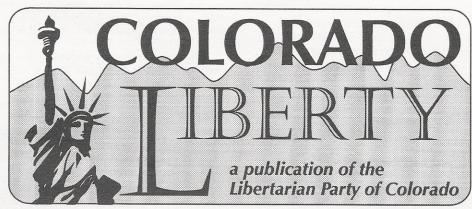
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Volume XIX, Number 5 http://www.pageplus.com/~lpcolorado/

May, 1998

# It's Official: We're a Party! Romer Signs HB-98-1110

DENVER, CO—The Libertarian Party, America's third largest and fastest growing party, has become Colorado's first fully qualified minor political party. "This great news for the Libertarian Party and our 2,900 members in Colorado is due to Governor Romer's signing of HB-98-1110 on April 13," said Libertarian Party of Colorado Chairman Sandra Johnson, of Ft. Garland.

The new law redefines requirements for minor party status in Colorado, and significantly liberalizes the nomination process for candidates of those parties.

"We have made several minor changes to our party constitution and bylaws that will enable us to meet the new requirements," said Johnson. "These changes were passed by our members at our annual state convention, which was held April 24-26 at the Sheraton Denver West Hotel in Lakewood. We are in the process of applying to the Secretary of State for certification as Colorado's first official minor party."

"We thank Representative Ron Tupa (D-Boulder) and Senator Tilman Bishop (R-Mesa County), sponsors of HB-98-1110, the bi-partisan legislature, and Governor Romer for injecting some healthy and long overdue competition into the political process. For years, voters in Colorado and nationwide have been clamoring for more choices at the ballot box.



Ron Tupa gestures while Governor Roy Romer signs HB-98-1110. David Aitken, the bill's author, stands directly behind Ron. Members of the Green, American Constitution and Reform parties also participated.

Indeed, we believe this lack of choice, not apathy, is the primary reason that only 48% of registered voters actually bothered to vote in the 1996 elections."

"We're looking forward to taking a much more active and visible role in Colorado politics," said Johnson.

"With the elimination of petitioning requirements for our candidates, for the first time we will be able to focus our efforts on actually winning races. Virtually all of our very limited resources have in the past gone to just getting our candidates onto the ballot."

"We're excited and encouraged by this long overdue change, as well as the unprecedented opportunities coming up this year," said Johnson.

"Due to term limits and other factors, we project that two-thirds to three-quarters of the races for the state legislature will not include an incumbent. The opportunities to elect a Libertarian to the Colorado Legislature have never been better."

After two gloriously successful years as Chair of the Libertarian Party of Colorado, Sandra Johnson handed over the Party's leadership to Michele Bethke on April 26.

Thanks for the passage of HB-98-1110 must go to David Aitken, for writing the bill; Judd Ptak for constant lobbying with Ron Tupa, (D-Boulder), the House sponsor; and to everyone who called their Senator or Representative to persuade them to support this epochal bill.

### **Editorial**

The Bill of Rights is central to our Constitutional form of government. But nobody reads it any more. The following draft updates some of the language and makes this vital document clearer for a 21st Century audience.

### **New Amplified Bill Of Rights**

Because the economy of Colorado has benefitted immensely from the TABOR (Taxpayer's Bill Of Rights) amendment to the Colorado constitution, and since some Christians have benefitted from New Amplified translations of their Bible, I propose a New Amplified Bill Of Rights (NABOR) to aid the citizens of these United States in understanding the true foundations of our system of Government.

#### Preamble

Because we, the citizens of these United States, assume that any citizen's natural rights to life, liberty and property come before any government infringement of those rights, we declare these amendments to our Constitution to be absolute limits on government's power to infringe those pre-existing rights.

#### **Amendment 1**

Because speech alone, whether it be politically revolutionary, sexually obscene or even filled with racial hatred, cannot hurt anything but the emotions of the people who are the targets of that speech, Congress may not make any law establishing any religion as having political power, including religions that worship the earth, the sky, social equality or any other deity. Neither may Congress make any law that prohibits those folks that worship the earth, the sky, or any other deity from practicing their religion, no matter how repugnant to some their practice may be so long as it harms no unreligious person. Congress may not make any law that restricts what a person may say or print or distribute in any manner whatsoever. Congress may not make any law that restricts the right of the people to assemble anywhere for any peaceful purpose, including practicing the arts of self-defense. Congress may not make any law that restricts the right of any person to petition the Government for restitution in any case

where the government has denied any of the liberties guaranteed under this Constitution.

#### Amendment 2

Because words alone, even these words, can never guarantee the rights of a free people from the inevitable encroachment of a government out of control, we give a civilian Militia, consisting of all able bodied people, the right to regularly practice the skill of defending their freedoms by using every kind of armament. Congress may not make any law that infringes on the right of all citizens to keep and bear arms.

#### Amendment 3

Because Amendment 2 guarantees a voluntary civilian Militia that regularly practices the arts of self defense, and is thus sufficient to defend the borders of these United States, Congress may not make any law that uses the force and violence of government to require any citizen to be drafted into or to support, feed, clothe or house a full time professional military force or civilian Militia.

#### **Amendment 4**

Because Amendment 3 guarantees that a person's property cannot be confiscated for military purposes, Congress may not make any law that allows search or seizure of persons, houses, money, documents, datahandling machinery of any type, suitcases, purses, automobiles or any other possession. No search for evidence in a criminal case may proceed without a written warrant based on probable cause, sworn by oath or affirmation, describing in specific and unique detail the place to be searched and the persons or things to be seized.

#### Amendment 5

Because Amendment 4 guarantees the privacy and security of each person, Congress may not make any law that allows any government within the borders of these United States to charge any person with a crime or punish a person for a crime without an indictment of a grand jury, except in cases arising in the professional military forces or the Militia when they are in actual service in time of war or public danger. No person may be prosecuted and put in danger of life and limb twice for the same

offense. No person may be forced to be a witness against himself in a criminal case. No person may be deprived of life, liberty or property without due process of law. No private property may be taken or revalued for public use without the Government's payment of just compensation, as determined by the person from whom the property was taken or revalued.

#### Amendment 6

Because Amendment 5 guarantees that no person shall be unjustly accused of or punished for a crime, Congress may not make any law that allows more than thirty days to elapse before a criminal trial is tried before a jury in public. The jury shall be impartial, chosen at random from the state and district where the crime was committed, which jurisdiction shall have been determined by law, and may not be tampered with by either prosecution or defense by such processes as are sometimes called "voir dire." During the public trial, the accused must be informed of the nature and cause of the accusation, be confronted with the witnesses against him, have a compulsory process for obtaining witnesses in his favor and have the assistance of counsel for his defense.

#### Amendment 7

Because Amendment 6 guarantees the just and speedy conclusion of criminal cases, Congress may not make any law allowing a Government within the borders of these United States to deny a jury trial in civil suits where the value of the property in contention exceeds the value of two troy ounces of gold. No fact tried by a jury in any case may otherwise be reexamined in any court within the borders of these United States unless the case is one involving contracts.

#### **Amendment 8**

Because Amendment 7 guarantees that even civil trials will be carried out in an impartial and just manner, Congress may not make any law that allows excessive bail to be required in any case where the defendant has been arrested and put in jail, nor may fines be imposed beyond restitution for the crime, nor cruel and unusual punishments be inflicted on a convicted criminal.

(continued on page 5, second column)

### Calendar

#### May, 1998

- 5/2 Sat Denver Breakfast Group - 8:00am - LePeep, Mexico and Colorado Blvd, Denver, call David Aitken, 303-831-4334.
- 5/4 Mon Board of Directors -7:00pm - LP Office, 720 E 18th Ave #309, Denver, Co 80203, 303-837-9393, all members welcome, public comment 6:45 and 9:00, call for directions.
- 5/5 Tue Boulder Activists Lunch - noon - Coco's, 28th and Iris, call Ken Kirkmeyer, 303-774-0775.
- 5/7 Thu. Libertarian Community of Jefferson County - 1st Thursday -6:00pm - Lakewood Library, 10200 W. 20th. Ave., Lakewood, call Tom Goonan, (303) 278-1698
- 5/9 Sat Denver Breakfast Group - 8:00am - LePeep, Mexico and Colorado Blvd, Denver, call David Aitken, 303-831-4334.
- 5/9 Sat Denver Potluck Supper 2nd Saturday 7:00pm home of David Aitken, 1240 Ogden #4, Denver, Co 80218, 303-831-4334. Bring a main dish, side dish, or dessert to share. Drinks, plates, and utensils will be provided. If you don't have any ideas for what to bring, check the deli in your local supermarket.
- 5/12 Tue Boulder Activists Lunch - noon - Coco's, 28th and Iris, call Ken Kirkmeyer, 303-774-0775.
- 5/13 Wed Boulder LP Board Meeting - 2nd Wednesday -6:30pm - Trillian's, 30th and Arapahoe, call Ken Kirkmeyer, 303-774-0775.
- 5/16 Sat Denver Breakfast Group - 8:00am - LePeep, Mexico and Colorado Blvd, Denver, call David Aitken, 303-831-4334.
- 5/18 Mon Ft. Collins Activists -3rd Monday - 7:00pm - China Dragon, 1401 W. Elizabeth, Fort Collins. Contact Dan Cochran (970) 667-7557.
- 5/19 Tue Boulder Activists Lunch - noon - Coco's, 28th and Iris, call Ken Kirkmeyer, 303-774-0775.
- 5/23 Sat Denver Breakfast Group - 8:00am - LePeep, Mexico

- and Colorado Blvd, Denver, call David Aitken, 303-831-4334.
- 5/26 Tue Boulder Activists
   Lunch noon Coco's, 28th and Iris, call Ken Kirkmeyer, 303-774-0775.
- 5/30 Sat Denver Breakfast Group - 8:00am - LePeep, Mexico and Colorado Blvd, Denver, call David Aitken, 303-831-4334.

#### June, 1998

6/6-6/7 - S/S - People's Fair Denver's Civic Center Park - 10am
to 7pm. Our premier outreach
event of the year has the opportunity to reach 300,000 people.
You'll have the chance to meet all
sorts of people, see all sorts of
exhibits and booths, do lots of
people watching, and have loads
of fun. Volunteer now! Call David
Aitken 303-831-4334.

#### July, 1998

 7/2-5 - National Convention -Washington, DC. (202) 333-0008

#### November, 1998

11/3 - Election Day - Vote Libertarian! 7am to 7pm at your local polling place.

### Kudos

- David Aitken for his work on HB1110, especially his authorship of the bill and his work with Penn Pfiffner and Ron Tupa to get it passed! And for his work on our Constitution and Bylaws to allow us to "use" our new status. And for his work all year long on the Party's mailing lists.
- David Bryant for his work behind the scenes on the Convention registrations.
- Michele Bethke for her big win in Glendale and her marvelous work on the Convention.
- BetteRose Smith for her big win in Glendale and her marvelous work on the Convention and her continued successful fundraising for the Party.
- Bert Weiner for his hours of partying to further the cause of the Glendale Tea Party.
- BetteRose Smith, Michele Bethke, Stuart Barr, Warren Kruse, Geoff Lloyd, and David Bryant for getting the April Liberty mailed.

- Gene Cisewski for excellet cooperation in Victory 2000's participation in the best Convention Colorado has seen in years.
- All the Convention volunteers who staffed the registration booth and helped out at the Convention.
- Judd Ptak for his untiring efforts at getting HB-98-1110 passed and signed.

### Join Our Hot List!

Would you like to make a BIG impact on the Legislature? Join the Libertarian e-mail list to stay on top of all the action. Please send your e-mail address to DeronD@netlords.com and ask to be added to the Libertarian hot list.

### Colorado Liberty

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#### Colophon:

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### The John Voss **Story: Government Out Of Control**

by John Voss

Chapter Three - The Government

Conspires Against Us

Having disposed of his other business interests while campaigning for office in 1978, John was ready in 1979 to turn his full attention to the newsletter and the fledgling NCBA. After establishing a headquarters office in Denver, he quickly took his classes and message of money and tax reform on the road.

The IRS never let him out of their sight. Undercover agents signed up for his seminars and followed him around the country. When a weekend class was held in a motel or hotel meeting room, agents would be there to make lists of the make, model and license plate numbers of the cars in the parking lot. They would follow up with the owners to find out if they had attended the class and joined the association, suggesting that if they had they would be watched closely, perhaps audited. Some were undoubtedly dissuaded, but John soon learned of these tactics and alerted attendees to them during the seminar, reassuring them that the First Amendment guaranteed their right to so assemble. Such IRS actions worked against the agency. Folks came away from the seminars actually looking forward to an IRS visit, confident they could handle such harassment.

The IRS apparently was concerned about John's message and its ready acceptance by so many people. John not only talked about getting rid of the income tax and the IRS, but about the need to boycott the Federal Reserve system of banks. Because people were following his advice regarding the Fed and closing their bank accounts and dealing with each other in silver and gold instead of paper money, perhaps the Fed was another entity concerned about John and the NCBA. Whatever the entire reason, the IRS used many ploys in their efforts to "get Grandbouche." In late 1979, a Pauline Adams volunteered to help John with the operation of the NCBA headquarters office. Several months

later, it was discovered that she was making photocopies of all incoming correspondence and membership applications, and turning them over to IRS agents who prompted her as to what to copy for them. At about the same time, the IRS persuaded an Assistant U.S. Attorney (AUSA) who was working with a grand jury, into beginning a grand jury investigation of John Grandbouche and the NCBA. IRS agents obtained the grand jury subpoenas and served them on the officers of the bank where NCBA maintained the account used to cash checks sent in for membership dues, political contributions and orders for silver and gold coin. The bank records may never have been given to the grand jury, but agents used the records directly to again harass NCBA members with visits and audits. When confronted, the bank officials denied that they had released any records. They admitted their actions only under pressure of a second visit by John, the warehouse exchange manager, and two legal researchers. John filed suit to stop the release of bank records, and he prevailed. The court ordered that unless the IRS could produce some evidence or probable cause to suspect someone within the membership of wrongdoing, that subpoenas for bank records were not allowed—such records would reveal association membership which was protected by the First Amendment (just as John had been saying all along!). The court case became a strong cornerstone in the foundation of the association. See In re First National Bank of Englewood, Colorado, 702 F.2d 115 (10th Cir. 1983). John wasn't so successful when he sued Pauline Adams and the IRS agents who were coaching her. In that case, a different judge ultimately ruled that there was nothing wrong with stealing the documents (photocopies) directly from the NCBA office—the investigating agents were simply doing their jobs! See Pleasant v. Lovell, 876 F.2d 787 (10th Cir. 1989).

The IRS even went so far as to pay an informant to join the association and gain John's trust such that he was able to eventually talk John into purchasing a firearm for him, on sale at a Denver sporting goods store, and shipping it to him in New York state.

At first, John returned his money explaining that he had never purchased a firearm, but had heard recently that such purchases had become complicated because of paperwork to fill out, and that he just didn't have the time to do it. The fellow persisted, again mailing John the money for the purchase. After the money and the request had laid on John's desk for several months, the informant wrote him again and pointed out that the store was having another sale. Somewhat irritated, John went to the store, purchased the firearm, registering it and filling out all of the necessary paperwork. He then turned it over to Jerry Manka, a longtime Colorado friend who worked in the NCBA office as a legal researcher, and asked him to take it to the bus depot and ship it, as the New Yorker had directed. Almost immediately after it reached New York, John and Jerry were indicted and charged with violation of the firearms laws pertaining to transfer and interstate shipment. The indictments were announced in the middle of John's 1981-82 campaign for governor, and his opposition made the most of it. Even so, John made a strong showing in the Colorado state primary election, garnering 1/3 of the needed delegate vote. It wasn't enough, but it encouraged everyone working on his campaign that they were on the right track with their efforts, and next time he ran, he would win!

To ensure there wasn't a next time, the IRS and Justice Department worked hard to make sure John was convicted. Their most effective accomplishment toward this outcome was getting the venue for the trial established in New York. Even though the venue was more logically Colorado or Kansas, where the first border crossing of this alleged interstate commerce violation had occurred, the charges were brought in New York and the trial eventually took place there. This was a big advantage for the prosecution; New York jurors, longsubjected to stringent firearms controls through such state statutes as the Sullivan Law and others, have been thoroughly brain-washed over the years to immediately view with alarm any involvement with a firearm. John and Jerry were summarily convicted,

even though the informant admitted on the witness stand that he had just been an entrapment tool. Even copies of the checks the IRS and the BATF had given the informant couldn't convince the jurors that this was a clear case of entrapment, and that an acquittal was in order.

Upon conviction, both men were sentenced to prison terms of a year and a day, the minimum for a felony conviction. With a felony conviction, John was disqualified from running for the office of governor again. However, soon after their release, another firearms shipping case came to our attention wherein the court ruled that the law which had been applied to John and Jerry was only intended to apply to licensed firearms dealers. We filed motions and briefs with the trial judge to set aside the convictions and clear their records accordingly. The paperwork languished on the judge's desk for almost a year. Unfortunately, John was struggling with health problems at that same time, problems which, while he was incarcerated, had put him in the hospital for two weeks of intensive care. He died before the judge passed judgement on his requests for post-conviction relief. Within a week of being informed of John's death, the judge dismissed all paperwork as "moot." (He and the prosecutor probably both breathed a sigh of relief-we had also learned after the trial that the female prosecutor was the judge's daughter-in-law. I don't imagine the judge wanted very much to rob her of her victory.)

Chapter 4 of the John Voss story will continue in next month's Liberty.

(continued from page 2)

#### Amendment 9

Because Amendment 8 enumerates the final Constitutional limitations of the Federal Government's powers, even in situations where a person has committed a crime, all the other infinity of rights owned by the people of these United States remain with the people and may not be denied or disparaged by the Federal Government of these United States.

#### Amendment 10

Because Amendment 9 strictly limits the powers of the Federal Government of these United States, any powers not specifically and clearly granted to the Federal Government by this Bill of Rights or any prohibitions not placed on the States by this Bill of Rights, are hereby reserved to the States or to the people.

### Denver LP Activism On The Rise

by David Aitken

The Denver LP will run more than 5 candidates for the Colorado State House this year; that's more than we've ever run in the last 16 or so years, possibly even a new high. You can help by joining your candidate's vacancy committee, distributing literature, or any of the other tasks a campaign has to take care of.

The People's Fair is fast approaching. Denver Libertarians will have the opportunity to talk about liberty to more than 300,000 people on June

6th and 7th at our premier outreach event of the year. Volunteers will have lots of opportunities to soak up a few rays, stroll about the fair, visit more than 500 different organizations and vendors, and indulge in peoplewatching.

Our breakfast group continues to thrive as 6 to 10 Libertarians get together almost every Saturday morning at LePeep, Colorado Blvd and Mexico, at 8am. The food is great and the conversation is even better!

For details on any of these projects, please call David Aitken at 303-831-4334. Please call; liberty depends on you.

### More Colorado **Libertarians Hold** Office

by Judd Ptak

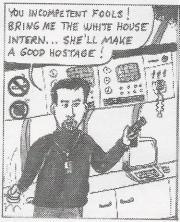
A week ago I learned about a Libertarian in Oak Creek, CO, Mike Kien, who was appointed to the Oak Creek Town Board of Trustees. My note about that flushed out another Libertarian office holder, Howard Lambert, of Gold Hill, CO. Howard was elected to the Gold Hill Town Meeting, which is Gold Hill's local government. Way to go, Howard!

But please, Libertarians, do not wait over a year to tell us about it like Mike Kien did. Let us know so that we can at least try to support you.

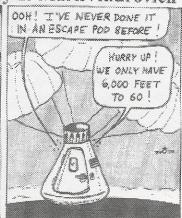
Judd Ptak is the newly re-elected Legislative Director of the Libertarian Party of Colorado.

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### Is Conservation Biology a Science or a Religion?

by Randal O'Toole

Where do we draw the line between science and politics? Should scientists get involved in political issues such as pollution or conservation?

Many scientists want to keep a sharp line between science and politics and refuse to get involved. Others will get involved but clearly distinguish between their scientific findings and their political opinions. But a new breed of scientist is blurring the line between science and politics by using their scientific credentials to offer political opinions as if they were scientific facts.

The new "science" of conservation biology is driven more by politics than it is by science. At least, that is the conclusion of David Takacs in his recent book, *The Idea of Biodiversity: Philosophies of Paradise* (Johns Hopkins). Through detailed interviews with nearly two dozen conservation biologists, Takacs makes it clear that conservation biology is less a science and more of a religious crusade.

Ordinarily, I would dismiss such as book as some right-wing balderdash. But the fact is that Takacs is not criticizing conservation biology; he believes in it. Moreover, his book is endorsed by the people he interviews, including Edward O. Wilson, Michael Soule, and Paul Ehrlich.

"Scientists who love the natural world forged the term biodiversity as a weapon to be wielded in these battles," says Takacs, referring to battles for endangered species and ecosystems. It was easy to coin the term "biodiversity," says Walter Rosen, who first used it, "all you do is take the 'logical' out of 'biological.'"

"To take logical out of something that's supposed to be science is a bit of a contradiction in terms, right?" added Rosen, who worked for the National Academy of Sciences. "And yet, of course, maybe that's why I get impatient with the Academy, because they're always so logical that there seems to be no room for emotion in there, no room for spirit."

Rosen uses the word "spirit" in its religious sense, and Takacs shows that many conservation biologists want to be a part of "a religion-like movement.... Only a new religion of nature, similar but even more powerful than the animal rights movement, can create the political momentum to overcome the greed ... that underlines the intentional abuse of nature," says Michael Soule.

Takacs devotes an entire chapter to Edward O. Wilson, who has practically been canonized by the conservation biologists. Wilson may be the world's leading authority on ants. But he went from there to develop the "science" of sociobiology, which is based on the idea that most or all animal social behavior is based on genetics.

The problem with sociobiology is that it is not "falsifiable," that is, there is no way to prove or disprove its contentions. Sociobiology's claims, Takac admits, "amount to little more than just-so stories. One could take any current trait of human beings and seek to 'explain' it by sociobiology. Yet no independent way exists to test most of those explanations." This was demonstrated at length by Stephen Jay Gould, but Takac dismisses Gould as a Marxist.

After sociobiology, Wilson went on to develop his "biophilia hypothesis," the idea that human evolution has led us to have an "innate tendency to focus on life and lifelike processes." According to Wilson, we have a "biophilic need" to preserve species that is as deeply rooted as any other genetic trait. If that is true, then we don't need any laws to protect endangered species—but of course, Wilson is using this hypothesis to justify such laws.

Takacs excuses Wilson's unscientific rantings by saying he is "responding in the only way he knows how to what I believe is for him—and for all of us—a true, devastating crisis." But Takacs only briefly explores the scientific basis of that crisis.

We are supposed to be in a biodiversity crisis because species are going extinct at the rate of 50,000 per year, or about one per minute. But no one has ever observed species going extinct at that rate. Instead, that number is based on studies of beetles in the Amazon rain forest. A scientist found that different trees in the rain forest were each inhabited by different species of beetles and that each species seemed to have an extraordinarily small range.

One purpose of the study was to estimate how many species of beetles could be found in the Amazon, and the total was in the millions or tens of millions. Biologists went on from there to reason that, because each species had such a small range, clearcutting of the rain forest would lead to their extinctions. At the time, Americans were vastly overestimating the rate of rain forest clearcutting, which led to high estimates of the rates of extinctions.

The first point here is that there are a lot of uncertainties in these calculations. Are there really so many beetle species? Do they really have such small ranges? Does clearcutting really cause them to go extinct? Is clearcutting really taking place as fast as we once thought? It is likely that biodiversity advocates exaggerated the answers to at least some of these questions.

questions.

A more important point is that the Endangered Species Act, which is the

Endangered Species Act, which is the main tool Americans have to protect biodiversity, does nothing at all about the Amazon rain forest. Species endangerment is clearly a problem in the U.S. But extinction rates are closer to one per year than one per minute. A one-per-year extinction rate, bad as it may be, does not really support claims for a "biodiversity crisis" or the need to turn conservation biology into a religious movement.

Ironically, biodiversity advocates worry that their "science" will be misused by others. Oregon State University conservation biologist Reed Noss sees "amateur conservationists, using the term biodiversity in very, very loose ways. And what they're really interested in is wilderness—wild areas, natural areas" This suggests that, while conservation biologists may be allies of the new preservationists, they do not share the same goals.

But what are the goals of the conservation biologists? While the answer may seem obvious, the danger of turning science into religion or politics is that it causes scientists to lose perspective about the real problems and real solutions.

As documented in Noah's Choice, by Charles Mann and Mark Plummer (Alfred Knopf), the Endangered Species Act was written by scientists who wanted to save species. Yet the methods they chose were entirely inappropriate and have largely failed to do the job.

The profession of conservation biology is largely an outgrowth of the Endangered Species Act. People like Michael Soule built their careers writing plans to save species under the act. So conservation biologists have a vested interested in keeping the act going whether it works or not.

Vested interest or not, turning rational science into irrational political or religious arguments allows people to completely overlook the inherent failings of the law. I have repeatedly quoted Peter Drucker, who points out that:

"Any government activity almost at once becomes 'moral.' The absence of results does not raise the question, Shouldn't we rather do something different? Instead, it leads to a doubling of effort, it only indicates how strong the forces of evil are."

We can see this attitude in an article written by Kieran Suckling, of the Southwest Center for Biological Diversity, in response to an article I wrote that pointed out that not even the Fish & Wildlife Service obeys the Endangered Species Act. Just "because the Fish and Wildlife Service regularly violates the ESA," responded Suckling, doesn't mean "the law itself must be broken. Doesn't it make more sense to conclude that the Fish and Wildlife Service is broken?" But

### Ron Tupa Wins Friend Of Freedom Award

by Earl Allen

Because of his sponsorship of HB-98-1110 and his hard work getting the Minor Party bill passed, the Libertarian Party of Colorado awarded Ron Tupa the Friend of Freedom award for 1998.

Judd Ptak presented the award in the Capitol hallway outside the Governor's office shortly after Governor Romer had signed HB-98-1110.

Tupa, a Boulder Democrat, has championed this bill for two years running. Last year, the bill died after having been unacceptably amended in the Senate.

"This bill opens our democracy to participation by many new people with new and challenging ideas," Tupa said.

he makes no suggestion of how we can fix the Fish & Wildlife Service without changing the law.

What is the appropriate role of science in politics? Science is tool we use to learn the truth. A statement that cannot be proven or disproven is not scientific.

The one science that deals with how people make decisions is not theology or conservation biology. It is economics. Economics shows that people make decisions on the basis of incentives. History shows that societies that base resource decisions on incentives conserve resources and sustainably build wealth far better than societies that base their decisions on central planning and command and control.

The command and control nature of the Endangered Species Act tramples on people's rights and on their freedoms. The result is a predictable but unintended consequence: people respond by destroying rather than saving habitat.

This is equally true on public land as on private land. A few years ago, the Forest Service's regional forester for Montana and Idaho wrote with a straight face that he wanted to build roads into roadless areas as fast as possible. To do otherwise, he said, would "close options" for the future,

because if the roads weren't built Congress might turn the roadless areas into Wilderness areas.

It is time for conservation biologists to step back and consider not whether we are in a biological crisis but whether their profession is in a scientific crisis. If they really want to save species and diversity, then they should use tools that work, such as property rights, and not rely on religious cant.

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Ron Tupa (D-Boulder) recieves the Friend of Freedom award from an ebullient Judd Ptak, Legislative director of the Libertarian Party of Colorado.

## **Sometimes It Only Takes One**

by BetteRose Smith

Last month I attended a memorial and dedication ceremony for Richard Misare. Richard was a professor at Metropolitan State College. He was also the brother of the person I consider my best friend from college.

At the dedication, I had the chance to talk to my friend. I had not seen Bruce and his wife, Sally, for almost twelve years As things do, the conversation turned to what I am doing now. This brought us straight to the Libertarian Party, since working as the fund raising director of the Colorado LP is a major part of what I am doing.

Bruce has always held a special place in my life, not because he was a great friend, or because of his devotion to Sally, his then girlfriend, or because he was so educated about things I didn't know. No, the one very special thing Bruce did was to say to me one day, "You sound like a Libertarian." Just that and nothing more. Of course I asked him what that was and he gave me the two to three minute version. I took it upon myself to locate the Libertarian Party, get information, and join. The year was 1978.

Did Bruce try to convert me with fancy talk? Did he stun me with the various logical arguments Libertarians are so fond of? Did he convince me the error of my beliefs? No, none of that. All he said was "You sound like a Libertarian."

After I left the ceremony, I reflected on where I'd gone since that fateful summer day almost two decades ago. I wondered if Bruce had any idea how many Libertarians he created that day. Like a multi-level marketing downline, his one sentence has created a large 'empire'. My sister Michele followed my lead several years later and joined the party and has brought many new people to the party. My friend Steve joined and has been busy telling others about the LP. My friend Tom joined. Even an Oregon man I met over the internet joined and now his roommate is joining. All of these and more have joined the LP because of that simple sentence, "You sound like a Libertarian."

Johnny, my friend in Oregon, says I convinced him to become a Libertarian. Yet I don't remember mentioning the Libertarian Party except in passing. Politics were never really discussed. Yet within a couple of weeks of our meeting, the man joined the LP of Oregon. What brought him to our side? Could it be that I said to him, in my own way, "You sound like a Libertarian"?

I once gave the World's Smallest Political Quiz to someone who scored very liberal. My sister made an attempt to explain to him why the Libertarian approach is better but was distracted. The conversation fell to me and I simply told him, "You should most likely be registered as a Democrat." He was curious about my attitude to which I replied, "My job is not to convert you or anyone else. My job right now is to locate libertarians who don't know they're libertarians."

Right now, that should be one of the jobs of all activist Libertarians. Over 20% of Americans hold libertarian views. With only 2900 registered Libertarians in the state of Colorado, we have not yet begun. Finding those Libertarians is an easy task as I have proven many times, and as Michele has shown over and over. And as Bruce learned, sometimes is only takes a sentence, said at the right moment. Sometimes all it takes is saying "You sound like a Libertarian."

At the Colorado State Convention, BetteRose Smith led a discussion group on getting people to join the Libertarian Party. Coverage of the Convention will appear in the June issue of the Liberty.

"When we got organized as a country and we wrote a fairly radical Constitution with a radical Bill of Rights, giving a radical amount of individual freedom to Americans.... And so a lot of people say there's too much personal freedom. When personal freedom's being abused, you have to move to limit it."

— William Jefferson Clinton 3-22-94, MTV's "Enough is Enough"

### Glendale Tea Party Wins One For Freedom

by Earl Allen

Glendale is a very small city surrounded by the southern part of Denver. Residents of Glendale mostly live in apartment houses and thus don't live in Glendale for very long. A very morally authoritarian city council passed some ordinances that would have shut down several popular Glendale businesses so that the councilfolks' cronies could build other businesses on the land thus cheaply vacated.

But some of the residents of Glendale smelled a rat (or perhaps several). They got together and called themselves the "Glendale Tea Party" and decided that representative democracy allowed them to reverse these morally authoritarian ordinances by replacing the repressive councilfolks with some freedom-loving council members. In a splendid example of tripartisan efforts, Debbie Matthews (L), Michael Dunafon (L), Chuck Bonniwell (R), Bill Junor (D), Marc Kamin (D) and Gauren Green (D), along with many friends from all three parties, elected Jay Balano (R), Kay Parker (U) and Chris Perry (U) to the Glendale City Council on April 7.

Very soon after their election, Balano, Parker and Perry joined in striking down the repressive ordinances, restoring freedom and tolerance in Glendale.

Some Libertarians helped in this victory for freedom and tolerance, including Michele Bethke, BetteRose Smith and Bert Weiner. Next month's Liberty will include an article by Bert on his involvment with the Glendale Tea Party's parties.



A very happy Doug Anderson holds the pen that Governor Roy Romer signed HB-98-1110 with.

### Letter

Mr. Ken Hamblin c/o The Denver Post P.O. Box 1709 Denver, CO 80201

Dear Mr. Hamblin,

I expect every writer of newspaper editorials is occasionally stumped for new subject matter, but when short on ideas, the greater challenge is to resist the temptation to hold forth about something you know very little about. To write about something you haven't adequately researched not only flaunts your ignorance, but it might actually cause real damage by "educating" the public with falsehoods.

You succumbed to this dreaded temptation in your April 14 article headed, "Libertarians Won't Provide a Panacea." I've been a dyed-in-thewool Libertarian for nearly 20 years now, and the party you described was entirely foreign to me. I'm afraid you

have Libertarians all wrong.

First of all, Democrats and Republicans won't provide a panacea either, so what's the point of the headline? Righteous indignation because Libertarians don't offer Utopia? Libertarians are the first to admit (even proclaim) that greater individual liberty won't provide a panacea to all of society's woes. We just think that we have the solutions to most of them. Do you have something against individual liberty, Mr. Hamblin?

You went on to say that years ago, you spoke with a Libertarian "spokesman" who presumably informed you about the "party's stand for the abolishment of every governmentenforced edict, ordinance and decree." I don't know who this spokesman was, but either he sorely misstated the party's position, or you seriously misunderstood him. There is admittedly an anarchist splinter which seeks refuge in the Libertarian party, consisting of self-reliant folks who oppose any form of government or coercion per se. But by far, most Libertarians acknowledge the necessity for a national defense, court system and police force, to preserve our Constitutionally guaranteed individual liberties. Libertarians differ about which other functions of government are legitimate, but we all agree that government should be kept as small as possible, and should serve the people

rather than forcing the people to serve

You incorrectly accuse all Libertarians of being anarchists, and then proceed to define us as "naïve Americans and would-be revolutionaries" who "imagine a society where there is no capitalism, no private ownership, no pig cops, and no government officials to hassle you."

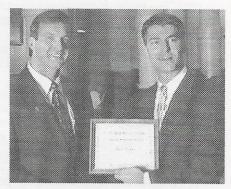
In fact, most Libertarians are fiercely capitalistic, unequivocally basing their entire political philosophy on the foundation of private property rights and clearly endorsing the need for law enforcement. We are certainly against government officials hassling any citizens who haven't been charged with a crime, but aren't you, too? You have confused Libertarian with Communist, and the two bear no resemblance to one another.

You see, Mr. Hamblin, no party in the U.S. exceeds the Libertarian Party in advocating for Constitutional law. No party champions the Bill of Rights as eloquently as the Libertarian Party. Our ranks are filled with members of liberty-loving organizations like the Future of Freedom Foundation, Cato Institute, and Gun Owners of America. Where on earth did you get your misinformation about us?

Finally, you attribute the relatively shorter lifespan of ghetto blacks to the anarchistic ("Libertarian" by your definition) environment in ghettoes. Your analysis is romantic, and has a passionate ring to it, but it's inaccurate. The reason for the shorter lifespan of ghetto blacks is big government, which Libertarians oppose. Big government has done two things to make ghettoes dangerous to blacks. First, it has subsidized poverty with all sorts of welfare programs over the last three decades, creating an environment where ignorance and lack of personal responsibility are acceptable. Second, it has made illicit drug commerce irresistibly profitable and unconscionably dangerous with its insane war on drugs. Libertarians are in favor of repealing the social programs and replacing them with private means of assistance and charity. Libertarians are opposed to the insane war on drugs. Libertarians are big fans of personal responsibility. Libertarians would not only make the ghettoes safer, but they would give the inhabitants the incentive to surmount ghetto life altogether.

You did have one thing right. Libertarians do have their heads buried "deep in the sands of reality." You might try it sometime, hopefully after learning something about the topic you choose to rail about.

Sincerely, Brian Granger



Rep. Mark Paschall congratulates Rep. Ron Tupa on his Friend of Freedom Award..

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### Harry Hoiles, libertarian

By Dave Bishop

Harry Hoiles, retired publisher of the Colorado Springs Gazette-Telegraph, died April 11. He was 82.

His was not a household name unless you read the Gazette or one of the other Freedom newspapers scattered around the country. The Hoiles family kept an unusually low profile, staying out of the limelight — unlike other well-known publishing names.

This was entirely in keeping with the Hoiles system of values, which gave priority to people's ideas rather than their

personalities or position in society.

The obituaries published in the *Denver Post* and *Rocky Mountain News* referred to Harry Hoiles' devotion to libertarian causes. I feel that was an understatement of the same magnitude as saying that Patton was a good soldier, or Kreisler a fine fiddler.

From the tribute published in the Gazette, I gathered that Harry Hoiles lived his life devoted to promoting freedom, self-reliance and using market mechanisms instead of force to satisfy the needs of society. (This cornerstone of what we today call libertarianism could never expect to be described as such in any but a Freedom newspaper.) His devotion to the freedom philosophy was sincere, consistent and (attention, Randians) unselfish.

My first (and only) encounter with Harry Hoiles was in October 1995.

I had the privilege of being seated at the same table with Harry Hoiles at a Future of Freedom Foundation seminar in Phoenix. Also at our table were a well-known commodities trader, a director of the Atlas Economic Research Foundation and a distinguished professor of economics at Hillsdale College.

A few mouthfuls into the main course, I sensed that Mr. Hoiles was reluctant to participate in the conversation. I doubt he was short of things to talk about; certainly his own long career in publishing would have been fascinating for the others to hear, had he chosen to talk about himself.

Instead, Harry Hoiles listened attentively to a lively discussion of international exchange rates, the next moves by the Fed and whether the Republicans had finally called off the rest of their revolution. While he appeared to be intensely interested in the topics at the table, his own contributions were infrequent and brief.

It was not until after dinner that I learned from his nurse — who I had initially mistaken for his daughter — that he had not been well for some time. But since he wanted so much to attend this seminar, she was along just in case he needed assistance. It turned out he needed some the next day; Harry bought more of Sheldon Richman's books than he could carry, to take home and give to his friends.

Throughout the remainder of the seminar, Harry Hoiles participated with the zeal of a 20-year old. He was seated in the front row, notebook in hand, hanging on every word spoken by the various lecturers and panelists. As some of us were fighting the droopies during the late Saturday afternoon session, he sat there taking notes as though he might be sketching out an editorial for next Sunday's edition.

Writing editorials supporting the principles of individual rights, private property, abolition of the government post office monopoly (and most other government services) and against

coercion was Harry Hoiles' life.

Starting as publisher of the *Gazette-Telegraph* in 1946, he adhered to the freedom philosophy of his father, R.C. Hoiles, who had founded the Freedom chain of newspapers in the 1930s. R.C. took over the *Santa Ana Register* and gave many of us our first taste of libertarian thought in that paper's editorials. The *Register* first brought Harry Browne to the public's attention as a columnist.

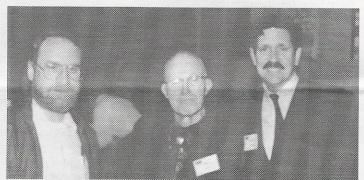
Harry Hoiles became co-publisher of *The Register* in 1975, continuing R.C.'s editorial policy of promoting individualism over collectivism, voluntarism over coercion.

The Hoiles' freedom philosophy was based on the Golden Rule and the concept of individual sovereignty as found in the Declaration of Independence. If an act is morally wrong for one person to do, it is equally wrong if committed by a gang of 10, or 10 million; might does not make right. Such an outmoded idea in this age of group rights.

There is no doubt in my mind that a city's politics is reflected in its newspapers. That's true in Denver, where the *Post* has elected governors and senators with its editorials and selective use of news reporting. I suspect the same can be said of Colorado Springs, only in a reversing mirror.

Think how much different Colorado might be if Harry Hoiles had just published his Gazette-Telegraph in Denver.

Dave Bishop is a former RTD board member.



Sheldon Richman, Harry Hoiles and Richard Ebeling pose for Dave Bishop's camera at the FFF gathering mentioned in Dave's tribute.



Harry Hoiles listens to fellow attendees during lunch at the 1995 FFF gathering. Photo by Dave Bishop.

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