

LIBERTY PLEDGE NEWSLETTER

March
1986



The Liberty Pledge Newsletter is a monthly publication for the participants in the National Libertarian Party Pledge program, and for Torchclub members. Because of your contribution we are able to carry on the daily activities of the Party, and we want you to know what we are doing. We also want the opportunity to thank you for your generosity, and let you know about others who are helping the Party as volunteers and contributors. So first, *thank you!*

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Dear Supporters of Liberty,

I was ready to take a different story to the printer for this month's issue when a copy of Andre Marrou's speech before Alaska's State Legislature crossed my desk. One look at it and I knew that this was something *you* had to see. It's a personal commitment of mine to give you, the Liberty Pledgers, the inside "scoops" when I can find them.

This speech is of high historical value, not just because of what Mr. Marrou says, but also for who and what he *is*. You realize, I'm sure, that this man is living history. He is not the first Libertarian to reach the legislature of a State (he's the third, actually), but at present he is our *only* such representative. The legislatures of individual states are as high as we have climbed on the ladder towards Washington D.C.. All of our elected Libertarians rate study by fellow Libertarians, first to observe the impact of our political philosophy in the arena they work in, and second - to bask in history as it occurs. Literally everything our representatives do is *our* history, our "Shots heard 'round the world."

This speech may not tell you anything you don't already know, as a well-read Libertarian, but it will give you a feeling of what Andre Marrou's job is like, what challenges he and we face, and how alone he is, surrounded by a mob of Democrats and Republicans.

So, without further ado:

Mr. Speaker:

I note that the two sponsors of SCR31 are the only current legislators who were delegates to the Constitutional Convention in Fairbanks during the winter of 1955-56. For this, they are to be applauded.

However, I do not share their apparent view that the Alaska Constitution is a perfect document, never to be changed. To the contrary, it contains some alarming variances from most American State Constitutions.

Operating under the current Alaska Constitution, our state government and bureaucracy has grown to be by far the largest and most expensive per capita in the history of the United States of America. Furthermore, it has maintained this unenviable position for the last several years. Our state government spends several times, per capita, what any other state government has ever spent. Furthermore, the bureaucracy employs several times as many bureaucrats as any other state ever has, on a per capita basis.

JUST THE TICKET for the baby boomers?

REGISTER
Santa Ana, CA
11/15/85

By David Boaz

WASHINGTON — Sen. Gary Hart, a likely Democratic presidential candidate in 1988, has reiterated his opposition to trade protectionism, a stance not calculated to improve his strained relationship with labor leaders. Rep. Jack Kemp, a possible Republican candidate, has annoyed his New Right allies by speaking out against the South African government and keeping quiet about abortion and school prayer.

Is Mr. Kemp moving to the left? Is Mr. Hart throwing away his chances for the nomination? It seems more likely that both have studied the demographics of the next election and decided to tailor their appeal.

The key is the baby-boom generation. Baby boomers don't fit on the traditional liberal-conservative spectrum used since the New Deal. Hart attracted them in 1984 by running to the left of Walter F. Mondale on cultural and foreign policy issues while seeming to attack his New Deal economics from the right.

When younger voters gave Hart early primary victories, journalists examined this phenomenon. A Harris poll found baby boomers more in favor of defense cuts and deregulation, and more opposed to protectionism and special help for smokestack industries than older voters. They were more inclined to call themselves independents.

This differing perspective is rooted in the life experience of the baby-boom generation.

Consider a voter who will be 37 in 1988. He doesn't remember the Depression and World War II. He was 14 when the bombing of North Vietnam began, 18 and trying to avoid the draft when the number of American troops in South Vietnam peaked, 23 when President Richard M. Nixon resigned and 29 when inflation hit double digits under President Jimmy Carter.

Vietnam, Watergate, the cultural revolution of the 1960's, stagflation — all gave this generation a very different view of government. Government didn't solve the great problems of our time; it caused them.

This view pushed baby boomers in a libertarian direction. They became committed to civil rights and personal freedoms, skeptical of government's

Imagine a candidate with the upbeat free market views of Kemp ...



... and the cultural and foreign-policy liberalism of Hart.

ability to shape the economy and concerned about the arms race and foreign intervention.

The Democratic pollster Patrick H. Caddell says, "They're relatively conservative — anti-New Deal, suspicious of big government as well as big business — but they're very liberal on social and cultural issues." To Kemp's press secretary, John Buckley, "The younger generation is pro-choice on everything."

Candidates who have tried to appeal to this constituency have included Democrats Jerry Brown, Gary Hart and even Jimmy Carter, all more liberal than mainstream Democrats on some cultural and foreign issues and more conservative on economics. Republican-independent John B. Anderson, who ran for president in 1980, also attracted support from baby boomers.

All of them talked also about austerity, sacrifice and an era of limits. They combined what Kemp calls the painful "root canal school of economics" with social liberalism, not quite the right combination for baby boomers.

Instead of fiscal conservatism and social liberalism, I suggest a different perspective for baby-boom voters: opportunity and tolerance. They want optimism, a growth-oriented future.

The GOP needs to combine its fiscally conservative constituency with the baby boomers instead of the social reactionaries, creating a forward-looking rather than backward-looking coalition.

Clever Democrats would challenge this approach by moving toward an opportunity-oriented economic policy, thus trying to add the baby boomers to their traditional peace and civil liberties constituencies.

Imagine a candidate with the upbeat free market views of, say, Kemp and the cultural and foreign-policy liberalism of Hart, and you have a campaign that could attract younger voters into either party and shape the political future for a generation. But such a candidate would have to overcome powerful interest groups.

The future of American politics may be determined by whether the Democrats can liberate themselves from the grip of the AFL-CIO before the Republicans break free from the Moral Majority.

Boaz is vice president of the Cato Institute, a libertarian public-policy research organization.

HERALD & NEWS
Klamath Falls, OR
12/16/85

Libertarians can add to Oregon's politics

The Libertarian Party of Oregon lost its place on the Oregon election ballot three years ago and is trying to regain it through a petition drive that needs at least 60,175 signatures.

We hope it succeeds. That's not because we think the Libertarians will ever win an election — at least not any time soon — nor even because we agree with a lot of what Libertarians say. The Libertarian Party does, however, offer a challenge to the two established political parties and might be able to generate some new ideas.

In the 1982 general election, none of the Libertarian candidates got enough votes to give the party an automatic berth on future ballots.

Minor parties can serve as the gadflies of the political establishment and, while not actually winning elections, sometimes can influence the direction of government policies or focus attention on issues that Democratic and Republican candidates would prefer to ignore.

Minor parties also can be their own worst enemies, advocating positions so far beyond what people will accept that they lose all credibility. Libertarians have fallen into that trap at times.

The Libertarian philosophy generally holds that the less intrusion into people's lives by government, the better.

Libertarians take that position to such an extreme, however, that they usually alienate, if not downright appall, those in the political spectrum that would normally be expected to support it.

Actually, there probably is no "normal" when it comes to Libertarians. Their positions cut across political lines. In 1980, for example, Libertarians wanted to abolish "victimless" crimes, repeal gun-control laws, abolish draft registration, eliminate zoning and land-use planning, end minimum wage laws, stop intervention in other countries' internal affairs and cut military spending.

Just about everyone should be able to find things both to support and oppose in that list.

Minor parties also need creditable candidates to give their ideas exposure and then they have to convince the media and others they're serious. That's tough and sometimes unfair.

We hope the Libertarians make it back on the ballot. They could add something to Oregon politics.

Encyclopedia lists 'NOT-SAFE'

The National Organization Taunting Safety and Fairness Everywhere (NOT-SAFE), based in Montecito, has been listed by the Encyclopedia of Associations of Detroit, Michigan.

The entry says NOT-SAFE, founded and directed by Montecito resident Dale Lowdermilk, started in 1980 and has 975 members including members of Congress, corporate executives, journalists, scientists and professionals who advocate free-market and libertarian principles. The organization "provides platform from which problems of government 'stupidity' can be attacked with wit, satire and overkill," the entry says.

The entry adds that NOT-SAFE maintains two committees, the Coalition to Ban Cruellers and the Committee to Rename Obscene American Cities. NOT-SAFE emits "Quagmire," a semi-annual publication. The organization's annual convention/meeting is "always February 30" in Montecito.

THE CHRONICLE
Houston, TX
7/7/85

Democrats decreasing

NEW YORK — The number of voters who consider themselves Democrats has dropped almost 25 percent since 1978, the middle of the Carter administration, according to an ABC News-Washington Post poll. A July 1 telephone poll of 1,250 voters showed that 37 percent usually consider themselves Democrats, compared to 27 percent who usually consider themselves Republicans. Thirty-six percent consider themselves independents, according to the poll, which has a margin of error of plus or minus 3 percent.

Lowdermilk listed in 'Who's Who'

Dale Lowdermilk of Montecito, air traffic controller and Libertarian satirist, has been listed in the 20th edition of *Who's Who in the West*.

The entry says he has two children, received an associate of arts degree at Santa Barbara City College and was a student at the Geological Institute of America. He has been an air traffic controller at Santa Barbara Airport since 1971, was president of the Santa Barbara Apartment Owners Association in 1983, and served in the U.S. Air Force from 1968 to 1971. He is the founder and executive director of the National Organization Taunting Safety and Fairness Everywhere (NOT-SAFE).

Privatization concept works well where used

I commend you for your excellent editorial on privatization (*The State*, Nov. 3). I agree that privatization is a concept that is gaining momentum, for it works. Libertarians have been calling for privatization for many years.

An increasing number of books, such as Robert Poole's *Cutting Back City Hall*, give concrete examples of how the private sector can save the taxpayers millions of dollars while providing better services than government monopolies. These are not new ideas. Some communities have been privatizing for many years. Private prisons already exist. Private mail works where it is allowed. Some communities have competing electric companies, and it works fine. Private schools in big city slums give hope to "difficult" children by teaching them how to read and write after the public schools have given up on them. They do this without one cent of the taxpayers' money.

As taxpayers become less willing to pay for wasteful government programs, Libertarian policies will become enacted, no matter who has political power. It's very interesting to watch the news media criticize Libertarian ideas as "radical" and then later advocate those same policies. I could name a few other examples, such as the reform of the Blue Laws, but instead, I'll just wait and see which Libertarian idea becomes fashionable next.

DAVID MORRIS
Education Chairman

S.C. Libertarian Party
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Fallacy of Poll Standard

To the Editor:

"Who'll Protect the John Andersons?" gives some clues, I believe, as to why, despite numerous get-out-the-vote campaigns, the United States has the lowest voting rate of any democracy.

You imply, for example, that a candidate can be considered serious only if he attains 15 percent in opinion polls. With such emphasis on polls, why bother with formal elections at all? More important, why equate seriousness with support at polls?

In 1980, Ed Clark, the Libertarian candidate, was asked by a reporter whether he would wage a serious campaign or deal with issues. The implication of this question, that supposedly serious candidates confine themselves to the superficial, is generally true, but surely *The Times*, at the serious end of the mass media spectrum, can give more weight to ideas than images.

Other democracies have several major parties. But the so-called third-party candidates you mentioned — Henry Wallace, Strom Thurmond, George Wallace, John Anderson — were, in fact, disaffected spoilsports from the two major parties.

The reality is that, lacking media publicity, it is virtually impossible for non-major-party candidates to get any recognition in the polls, which then somehow justifies their exclusion from the debates. In 1980, despite President Carter's suggestion that the Libertarian candidate be included in the debates, Mr. Clark's name was omitted from the poll ballots, thus precluding even a theoretical chance at the magic 15 percent. Indeed, the use of poll results as a criterion for the right to debate undermines the importance of issues and helps entrench the shared monopoly of the two major parties.

TOM LOWY
Chair, Libertarian Party
of New York City
New York, Nov. 30, 1985

BEE
Sacramento, CA
10/20/85

As *Newsweek* reports, "noninterventionists" appear to be on the ascendency in both major parties. The so-called "neoliberals" in the Democratic Party, personified by Gary Hart, are openly suspicious of using government to achieve economic prosperity. Republican libertarians such as California's Congressman Ed Zschau, meanwhile, don't want to use government to enforce social mores any more than they want government to direct the economy.

The labels of "conservative" and "liberal" won't disappear from political reporting or even from political debate. But they may be redefined as both parties seek to become dominant among a new generation of voters disinterested in the ideological wars of the Depression, Cold War or Vietnam eras.

MUTUAL THEFT

In response to Cornelius Morgan's letter (Letters, *MT*,

Oct. 2), although I agree with his assertion that the content of a child's education shouldn't be determined by members of the government-educational monopoly, he and other parents long ago abandoned any morally justifiable claims to control this indoctrination-masquerading-as-third-rate-education when they demanded that all other citizens be forced, through taxation, to pay for their children's schooling.

You cannot destroy your neighbor's economic freedom by demanding that he spend it on you and yours, while preserving your own freedom to choose the type of school your child attends.

As long as Americans use the voting process to mutually rob each other in a quest to fund their own particular "needs" (a dishonest euphemism for "desire") — whether it be public education, welfare, social security, Chrysler bailouts, corporate and farm subsidies, museums or tariffs — they should not be surprised if control-hungry agencies then demand a payoff for doing the dirty work. At least street thieves are intellectually honest: they don't try to convince you they are robbing you for the "social good." Mr. Morgan and supporters of the "Demo-publican" Party have forced everyone to pay the piper, but now they don't seem to like the Big Brotherly tune.

Lawrence Ludlow
Issues Chair
Macomb County Libertarian
Party

Bad ballot plan

Well... State Rep. Michael J. Bennane, D-Detroit, is at it again. He is the alleged author of House Bill 5089, which will obstruct or prevent entirely third party ballot access by increasing the signature requirements to 45,000 members.

(This) before the Secretary of State will consider a political entity such as the Libertarian movement a real live, official, bonafide, genuinely sincere and valid political party, worthy of a place on the ballot. Democrats and Republicans, of course, conveniently exempted themselves from such requirements.

As it stands now, to gain access to the ballot, minor parties must present the Secretary of State with the signatures of about 20,000 members. A task, I doubt either the Democrats or Republicans could accomplish, separately or even together.

Then, they add injury to insult. While Democrats and Republican gubernatorial hopefuls illegally use taxpayers money to promote their worn-out themes and unannounced campaigns, Libertarians, on the other hand, must, year after year, burn up over half of our own resources just to get on the ballot, the first and fourteenth amendments notwithstanding.

Throughout the history of this country, minor party movements have always been (for better or worse) the cutting edge of change. When we do things which may squelch such efforts, it causes one to wonder — where will the new ideas come from? Certainly not from the Democrats or Republicans. Their policies are bankrupt. If you don't believe me, read their platforms.

Albert Einstein explained this attitude best when he said: "New ideas will always be met with violent opposition... from mediocre minds."

CHARLES CONGDON,
Member of the State Central
Committee,
Libertarian Party of Michigan

Libertarian submits petition in attempt to abolish school board

THE CHRONICLE Houston, TX 10/3/85

A Libertarian Party member has submitted a petition of more than 200 signatures in an attempt to place a proposition on the Nov. 5 election ballot to effectively abolish the Harris County Department of Education.

Allan Vogel submitted a 35-page petition to County Judge Jon Lindsay's office calling for a public vote on whether the county school board should continue to collect a property tax to run the system.

Vogel said Thursday he began collecting the signatures about a week ago, but that the Libertarians have been trying for several years to have the department abolished, calling it an anachronism.

Harris and Dallas are the only two Texas counties still with school boards.

"With the upcoming election dealing with constitutional amendments, I felt this was an appropriate time to raise the issue again," Vogel said.

The seven county school trustees oversee the county equalization fund, which distributes monies to property-poor districts in the county.

The local department of education provides some teacher in-service training and organizes joint purchasing and printing services.

Lindsay's office is attempting to discover whether Vogel's petition was submitted within the deadline and follows other procedural matters.

Vogel said a state education code section says 150 or more qualified voters in a county of more than 350,000 can place such a petition before the county judge.

"I believe that as long as the petition is submitted 30 days prior to the election, the proposition can be included," Vogel said.

The county clerk's office, which handles county election matters, could not be reached for verification.

What or whom we call "conservative" or a "liberal" these days may bear little resemblance to those terms as applied scarcely a generation ago.

Newsweek magazine, in an article entitled "Old politics and new labels," wrestled with the dilemma of political nomenclature recently and concluded that a more logical way of describing today's politicians was "interventionists" or "noninterventionists."

The former want to use government to achieve whatever social or economic ends they desire — whether it be Jerry Falwell to stamp out abortion or Ted Kennedy to redistribute national wealth. The latter are suspicious of government intrusion and prefer to leave such matters to the private marketplace or personal choice.

Legislative pay raise repeal gains steam

Fairbanks, AK
Daily News Minor

JUNEAU (AP)—A proposal to repeal the pay raise lawmakers gave themselves in 1983—openly shunned by legislative leaders last session—is apparently headed for quick passage this year.

"I think you'll see it zipping right along," said House Majority Leader Don Clocksin, D-Anchorage.

A package of legislation suddenly rushing through House and Senate committees would repeal the 1983 raise and create an independent commission to determine salaries for lawmakers and other public officials.

During the last days of the 1983 session, the legislature voted itself a raise from \$1,757 to \$3,900 a month. Per diem payments of \$80 were eliminated, but the overall compensation increase soared from \$34,700 to \$50,800 annually.

A petition drive kicked off by the Anchorage Chamber of Commerce and completed by the Libertarian Party placed a repeal initiative on the upcoming November ballot.

It's apparent, however, that lawmakers will beat voters to the punch and repeal the raise themselves. Last year, the identical proposal stalled in committee.

"It's a different ball game this year," said Rep. Katie Hurley, a Wasilla Democrat who is one of the

prime sponsors of the repeal legislation. "There's been a policy decision in the House, so things are moving."

Another author of the repeal proposal said the sudden movement is partly due to companion legislation that would set up an independent salary commission.

"I frankly think that this pay raise commission is a good idea at this juncture in time," said Rep. Pat Pourchot, D-Anchorage.

A healthy dose of political realism has also caught the attention of legislators, said Sen. Pat Rodey, D-Anchorage.

He said lawmakers will likely move to repeal the raise fairly quickly, rather than wait for voters to do it in November. If the pay raise is repealed by the legislature, the ballot initiative would be dropped.

Under legislation that passed the House and Senate judiciary committees Tuesday, voters would instead be asked to establish a salary commission. The panel would set pay for the legislature, the governor and lieutenant governor, and other appointed public officials.

From that point on, legislative pay would be set solely by the commission.

"The legislature won't have any credibility on that issue unless it is handled independently," Rodey said.

An interim panel set up by the legislature last session studied the pay issue and recommended creation of the permanent salary commission.

The temporary committee—composed of lawmakers and members of the public—also drafted a new pay plan for the legislature.

That proposal calls for dropping monthly pay to \$2,500 and reinstating per diem payments of \$109 a day during the legislative session.

In all, the plan would reduce compensation from \$50,800 to \$50,170 a year, according to estimates offered by Pourchot.

Several legislators, however, have said that proposal does not have adequate legislative support. In fact, it has already stalled in a House committee.

Editorial makes false assumptions

Editor:

The editorial in last week's Appeal ("Pass No. 853") makes false assumptions, fails to make critical distinctions, and it misrepresents the anti-prohibition position.

It says "They say that the problem" (i.e. of drugs) "cannot be eradicated BECAUSE it has been with us for centuries." That is incorrect. Libertarians say that prohibition must be abolished because it is IMMORAL. The fact that prohibition has been with us for centuries, and that it has universally and consistently failed, testifies to the unenforceability of an immoral law.

The libertarian foundation of morality is that no one individual or group (e.g. government) can claim a right to initiate force. The only possible moral justification for use of force is the defense of the inherent and inalienable rights of individuals. The belief that "the Forfeiture Ordinance would restrict no civil liberties," is an indefensible contradiction of the reality of law enforcement.

All that an advocate of prohibition can do is to argue that the violation of civil rights by law enforcement is justified. The editorial attempts to do this by listing examples of how people are victimized by "drug peddling" and drug abuse. However, there is no example that was - or can be - offered to make the claim that non-abusive drug use by adults violates anyone's rights. If the user "manufactures" his or her own drugs, then there can't even be an implication in the "crime" of "peddling".

Neither the editorial nor ordinance #835 makes the critical distinction between non-abusive drug use, on the one hand, and peddling and genuine drug abuse on the other. Yet if this distinction were made in the law, it could then be a morally justifiable weapon against the destruction of children's "little bodies and minds" by irresponsible drug dealers (who are usually adolescents themselves). Further, such a justified law would also have the support of most adult illegal drug users, as well as that of the users of legal drugs.

The editorial correctly asserts that "We are the victims when someone strung out on speed drives head-on into our vehicle." Yet how is this different from the more common case wherein a drunk driver does the same thing? The slaughter and damage wrought by drunk drivers certainly justifies the tougher laws recently enacted, but can it justify the return of Alcohol Prohibition? Will civil forfeiture be used to seize and sell cars belonging to drunk drivers?

The editorial correctly states, "We are the victims when our homes are burgled to gain enough funds to purchase a 'fix'." - but what are we really victims of? The statistics commonly cited are that the heroin addict's daily habit ("fix") costs about \$100; to get \$100, the junky has to steal \$600 worth of fencible goods. Law enforcement officials estimate that 1/2 to 2/3 of all property crime in the U.S. is committed by heroin addicts. The fact rarely mentioned is that the pharmaceutical equivalent of the "street fix" (i.e. the morphine still stocked by some hospitals) costs little more than \$1 including a sterile disposable syringe. The only factor that can make \$1's worth of chemical sell for \$100 is prohibition. Can anyone believe that a junky would commit astronomical quantities of theft if he could pay for his fix by collecting deposit bottles?

The main false assumption made in the editorial is that the result of more property confiscation will be "no drug trafficking here." Taking the profits and "instrumentalities" from any one dealer can only justify higher prices to attract people willing to take higher risks. Taking the property of people who have something to lose will only guarantee that the dealing will be done by those who have nothing to lose. Even the head of the federal Drug Enforcement Administration admits that as long as there is demand, there will be supply.

G.P. Franck-Weiby
Silverton

Silverton, OR
Appeal Tribune



MILO FRITZ

Fritz files for state Legislature

By Bert Grubb

Dr. Milo Fritz, well-known Alaska physician, will run again for the state Legislature against incumbent Andre Marrou.

Fritz, who has retired and now lives in Anchor Point, announced this week he has filed as a Republican for Seat 5, District 5 of the state Legislature. He is no stranger to the state office, having served three terms in the past.

His most recent term was 1982-84, when he was defeated in his bid for re-election after a close race with Marrou. Marrou is a Libertarian.

Fritz said he is most concerned at present with the building of a TransAlaska gas pipeline. There is an abundance of labor and unemployment on the Kenai Peninsula is 19.5 percent, he noted, and Alaska needs a product like liquefied natural gas which it can market. He added the liquefaction plant would be located on the Kenai Peninsula.

Such a project would provide many jobs, he added, and require expanded services to accommodate the workers.

One-sided debate

When I was asked by the University of Oregon Campus Libertarians to find a speaker opposed to Ballot Measure 5 (the marijuana initiative, which allows adult possession and growth of marijuana for personal use), I did not think I would have any trouble, since there are numerous groups organized to combat alcohol and drug abuse whom I fervently support.

However, I have been unable to find a single speaker willing to discuss the subject with Dr. Fred Oerther, a Portland physician who believes that marijuana users are not criminals. (At present, possession of small amounts in Oregon is a misdemeanor punishable by fine, but growing even one plant is a felony which can carry a 20-year sentence!)

It seems to me that since this subject will be on the ballot, the public would want to know more about it. Yet not only have I found no one to speak in opposition, but I occasionally met with outright hostility and bigotry on the part of some opponents. (It may be that there is no rational case for jailing people who have not harmed others and that, therefore, the only opposition to marijuana decriminalization is emotional.)

Dr. Oerther will be in Eugene Monday, February 24th, speaking on behalf of Measure 5 in Room 101 at Erb Memorial Union.

TONIE NATHAN
1625 Best Lane
Eugene

Eugene, OR
Register-Guard

Alaskan City Resists Zoning, Police, Taxes Despite Fast Growth

Wasilla Keeps Pioneer Image, And Planners Go Packing; The Airstrip vs. the Road

By KEN WELLS

Staff Reporter of THE WALL STREET JOURNAL
WASILLA, Alaska—Five years ago, Stephen Brooks bought a house on an acre of Alaska paradise with a view of the snow-capped mountains. A year later, a huge indoor horse arena arose next door, obscuring his view.

But Mr. Brooks, a federal government worker and co-owner of the local country music radio station, is philosophical. "It could have been a gravel mine or a junkyard," he says. "With no restrictions, people just go hog wild."

In Wasilla, in fact, zoning is a dirty word, and development has gone wild. With a pioneer spirit still prevailing here, most people like it that way.

As Alaskans have increasingly migrated from the port of Anchorage, 45 miles to the southwest, in recent years, Wasilla has experienced one of the fastest growth rates of any town in the U.S. From a sleepy outpost with 300 people, one store and one traffic light 10 years ago, Wasilla proper has swelled to 3,800 residents. Another 20,000 crowd the outskirts within five miles of Main Street.

Crazy-Quilt Growth

The growth has been haphazard, with shopping malls, fast-food outlets, a tanning parlor and even a hot-tub boutique all clogged in a four-mile commercial strip that looks as if it were transplanted from suburban Houston. Even in the best of neighborhoods are plunked gravel mines, junkyards, airstrips and rifle ranges.

Residents here and in much of the surrounding Matanuska Valley simply haven't much use for planning, zoning, building permits, or even for police. In a state with only 500,000 people, half of them in Anchorage, Wasilla is one of very few suburbs. And it definitely isn't your typical suburb with well-manicured lawns and white picket fences. Many of the residents fled onerous rules and regulations elsewhere, so rugged individualism is the norm.

"Here, they've just got to have a big dog and a big knife and a big, scoped rifle," says Lt. Jay Yakoptak of the Alaska State Troopers. "They haven't quite figured out that it isn't the wild, woolly West."

Cary Thurlow, the manager of Matanuska-Susitna Borough, the valley's equivalent of a county government, agrees. "To be a planner here," he says, "you have to be tough. You can't be limp-wristed."

Heretical Idea

Last year, when the borough proposed a comprehensive zoning plan to rein in the valley's chaotic development, hearings turned into "a kind of mob-rule thing" that cowed planners and sent the zoning plan into oblivion, says Thomas Mitchell, the editor of the Frontiersman, Wasilla's semi-weekly newspaper.

It was hard to blame planners for trying, however. Borough and town officials are being called upon increasingly to arbitrate disputes that result when property owners, in the absence of official rules, make their own rules.

Two neighborhoods on Wasilla's outskirts, for example, feuded for months over whether a gravel path between them was a road or an airfield. It was often used as both simultaneously, causing several near collisions between cars and planes before the borough ruled in the planes' favor. Target practice with high-powered rifles in crowded subdivisions is a common complaint.

In view of the past hostility to any type of planning, it is considered remarkable that local officials even had the guts to

Please Turn to Page 9, Column 1

A CANDIDATE for lieutenant governor of California wears a pink campaign button that says: "Cop to Call-girl." Libertarian Norma Jean Wright Almodovar, admitting that she is a prostitute, also said she is serious about her candidacy. "Prostitution is my chosen profession," she said. "Unfortunately, I can't practice it now." The 34-year-old woman said she joined the Los Angeles Police Department when she was 20 and spent 10 years as a traffic officer. She turned to prostitution after she was struck by a drunken driver and lost her job, she said. She has since written a book detailing her experiences as a "high-priced Beverly Hills call-girl." She also was convicted of pandering and spent 50 days in jail. She said she turned to politics after being released.



San Diego, CA
Evening Tribune

ALMODOVAR

Alaskan City Resists Taxes, Police And Zoning Despite Fast Growth

Continued From First Page

suggest a zoning code. "Used to be that at the very mention of the word 'zoning,' a lynch mob would come out of the woodwork," Mr. Mitchell says. "The politicians didn't even have the word in their vocabulary."

"Used to be," in Wasilla parlance, means a couple of years ago. Some old-timers attribute the apparent mellowing of attitudes lately to an influx of Anchorage commuters attracted by the mountain views and modest real-estate prices, rather than by the anti-zoning policies. After the borough beat its hasty retreat on a valley-wide zoning plan, for instance, Wasilla adopted its own land-use plan. It gives residents the right to formally protest, though not necessarily stop, "incompatible" intrusions, such as junkyards, in their neighborhoods. But most of the town remains essentially unzoned.

"There is considerable resistance here by people to any sort of controls over their lives," says Harold Newcomb, a real-estate investor and a former Wasilla mayor. "They move up here and buy their one acre. They build a house. They put in a septic tank and a water well. Maybe they get a power line, but that's their only connection to the outside world. They become a little kingdom unto themselves. They've got a .44 Magnum and if anybody messes with them, they become a police department, too."

Although the town has a sprawling felony rate and an urban-style drug-trafficking problem, Wasilla seems to have as little use for police as it does for planning. Mr. Newcomb advocated the certified concept of a police department three years ago, and his plan was promptly derailed by a coalition of Libertarian Party members and "some folks who just didn't want the police snooping around," he says.

Libertarians and Republicans

Mr. Newcomb subsequently lost his bid for re-election to the Libertarians, a considerable force in Alaskan politics. The Libertarians themselves were routed from city hall by the current mayor, Charles Bumpus, a self-described "liberal Republican." Mr. Bumpus's Republicanism might not be recognizable in some places, however; the former jazz saxophonist was a Libertarian himself until the party drummed him out a few years back for suggesting that Wasilla's drinking age be raised to 21 years old.

Though Mr. Bumpus has appointed a Libertarian to fill the police chief's shoes, he remains largely mistrustful

of authority and tend to be virulently anti-tax, the mayor says. He adds that the town is unlikely to start levying any taxes until residents take the initiative.

"What for?" asks Lester Baker, a mechanic. He and his neighbors, he suggests, are perfectly able to care for themselves and protect their property. "The last guy who drove up past the 'Keep Out' signs" on the gravel road leading to his home outside of town, he says, "my neighbor just got his gun and pulled off two rounds over his head. He peeled out of there pretty quick." Most residents haul their own garbage to the dump, and volunteers man the fire department.

Police protection actually is provided by the state, which can spare only four troopers at any given time to cover Wasilla and the rest of the West Virginia-sized borough. Wasilla also largely depends on state grants to support its 14-person city work force and a bare-bones capital-improvement program.

Are Taxes Inevitable?

With state revenues being battered by slumping oil prices and with growth continuing to overload the town's gravel roads and rudimentary services, however, Mr. Bumpus concedes that taxes may be inevitable. A few small neighborhoods, in a big step for Wasilla, already have agreed to create localized taxing districts to finance sewers and other improvements without putting the tax bite on all residents.

Sheer growth, meantime, keeps eroding the town's frontier spirit. Wasilla (the name came from an Indian term for "breath of air") sprang up in 1937 as a trading post for workers building the Alaska Railroad. In the 1970s, when the energy crisis spurred spectacular growth in Alaska in general, Wasilla attracted the mavericks and developers who disdain taxes and zoning laws.

Even some of these people now lament the effects of the pell-mell growth. Leaky septic tanks have begun to foul the town's two lakes, and unregulated development is jeopardizing the underground aquifer that feeds residents' wells. Rush-hour traffic clogs the town's commercial strip, and on weekends during the salmon-fishing season, says Mr. Baker, the mechanic, "traffic is so bad that you can't even get to the river."

Kenneth Soper, a 67-year-old retired laborer and lifetime resident, is despondent. "I think it's ruined," he says. "Some people I know have just packed up and left. In time, they know Anchorage is just going to move out here."

New York, NY
Wall Street Journal



Marijuana 'here to stay'

AS A MEDICAL DOCTOR, Fred Oerther says he isn't worried about marijuana being hazardous to his 10 kids — because he is worried about the laws. "What marijuana laws do to our legal system..."

"We believe that, in the majority of cases, the main victim of marijuana crime is the 100 million... Eugene identifies this week. When the defendant is the victim, who is the criminal?"

Oerther slumps the state telling listeners that pot use is "an ingrained social custom" in Oregon, and that "a majority of adults do not support the current marijuana laws."

Even the Legislature has convoluted the law to make possession of an ounce or less of pot only a traffic-ticket-type sort of crime. Measure 5 would take it one step further, legalizing growing and using your own at home, while still outlawing public use and commercial sale.

But is Oregon really ready to become the first state in the nation to flat-out legalize the stuff? (Personal use is legal in Alaska, but as a result of a state supreme court ruling, not legislative or voter action.) More important, should it be?

Texas has proof that marijuana, does one thing. It causes mild and reversible brain-tits. All of the other things are allegations, unsubstantiated or clinically insignificant.

Oerther claims that one-third of the nation's adults use pot regularly and that two-thirds have tried it. He said he bases his figures on a 1979 National Academy of Sciences estimate.

Attorney-client privilege jeopardized, lawyers say

BOSTON (AP) — Defense lawyer Harvey Silverglate calls it "the judicial equivalent of a world war." Harvard Law School professor Alan Dershowitz warns that "we're going to see a rip-roaring battle out there."

Silverglate and Dershowitz are among those drawing the battle lines with federal prosecutors over their use of subpoenas to force defense lawyers to provide information about their clients to grand juries.

Defense attorneys and some civil libertarians view the subpoenas as a threat to the attorney-client privilege, which is derived from the English common-law principle that what is said between an attorney and a client is private.

Government prosecutors insist they are after only information that would not violate the privilege, such as documents turned over by a client to a defense attorney that are not available elsewhere.

Boston attorney Silverglate says the subpoenas are attempts by prosecutors to make their jobs easier.

"It's a shortcut to getting convictions," said Silverglate, who claimed federal prosecutors used one of his clients as an informant. "After all, people confess their crimes to their lawyers."

Silverglate cited several examples he said indicate abuses of the attorney-client privilege:

— A Boston lawyer was jailed by a federal judge in New Hampshire last year for contempt after refusing to testify about a former client accused of drug smuggling.

— A Michigan lawyer whose fee was paid by a stolen check was ordered in 1983 to disclose the name of the client even though the disclosure would provide the last link in the evidence needed to indict the client.

— In 1983, federal agents seized 1,100 client files of a San Diego lawyer suspected of drug dealing.

Dershowitz shares the belief of some attorneys that clients will no longer feel free to talk with their lawyers if they know their conversations could end up as evidence before a grand jury. And without a free exchange between lawyers and clients, he says, a lawyer can't construct an effective defense.

"It's an attempt to cut the heart out of zealous (legal) representation," he said.

But a federal prosecutor who uses the subpoenas says the talk about destroying the attorney-client privilege is overblown.

"We're talking about subpoenas for non-privileged information," said William F. Weld, U.S. attorney for Massachusetts.

Weld said that if a prosecutor sought information protected under the attorney-client privilege, a judge would likely quash the subpoena.

Libertarian petition signed by mayor — with some questions

Honolulu, HI
Advertiser

Mayor Frank Fasi yesterday signed a petition calling for the Libertarian Party of Hawaii to be officially recognized on the 1986 election ballot.

The mayor penned his name with initial hesitation, asking first whether he was signing up to join a new party.

"If I sign this, will Patsy Mink start a recall drive?" asked Fasi. Councilwoman Mink initiated last year's recall of three Democrat councilmen who had joined the Republican Party at Fasi's behest.

Fasi said he was adding his name to the list because "I always believe all political parties have the right to be

on the ballot." The mayor added, though, that if asked to sign a petition for the Communist Party, he wasn't sure he would do it.

The Libertarian Party advocates minimal government, civil liberties and free enterprise.

Lt. Gov. John Waihee, the state's chief elections officer, said those who sign the petition can do so without endorsing the Libertarian Party policies.

In 1984, the party failed to attract enough votes to automatically win a place on this year's ballot. To get back on for the upcoming races, the Libertarians must collect 4,200 signatures of registered voters by early April.

The issue, Oerther said, is whether adults in the privacy of their own homes can choose to cultivate and smoke marijuana without being criminals.

Sounded like something I read three years ago. Like it or not, marijuana is here to stay. Some day, some way, a prohibition so unenforceable and so widely flouted must give way to reality.

Advocate Oerther didn't say that. Those words appeared in a New York Times editorial.

Eugene, OR
Register-Guard



To make matters worse, the Alaska State Government now owns significant portions of the commercial business sector of the economy. Alaska is the only state which owns a railroad. Alaska is one of the few states which owns a ferry system, and ours is the largest. Alaska is the only state which owns a dairy and milk processing plant, selling these products in the open market on the shelves of grocery stores. In addition, the State of Alaska now owns several fish processing plants and a bedding plant nursery.

By any measure, the Alaska State government is by far the most socialistic in the history of our country. It is time for this to change.

Towards that end, I introduced during the first session an even dozen house joint resolutions to change our Alaska Constitution. These measures are designed to shift power and resources away from state government and into the hands of private, individual citizens.

In my opinion, the 3 worst provisions of the Alaska Constitution are:

1. It prohibits the people from initializing petitions to propose constitutional amendments and to address appropriations. Alaska is one of the few states which so severely restrict initiative petitions. Indeed, certain initiative petitions proposed by the people have been disqualified by the courts simply because of the Alaska Constitution, even though the people desired them.
2. The Alaska Constitution prohibits the people from electing an Attorney General and a proposed position of State Auditor. Alaska is one of the few states to prohibit the election of such a high office.
3. The Constitution prohibits individually held mineral rights on lands patented since statehood in 1959. Thus, most mineral rights in Alaska are controlled by the state bureaucracy. To my knowledge, Alaska is the only state which prohibits its citizens from owning mineral rights under the lands to which they hold title. Furthermore, the reservation to the state of these mineral rights is one of the most onerous pernicious clauses in the entire body of the Alaska Statutes.

Mr. Speaker, private property is the essence of a free society! It is what being an American is all about -- having the freedom to do what you want on your own land! But in Alaska, thanks to the statehood act and our constitution, private real estate barely exists. Approximately 90% of the state is publicly owned. This means most of our lives and lifestyles are dictated to us by public policymakers and bureaucratic planners. Is this the land of the individual?

Therefore, Mr. Speaker, I must sadly and regretfully characterize the current Alaska Constitution as being the most socialistic, pro-government, anti-individual-liberty constitution in all the 50 states. I am not proud to say this, but it is true.

Since the purpose of this resolution is to interest young people in the State Constitution, I would like to remind them of Article XIII, Section 3, which allows the voters to call a Constitutional Convention every 10 years. Since it is doubtful that any legislature will ever call a convention that might transfer some legislative powers to the people, the only way we will ever fix some of the constitution's deficiencies is for our young people to understand it.

To that end, I have proposed the Amendment to SCR 31.

Resolutions Introduced by Rep. Andre Marrou During 1985 Session To Improve Alaska Constitution.

HJR 7 Limit State Government Participation in Business
HJR 28 Constitutional Amendment & Appropriation by Initiative
HJR 29 Mineral Rights: Statehood Act Land
HJR 30 Alienation of Mineral Rights; Statehood Act Land
HJR 42 Election of the Attorney General
HJR 44 Legislative Annulment of Agency Regulations
HJR 45 Constitutional Right To Keep and Bear Arms
HJR 48 Tax Credits/Deductions for Education
HJR 49 Appointments to Reappointment Board
HJR 50 Biennial Sessions of Legislature

Well, one thing's for sure, Mr. Marrou calls a spade a spade. He's our Lone Ranger in the Legislature, and, hopefully some of those other "legislators" are listening.

See you next month!

