover. Thank you.

Your Name Here: To help pay the costs of printing and mailing this newsletter, the executive committee has agreed to allow advertising in *The Utah Liberator*. *The Liberator* reaches nearly 500 Utah Libertarians and prospects each month. The member-only ad rates are quite reasonable. Nonmembers pay double the member rate. That's what we call an incentive to join. Call Jim Dexter, at 801/963-1028 for details.

1996 Elections: It's good that we are all readjusted and well adjusted, because the 1996 elections loom on the political horizon. The general election of November 1996 promises to be VEEERRRRY interesting. We can't control events, no one can. But, if we stick to principle, like the dogged libertarian Framers and Ratifiers of yore, all will come out well, though it may get worse before it gets better.

Shame we don't have 250 Libertarians in Congress to really nail the lid on the deficits and debt. More on Fiscal & Monetary issues next month.

'Nuff said.

P.S. We're planning a holiday social event for Thursday, December 21st. Mark your calendar!

"ThesisSub7," Who Are You?

We recently received a bunch of material on-line from someone identifying him/herself only as "ThesisSub7." When we tried to respond, we were told ThesisSub7 was not a valid address. It is not the policy of *The Utah Liberator* to publish unattributed material, so we trashed it all.

We will publish articles under a pseudonym provided we know who the writer is, he/she is a paid member, and we agree he/she has a compelling reason to remain unknown. (If you're just shy, we suggest a daily helping of Powder Milk biscuits.)

So, ThesisSub7, if you want to see your stuff in print, please identify yourself. (By the way, some of your assumptions are erroneous.)—JD

Join the LPUtah Now!

"I'm sorry, Mr. Revere, I'm not a joiner." Where would we be with that kind of attitude? To lead the Fourth Revolution, we must grow. Not only do we need a larger headcount for greater political influence, we need the dues ("money is the mother's milk of politics") to help fund campaigns,

and, more importantly to pay the costs of publishing this newsletter, the new membership card, and other planned services and activities.

Please take this advantage of this opportunity to support America's best (and only) political hope. Even if you're not a "joiner."



Libertarian
Party of Utah

Membership Form

Yes, I Want To Be a Utah Libertarian

Please check one membership category, sign the Pledge, fill in your name and contact information, include payment, and mail.

- Introductory** — For new members only, a one-year Introductory membership entitles you to all the rights and privileges of Full membership. **Dues: \$15.**
- Utah** — Provides annual membership in the Libertarian Party of Utah. Entitles you to our monthly newsletter, *The Utah Liberator*, invitation to all our social events and political functions, and voting rights at our state party and county organization meetings/conventions. **Dues: \$20.**
- Full** — Provides annual membership in both the Utah and national Libertarian parties. In addition to all the rights and privileges of Utah membership, you'll also receive the national party's monthly newsletter. **Dues: \$25.**

The Libertarian Party Pledge

I hereby certify that I do not believe in nor advocate the initiation of force as a means of achieving political or social goals.

Signed: X _____ Date _____

Please type or print neatly. Thank you.

Name: _____

Address: _____

City/State/Zip: _____

Home Phone: (801) _____ E-Mail: _____

Work Phone: (801) _____ Fax: (801) _____

Payment: Check (payable to: Libertarian Party of Utah) Cash/Money order
 Visa Mastercard

Card Number: _____ Expires: _____

Name on card: _____

Signature: _____

Mail to: **Libertarian Party of Utah**
P.O. Box 526025
Salt Lake City, Utah 84152-6025

(Check Office Use Only)
 Mailing Treasurer
 Database National

A Mormon Looks at Libertarianism - Part 2

by Ken Larsen, Ph.D.

Man Creates Government

Consider President Benson's inspired reasoning:

"Since God created man with certain unalienable rights, and man, in turn, created government to help secure and safeguard those rights, it follows that man is superior to the creature which he created. Man is superior to government and should remain master over it, not the other way around. Even the nonbeliever can appreciate the logic of this relationship.

"Leaving aside the question of the divine origin of rights, it is obvious that a government is nothing more or less than a relatively small group of citizens who have been hired, in a sense, by the rest of us to perform certain functions and discharge certain responsibilities which have been authorized. It stands to reason that the government itself has no innate power or privilege to do anything. Its only source of authority and power is from the people who have created it. This is made clear in the Preamble to the Constitution of the United States, which reads: 'WE THE PEOPLE . . . do ordain and establish this Constitution for the United States . . .'

"The important thing is that the people who created their government can give to that government only such powers as they, themselves, have in the first place. Obviously, they cannot give that which they do not possess. So, the question boils down to this: What powers properly belong to each and every person in the absence of and prior to the establishment of any organized governmental form?

"As James Madison said, 'If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.' (*The Federalist*, No. 51)

The Right of Self Defense

"In a primitive state, there is no doubt that each man would be justified in using force, if necessary, to defend himself against physical harm, against theft of the fruits of

his labor, and against enslavement of another. This principle was clearly explained by Bastiat:

"Each of us has a natural right—from God—to defend his person, his liberty, and his property. These are the three basic requirements of life, and the preservation of any one of them is completely dependent upon the preservation of the other two. For what is property but an extension of our faculties?"

Group Defense

"Indeed, the early pioneers spent a great deal of their time and energy doing all three—defending themselves, their property, and their liberty—in what properly was called the 'Lawless West.' For man to prosper, he cannot afford to spend his time constantly guarding his family, his fields, and his property against attack and theft, so he joins together with his neighbors and hires a sheriff. At this precise moment, government is born. The individual citizens delegate to the sheriff their unquestionable right to protect themselves. The sheriff now does for them only what they had a right to do for themselves—nothing more. Again quoting Bastiat:

"If every person has the right to defend—even by force—his person, his liberty, and his property, it follows that a group of men have the right to organize and support a common force to protect these rights constantly. Thus the principle of collective right—its reason for existing, its lawfulness—is based on individual right."

Rights of Private Property

"Now we come to the moment of truth. Suppose pioneer A wants another horse. He doesn't have the money to buy one, but since pioneer B has an extra horse, A decides he is entitled to share his neighbor's good fortune. Is he entitled to his neighbor's horse? Obviously not! If his neighbor wishes to give it or lend it, that is another question. But so long as B wishes to keep his property, A has no just claim to it.

"If A has no proper power to take B's property, can he delegate any such power to the sheriff? No.

Even if everyone in the community desires that B give his extra horse to A, they have no right individually or collectively to force him to do it. They cannot delegate a power they themselves do not have.

"The proper function of government is limited only to those spheres of activity within which the individual citizen has the right to act. By deriving its just powers from the governed, government becomes primarily a mechanism for defense against bodily harm, theft and involuntary servitude. It cannot claim the power to redistribute the wealth or force reluctant citizens to perform acts of charity against their will. Government is created by man. No man has such power to delegate. The creature cannot exceed the creator."

Spiritual Confirmation of Truth

This is the cornerstone of Libertarianism: Limiting government's role to protecting our God-given rights to life, liberty and property. President Benson Continues.

"To be sure, there are times when this principle of the proper role of government is most annoying and inconvenient. If I could only force the ignorant to provide for themselves, or the selfish to be generous with their wealth! But if we permit government to manufacture its own authority out of thin air, and to create self-proclaimed powers not delegated to it by the people, then the creature exceeds the creator and becomes master. Beyond that point, where shall the line be drawn? Who is to say 'this far, but no farther?' What clear principle will stay the hand of government from reaching farther and yet farther into our daily lives?"

"As Bastiat pointed out: once government steps over this clear line between the protective or negative role into the aggressive role of redistributing the wealth and providing so-called 'benefits' for some of its citizens, it then becomes a means for legalized plunder; a lever of unlimited power which is the sought-after prize of unscrupulous individuals and pressure groups, each seeking to

control the machine to fatten his own pockets or to benefit its favorite charities—all with the other fellow's money, of course . . ."

Consequences of Legal Plunder

"As Bastiat observed, and as history has proven, each class or special interest group competes with the others to throw the lever of governmental power in their favor, or at least to immunize itself against the effects of a previous thrust. Labor gets a minimum wage, so agriculture seeks a price support. Consumers demand price controls, and industry gets protective tariffs. In the end, no one is much further ahead, and everyone suffers the burdens of a gigantic bureaucracy and a loss of personal freedom. With each group out to get its share of the spoils, such governments historically have mushroomed into total welfare states. Once the process begins, once the principle of the protective function of government gives way to the aggressive redistributive function, forces are set in motion that drive the nation toward totalitarianism. 'It is impossible,' Bastiat observed, 'to introduce into society . . . a greater evil than this: the conversion of the law into an instrument of plunder.' (*The Law*, p. 12)"

Ezra Taft Benson Is a Libertarian

At the end of his speech on the proper role of government given in 1968, President Benson summarized his political agenda with 15 points. Those points are virtually identical with the political platform of libertarian thinkers today:

In 1962, President Benson wrote on page 206 of his book *The Red Carpet*, "I am a libertarian. I want to be known as a libertarian and as a constitutionalist in the tradition of the early James Madison.

"The greatest right humans possess is the right of free choice, free will, free agency. This, above all, is what today's true conservative strives to preserve for his fellow men and for himself."

Next Issue:

The Libertarian Platform and the Book of Mormon

Talk Radio in Utah:

G. Gordon Liddy: Radio Free D.C.

by Andrew L. Howard

You're driving down the beltway at a cool 65 MPH when suddenly you're passed by a fiery red, Corvette sporting "H20-GATE" plates. You've been passed by the "vigorous, virile, and potent" talk-show host G. Gordon Liddy of Watergate fame!

The G. Gordon Liddy Show, "Radio Free D.C.," emanates from Virginia near the heart of Washington and is heard on KALL (910 AM) from 1:00 to 4:00 p.m. Liddy is colorful, controversial, canny, charismatic, colossal, and sometimes a bit crass (as he refers to commercial announcements), especially as a radio romeo. Yet that's part of the fun of his show!

Ensuring that the First Amendment remains wholly intact, Liddy routinely exercises its unlimited limits. Doing so has reaped praise and condemnation for many of his statements (often taken out of context by a liberally-biased, mainstream media). Nevertheless, his outspokenness earned him the 1995 Freedom of Speech Award by the National Association of Radio Talk Show Hosts and a personal condemnation by President Clinton whom Liddy often refers to as "the coward-in-chief."

Background Breeds Character

Liddy, a graduate of Fordham Law School, served as an officer in the U.S. Army and as a Special Agent in the FBI. He was an Assistant to the Secretary of the Treasury and then a Staff Assistant to the President. His involvement in the Watergate break-in and his silence thereafter earned five years in prison. These experiences have flavored Liddy's character with a broad and provocative base from which he projects his show!

"The G-Man," as he is irreverently called, opens his show with his News and Comment Hour, where he reads articles from Liberal rags, *The New York Times* and *The Washington BLEEP* (Post), and from "real newspapers," *The Washington Times* and *The Wall Street Journal*.



G. Gordon Liddy
Imprisoned but unbowed

Next he takes calls, reads faxes, and e-mail. He is unfailingly polite and patient, gladly allowing his listeners to air their points of view. This is particularly true for misguided liberals. After which, using his erudite skills in history, law and logic, he articulately rebuffs them in English, German and Latin.

Liberals Are Welcome

His show has hosted a variety of interesting guests including Libertarians Walter Williams and Thomas Sowell. Lanny Davis, a self-confessed Liberal's Liberal, Clinton supporter and Liddy's close friend, is a frequent guest.

Silent Coup authors and Watergate investigators Len Kolodny and Bob Gettlin have revealed the true target of the Watergate break-in: A list of call girls that included John Dean's blonde bombshell wife, Maureen, who serviced Democratic Party officeholders, guests, and visiting VIPs.

Strong Personality

The G-Man is a complex and intelligent individual, grounded firmly in principle. He has penned two novels, *The Monkey Handlers*, and *Out of Control*, and a best-selling autobiography entitled *Will*. Liddy has made an ally of hardship, controversy, and criticism; forging his character in the crucible of public scrutiny. *Will* reveals what may be G. Gordon Liddy's life moral and key to his character strength: **Do what you fear and the fear will subside.**

G. Gordon trumpets his Libertarian side as an ardent supporter of

our Bill of Rights and smaller government! He is quick to point out that Washington, D.C., "The Murder Capitol of the world," has the strictest gun control policies in the nation and thereby denies the individual the inherent right to self-defense.

Perhaps you have his *Stacked and Packed* calendar featuring women listeners who have voluntarily posed in their lingerie with their firearm of choice. Liddy donated the money received therefrom to charity, and orders for the 1996 calendar are pouring in! He is a patriot, daily saluting and honoring one of our military services by playing their signature marches as part of his bumper music. He is highly critical of Clinton's efforts to place American troops in Bosnia and under foreign command. He believes we should "Get the U.N. out of the U.S. and the U.S. out of the U.N.!"

Though he ardently supports a smaller federal government, and other Libertarian ideals, Liddy is firmly opposed to homosexuality, abortion, and decriminalizing drugs. His Catholic roots, however, break down with regard to his views on extra-marital sex and birth control, revealing inklings that he might accommodate the decriminalizing of sexual "crimes" of consent.

I rate the G-Man as having a Self-Governor score of 80 and a Personal-Governor score of 40. If you're looking for controversy, enlightenment, and entertainment, you'll love The G. Gordon Liddy Show. If not, "Oh ye 43%, oh ye suckers!" To contact the G. Gordon Liddy Show: Call: 1-800-GG-LIDDY; Fax: 1-800-937-GFAX; E-Mail: Potent357@aol.com

To order a *Stacked and Packed* Calendar send: \$14.95 (\$36.95 for three) payable to: *Stacked and Packed*, 1616 Main Street, Lynchburg, VA 24504

Next Issue:

Tom Leikes: *Liberal To a Fault*

Radioland Update

Lowell Ponte Is Back!

Libertarian talk-show host Lowell Ponte is back on Utah airwaves! An group headed by Utah Rep. David Bresnahan has bought KTKK ("K-Talk") 630 AM. Ponte can now be heard from 10:00 p.m. to midnight Mon-Fri. Mike Reagan precedes Lowell on KTKK from 7 to 10 p.m.

Dear Editor:

I found "Warning: You may have EIB!" to be disturbing. Mr. Howard yields to the intoxicating simplicity of Rush Limbaugh in the same manner that millions of aptly named "ditto-heads" have. This is in spite of Limbaugh's numerous documented instances of misrepresentation and fabrication of facts. Limbaugh's distortion of facts has been so extreme that a private organization, Fairness and Accuracy in Reporting, put together an entire book containing nothing but instances of Limbaugh falsification and misrepresentation. How the LPUtah can condone Limbaugh-style political bullying is beyond me.

Much of the article is devoted to praising Limbaugh's attacks on "liberals" and civil rights groups. Our party, which attracts members from all aspects of the American political spectrum, can hardly afford to lambaste other viewpoints.

The most disturbing aspect of Limbaugh's rantings is their simplicity. Limbaugh seems to argue that all social problems are the result of "liberals," "feminazis," "environmental wackos," and "uglo-Americans." Does the LPUtah really want to condone this kind of simplistic approach to our political system?

The LP is supposed to be the party that dismisses the tired interventionist policies and lies of the others. Why should we give consideration to a loud-mouthed conservative interventionist who doesn't even get his "facts" straight in the first place?

David Jensen
Provo

David, all members may express opinions on these pages. Mr. Howard pointed out that Rush is not a Libertarian on many issues. As for Limbaugh's accuracy, I trust him over the Liberal-minded and propoganda-named FAIR.

We are not a "party of inclusion." Lambasting others' viewpoints is what politics is all about.

LEGAL BRIEFS

by Kaylin Robinson

Highway Cop Encounters – Part 1

You're driving down the highway and suddenly red and blue lights flash in your rear-view mirror. Panic hits. What could you have done wrong? As the sweat pours down your brow, you pull over and search frantically for your license, registration, and proof of insurance.

A well-trained citizen, your papers are in order. When the officer approaches, you're ready. You smile and hand them to the officer. He asks, "How fast do you figure you were going?"

"Gee, officer, maybe 40."

"Yeah? In a 30 MPH zone? Wait here while I run a check on you."

What To Do

What's wrong with this scenario? When a cop stops you, the first words out of your mouth (if you speak at all), should be: "Why'd you stop me?"

You are the citizen, he is the public servant. He is not entitled to interfere with your life *without a reasonable and articulable suspicion* that you committed a crime. If you really want to push the issue (which I don't recommend for everyone), you have a right to ask for your attorney to be present before answering any questions.

Under the law, you are only required to identify yourself (this applies only when you are stopped in a car; you are not obligated to show identification if stopped as a pedestrian, unless you are detained). But you are not required to aid the officer in his investigation of the crime. Which brings us to the second problem in this drama.

Police officers wear microphones. Their police cars are also bugged inside and out. Everything you say is recorded. When the cop asked you how fast you thought you were going, you tossed out your Fifth

Amendment rights by confessing to driving ten miles over the limit. Don't try to fight that ticket. He's got your own words to use against you. And he will. He may not have known how fast you were going, but he does now.

Remain Silent!

The point is, Mr. Miranda, Never Volunteer Anything! After you identify yourself, and demand the reason for the intrusion, shut up, be quiet, *and don't say anything more*. The officer will not be happy, but he will have to live with it.

I am not suggesting you be rude. The officer has a gun, plus a stout stick some cops call "the Prosecutor." I don't believe in risking bodily injury for principles. If you run into a renegade cop who will violate your rights, no matter what you say, your best action is to be polite and firm . . . but not argumentative. The place to argue is the courtroom, not the street.

Suppose the officer had no reason to stop you. Maybe he or she was bored, saw your car and decided to see what could be found out about you. And you don't have a license. So when he asks you to identify yourself, you cannot. Bingo, a ticket for driving without a license! But, then again, he will have a hard time using the evidence in court . . . if you don't help him out.

Next Issue:

Can They Search Your Car?

We are pleased to introduce Legal Briefs, a regular feature prepared by Kaylin Robinson, an original Utah Libertarian and no stranger to such police-civilian encounters. Ms. Robinson is a Certified Professional Legal Assistant and lives in Harriman. She can be reached at 801/468-6209.

A Quick History of the Libertarian Party of Utah

by Larry Livingston

We are grateful to long-time Utah Libertarian Larry Livingston for granting us permission to print the following excerpted from his book, Third Party Politics, A Utah Tradition, co-written with Cherie Huber. For a complete copy of this fascinating and well-researched book, send \$15 to: Larry Livingston, 336 East 700 North, Kaysville, Utah 84037.

The Libertarian Party of the United States was organized in Denver, Colorado in December 1971. Karl Bray, who founded the Libertarian Party of Utah, was present at the meeting. The LPUtah was the first "affiliate state party" of the national organization to get ballot access and to run candidates after the 1972 election, when Karl Bray stood for U.S. Congress and another Libertarian ran for SL County Sheriff.

In the '70s, the Libertarian Party tried to make a place for itself Utah's political spectrum. In 1976, the party put forth a large slate of candidates, including one for U.S. Senator and 16 for state legislator.

Active Party

For a third party, the LPUtah has been exceptionally active in fielding candidates. More than 175 Utahns have run for office as Libertarians, most of them since 1982. Typically the party concentrates on state legislative races.

In the late '80s and the early '90s, Utah Libertarians were active participants in the tax limitation initiatives of 1988, and the food tax removal petition of 1990. Members sponsored the ill-fated 1992 Liquor Law Reform initiative petition.

In 1986, the mayor and entire city council of Big Water, Utah "converted" to Libertarian Party affiliation. This event was reported by the Associated Press story and appeared in many newspapers across the country. The coverage was due in part to the notoriety of the mayor, Alexander Joseph, a man with nine wives and more than 20 children. The Big Water Libertarians joined the party due to a pro-

Libertarian book left in the home of Mayor Joseph. Prior to their "conversion," Big Water was a solidly Republican community.

Utah party founder Karl Bray died of cancer in prison. He was sent to prison for allegedly circulating certain Internal Revenue Service documents describing procedures for seizing assets. It was "illegal" for the public to view them. Some think Bray was framed by the IRS or some other federal agency but at this point the authors are not able to gather enough information to reach a conclusion. Karl Bray may be the only Utahn besides Joe Hill to die for political ideology.

In 1990, Libertarians conducted very impressive races in Davis County. One candidate received nearly 10,000 votes (about 25%) of the votes for county commissioner. Other candidates received 28% and 20% respectively.

National Presence, Too

Utah Libertarians have been leaders in the national Libertarian movement. A Davis County chair was a member of the Libertarian Party National Committee for four years and served on the National Platform Committee.

A former state chair was field coordinator for the Council of State Chairs. In 1993, the Libertarian National Convention was held in Salt Lake City.

Utah Hugh Butler served several terms on the national committee and is now national Treasurer.

1992: A Banner Year

In 1992, Libertarians defended the rights of Utahns to gamble on horses but opposed subsidizing the horse industry. In 1992 the Utah Libertarian Party received the most votes ever, 17,000, for a single candidate. Attorney General candidate Michael Coombs claimed the Attorney General's office was packed with partisan Democrats, there was too much unnecessary litigation and the office was hiring too many outside lawyers and had

Continues page 8

History — cont'd

nearly doubled its staff from 70 lawyers to 128 lawyers.

Despite receiving more Utah votes than ever in 1992, voting percentages were low. Libertarians did not run a gubernatorial candidate because the Merrill Cook, the Independent candidate, ran a strong, well-funded campaign against which Libertarians could not compete.

Bo Gritz, a convert to Mormonism, ran as a Populist for president, doing well in Idaho, Utah and Louisiana. Although André Marrou, the Libertarian presidential candidate, campaigned in Utah and received twice the national vote of Bo Gritz, he could not overcome Perot, Gritz and other third parties.

Still Growing

Despite setbacks, Libertarianism continues to grow. During the 1991 national convention, 100,000 people called the national party's 800 number for more information about the party and its goals.

Not since the Populists of 1890 has another large national third party been a possibility. The greatest threat facing Libertarianism now is not the Democrats or Republicans but the large "independent" movement sweeping the country.

The question is whether well-funded leaders like Perot can build an effective organization or if they are doomed to quickly shrink as passing fads.

FJJAcon III — cont'd

"Libertarian project," but as a non-partisan issue with a little something for everyone.

We are extremely grateful to all the Utah Libertarians who support the cause and supported the convention. If you missed it, video- and audio-tapes will be available soon.

The legislative year draws close again. We will be soliciting your support in the upcoming year. We ask you to contact your representative and senator, and urge them to support the FJJA bill.

Last year we had 29 sponsors in the House, but couldn't make it out of the Rules Committee. The House has 75 Representatives, so

38 will give us a majority. With just 29 senators, 15 will give us a majority. It is not unrealistic to believe, that with "a little help from our friends," Utah can be the first state to pass the legislation.

If you need the name of your Representative and Senator, call us. A few phone calls go a long way with the Legislature. Any help we can get is appreciated.

We also want to increase our mailing list for the newly-established Utah FJJA Reporter. If you want to receive it, please get in touch. (By the way, we accept donations.)

Kaylin Robinson, Utah FJJA Coordinator, PO Box 793, Riverton, Utah 84065. (801) 468-6209



YES! I want to help the Libertarian Party of Utah grow. Here's the name of one person I know who may be interested in joining. Please send him or her an LPUtah info kit in my name. *(Please type or print neatly.)*

Name: _____

Address: _____

City/State/Zip: _____

His/her Concerns: Gun Control Healthcare Third Party Drug Laws
 High Taxes Safe Neighborhood Waco/Ruby Ridge Government in general Other: _____

Your Name: _____

I'm enclosing \$1 to help pay for the cost of creating and mailing the info kit.
 (Make check payable to: **Libertarian Party of Utah**)

Want to recommend more people? Copy this form or attach a second sheet with their name(s) and address(es). Thank you for your support.

Mail to:

Each One/Reach One
Libertarian Party of Utah
 P.O. Box 526025
 Salt Lake City, UT 84152-6025

The Utah Liberator

Libertarian Party of Utah
 P.O. Box 526025
 Salt Lake City, Utah
 84152-6025

ADDRESS CORRECTION REQUESTED

