

# LIBERTY PLEDGE

## newsletter

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DECEMBER 2000

## Libertarian wins Supreme Court case

An Indiana Libertarian Party member has won a Supreme Court decision striking down random drug-search roadblocks.

On November 28, the nation's highest court ruled 6-3 that police checkpoints infringe on the Fourth Amendment's protection against unreasonable search and violate motorists' privacy.

The ruling was a defeat for Indianapolis, which had used police and drug-sniffing dogs at random checkpoints to search motorists for illegal drugs — and a victory for LP member Joell Palmer, who was a plaintiff in the case.

"This is a big day for Libertarians everywhere," said Indiana LP Executive Director Brad Klopfenstein. "Freedom has won out over oppression for a change. We are all very proud of Joell."

Palmer, 21, was one of



■ Joell Palmer: Wins 6-3 Supreme Court victory.

1,161 drivers stopped in Indianapolis between August and November 1998 after police set up "narcotic checkpoints" in various locations. Although he did not consent to it, Palmer's car was searched by police dogs. No drugs were found.

With the help of the Indiana Civil Liberties Union, Palmer filed a lawsuit to

"stand up to something that I know is wrong," he said.

Palmer and co-plaintiff James Edmond first lost in U.S. District Court, won in the Seventh Circuit Court of Appeals — and won the ultimate victory when the high court ruled in his favor.

In its decision, the Supreme Court said drug-search roadblocks are fundamentally different than checkpoints to find drunk drivers or illegal aliens, which it has held to be legal.

"We have never approved a checkpoint program whose primary purpose was to detect evidence of ordinary criminal wrongdoing," wrote Justice Sandra Day O'Connor. If the court allowed such roadblocks, "the Fourth Amendment would do little to prevent such intrusions from becoming a routine part of American life."

## UPDATE

## Election '00: 34 victories

The number of Libertarians winning public office in November has jumped to 34, thanks to a flurry of late results — including a 5-vote squeaker in California.

The new victories make Election 2000 the most successful presidential year ever for the party in terms of winning local office, said LP Political Director Ron Crickenberger.

"We may have fallen short in the presidential vote, but we exceeded all expectations in the number of local wins," he said. "We elected five times as many Libertarians this year as we did in 1996."

In addition to the 26 victories reported immediately after the November 7 election, Libertarians were elected in West Virginia, Michigan, Iowa, and Idaho.

Libertarians won posts as County Constables, on a Soil & Water Conservation Board, as a County Prosecuting Attorney, on an Agricultural Extension District, and as a County Surveyor.

The most contested race: The Rancho Simi Recreation and Park District seat (Ventura Co., California), won by Kate O'Brien by five votes out of 17,310 cast. Her opponent didn't concede until December 11.

## Gov. Gary Johnson: Loves 'libertarian'

Governor Gary Johnson loves it when you call him a "Libertarian."

Johnson, the two-term Republican governor of New Mexico — and one of the country's leading advocates of an end to the Drug War — said so in a new interview.

"If there's a criticism about me that I love, it's that I'm a Libertarian," he

said in the January 2001 issue of *Playboy*. "If people call me a Republican Libertarian, great. I separate myself from the [Republican] party when it wants to legislate morality."

Johnson, 47, generated headlines in 1999 when he called for an end to the War on Drugs — becoming the first GOP governor to do so.

In response, Drug Czar Barry McCaffrey labeled him "Puff Daddy Johnson."

At the time, New Mexico Libertarians tried to draft Johnson as the LP's presidential candidate, which he "politely declined."

Johnson, whose term ends in 2002, said in *Playboy*, "I don't plan to run again for any office."

# Libertarians say they're building for the future

## Poor ballot performance takes second to raising voter awareness

By JASON LEFFERTS  
Sun Staff

DEDHAM — Asked a basic Election Day question for a candidate — How did you do? — Libertarian Party candidates were sorely lacking for information.

For Libertarians, counting votes wasn't as important as the feeling that its small but growing band of small-government advocates is picking up steam in Massachusetts.

Last night, candidates from the Lowell area fared poorly when the results are viewed in traditional terms. The three House and three Senate candidates struggled to reach 20 percent, but never threatened any Democratic incumbent.

Statewide, U.S. Senate candidate Carla Howell mustered only about 13 percent against Democrat Edward Kennedy, and was in a duel with Republican Jack E. Robinson for second place.

"The numbers didn't matter, however, as party members draw comfort from the gains the party has made since 1998.

"I'm realistic. If I break double digits, I'll be happy. If I break 20 percent, I'll be ecstatic, but this is about building for the future," said House of Representatives candidate Patrick El-Azem of Chelmsford. El-Azem was soundly beaten by incumbent Carol Cleven of Chelmsford, 14,419 to 3,697.

El-Azem spent much of last night not knowing how he was doing because he joined the Howell/Libertarian celebration in Dedham. An energized crowd of over 200 cheered for Howell and any Libertarian results that were shown on television, and booed Kennedy.

Much of the crowd came from the Lowell area, which has turned into something of a center of activity for the Libertarian

Party. Six of the party's 21 candidates on ballots around the state this year came from the Lowell area, including some who had some of the most impressive results of the night.

Ilena Freedman of Billerica lost her Senate race against Robert Havern, D-Arlington, but put up a strong fight in her hometown. She lost the 4th Middlesex District by a 4-1 margin but Billerica by only a few thousand votes (8,773 to 6,223).

Freedman was one of a few Libertarian candidates last night who did care about the numbers. Freedman said if her votes didn't land her in the Senate, she would use them to devise a campaign strategy for a 2002 campaign.

Joe Fischetti spent time on his cell phone, trying to find out how he fared against Rep. Geoffrey Hall, D-Westford, for the 1st Middlesex District seat. He wasn't overly pleased with the results.

"I think if we had a debate, it would have been better," Fischetti said. "Everyone else here seems happy, but I don't know. I was hoping for one out of every five."

Libertarians were thrilled with the showing P. Christopher Schoaff made against Lowell incumbent Steve Panagiotakos for the 1st Middlesex District Senate seat in Westford, where Schoaff won about 25 percent of the vote, 6,933 to 2,473. They didn't know that Panagiotakos steam-rolled Schoaff in Lowell, 23,482 to 2,159, and Schoaff didn't especially care.

"We want to attract people to the party, and we want people to be active in the party," Schoaff said. "We've been able to air radio ads and television ads and when people see you on television, they thing you're a real party."

Party-building is the ultimate goal for the Libertarians. The party was able to get

candidates like Jim Mollison of Billerica to run against Rep. William Greene for the 24th Middlesex District and lose by a nearly 5 to 1 margin, El-Azem to lose Chelmsford to Cleven by about 4 to 1, and Kamal Jain to lose to Sen. Pam Resor by similar margins in the Middlesex and Worcester District.

"Getting out of the single digits and around 20 percent would be nice," said Mollison, who didn't reach his top figure and admitted he didn't campaign much. "I don't think it's particularly important. Our numbers are doubling and a result of that is that you are seeing a party that is growing."

Leaders say the Libertarian Party is the only party in the state that is growing. They point out that the party had three candidates on the ballot in 1996, eight in 1998, and 21 this year. They are encouraged by the fact that in two years, party membership has doubled to over 16,000 in two years. They also point to Howell's campaign, which raised \$800,000, a pile of cash compared to the \$8,000 she spent in her auditor's run in 1998.

Despite the numbers — whether a House campaign reached 20 percent or Howell finishes at 13 percent — party members feel the Libertarian effort will only get stronger in the next few years.

State Party Chairman Elias Israel confidently predicts the party will have 100 candidates in 2002, and party officials were trumpeting 30,000 members in two years. Jain puts the number of candidates in the 2002 election at a more conservative 45 to 50, which still represents a doubling of where the party is now.

"This is like when you're playing poker, and you have three aces," Jain said. "You know what you have in your hand, and you know you're going to win big."

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▼ The Sun, Lowell, Massachusetts, November 8, 2000  
▼ Corbett Dispatch, Cordele, Georgia, November 8, 2000

# Libertarian candidate calls early results a victory

ATLANTA (AP) — Libertarian presidential candidate Harry Browne had one goal Tuesday night: beating Pat Buchanan. Early Tuesday night, he predicted he'd top 1 million votes and accomplish his goal.

"He got 50 times the press we did, and he took \$16 million in taxpayer funds," Browne said of his Reform Party opponent. "With that, he's running about even with us. That shows the power of our message."

Browne watched election returns in Atlanta, speaking to about 1,000 supporters in a state the party considers one of its strongest.

"People are excited about this campaign," he said. "I've been moved."

Browne also showed supporters a new commercial that will begin airing in coming weeks. The plan, he said, is to advertise continuously to build support for the party, which relies on donors because it doesn't accept feder-



BROWNE

al campaign funds.

The ad shows a young woman home alone when a masked man breaks open the front door. First reaching for the phone, the woman thinks twice and aims a gun at the intruder, foiling the robbery. The message is that guns prevent crime.

Browne said he particularly wants to target young voters, whom he said are receptive to Libertarian ideas of legalizing drug use and prostitution. A major problem in this campaign, he said, was that MTV, VH-1 and Comedy Central accept no political advertising. All three attract young view-

ers.

"Young people want to be free to live their lives the way they see fit," he said. "They're not wedded to the parties the way their parents are."

Browne said he will not seek the presidency again but predicted a healthy future for the Libertarian Party.

"This is the party that will get government out of our lives," he said.

He'll stay active in the Libertarian cause, he said, by speaking at college campuses, starting a syndicated newspaper column and possibly writing a book about the "War on Drugs."

# Greens, Libertarians make third-party inroads

Some strong statewide showings for groups

BY HAL BERTON  
Seattle Times staff reporter

Washington's Greens emerged from Tuesday's election unapologetic for the potential spoiler's role played by their presidential candidate, Ralph Nader, and hoping for new legitimacy as a statewide party.

Joe Szwaja, the Green Party's lone congressional candidate in Washington, claimed 20 percent of the vote against Democrat Rep. Jim McDermott.



Joe Szwaja

That's the best showing ever for a U.S. Green Party candidate in an election for national office, according to party officials. "This party was coming out of nowhere, and we consider that we won a lot," said Kara Ceriello, a Green Party statewide organizer. "The growth of this party will be very powerful."

But the Greens still can't claim to be the state's pre-eminent third party. Based on the results of Tuesday's elections, those bragging rights belong to the Libertarian Party.

In Washington state, the Libertarians ran a full slate of 61 candidates for legislative and national office. Their best showing was a 40th District House race in which Mark Leigh claimed 22 percent of the vote as the sole opponent of state Rep. Dave Quall, D-Mount Vernon.

In statewide races, the Libertarians' strongest candidate was Ruth



A Ralph Nader sign appears in a window of the Green Party headquarters at the Speakeasy Cafe on 2nd Avenue in Seattle's Belltown area. The party hopes to emerge from the election with new legitimacy.

JIM BATES / THE SEATTLE TIMES

Bennett, who earned more than 7 percent of the vote in a three-way battle for lieutenant governor. Bennett's vote gained the Libertarians status as a major party with a spot on the ballots in future state races.

"We're planning on getting several legislative seats next (election) time," said Carol Miller, director of the state Libertarian Party.

Even though the Libertarians boast a presence across the state, they were often overshadowed by the high-profile campaign of the Green Party's national standard bearer, Ralph Nader.

In the weeks before the election, national and regional media focused on the prospects for Nader

siphoning away support from Vice President Al Gore in closely fought states.

On Election Day, Nader won more than 90,000 votes in the cliffhanger Florida race that will determine the presidency.

At an Election Night party, Green Party loyalists were largely unmoved by Gore's plight. And some were bitter over the Democrat's efforts to persuade Nader voters to switch to the vice president.

"We do not know how many people went into the voting booths their minds confused, their souls torn," said the Rev. Robert Jeffries of the Good Hope Baptist Church.

"May God have mercy on the Democratic Party. They know not what they do."

If the presidency swings to Bush, the Greens likely will continue to be the focus of Democratic anger. But Szwaja said that Green Party also has helped the Democrats by recruiting many new voters. And in the tightly fought U.S. Senate race in Washington, these Green Party voters likely favored Democrat Maria Cantwell over Republican incumbent Slade Gorton.

"We should get some credit for that," Szwaja said.

He said the Green Party now has organizers in all 39 Washington counties. The party will hold its

*'We're planning on getting several legislative seats next (election) time.'*

CAROL MILLER

State director, Libertarian Party

second statewide convention Nov. 18 in Olympia and hopes to offer a much broader slate of candidates in the next election.

Szwaja said he would like to see the Green Party focus on electoral reform as well as environmental issues.

But Washington Democrats don't see Szwaja's showing in the congressional race as a big sign of support for the Green Party.

"I don't think it means too much," said Paul Berendt, state Democratic Party chairman. "Quite frankly, I think some Republicans who just didn't want to vote for Jim McDermott ended up voting for Szwaja. I think it's more of a partisan Republican vote than a Green vote."

Others said Szwaja's showing was an important step for the state Green Party.

"I think it's a base upon which to build," said David Olson, a University of Washington professor of political science. "I think that we are going to be hearing a lot more from the party in the future. Not at the national level, but at the state and local level."

Seattle Times staff reporter Catherine Turpley contributed to this report.

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By Business Journal Staff

• **Steve Dasbach**, national director of the Libertarian Party, merrily points out that government could make "the price of a gallon of gas immediately plummet by 54.2 cents in Hawaii, 53.7 cents in Connecticut, 51.4 cents in Nevada, 50.4 cents in California, and so on. Consumers would save a whopping \$67 billion in one year."

(Included in "and so on" would be a like amount at the pump in Michigan.)

Dasbach said politicians instantly could erase the recent surge in gas prices by suspending or repealing the 43 separate taxes they impose on the production and distribution of gasoline.

How likely is that to happen? And how quickly?

Well, don't forget: the telephone use tax that Congress imposed to finance the Spanish-American War lasted more than a century. (Congress repealed that tax early this year.)

BJ

▲ *The Seattle Times*  
Seattle, Washington  
November 9, 2000

► *The Grand Rapids Business Journal*  
Grand Rapids, Michigan  
October 2, 2000

# Libertarians win credibility

**ELECTION:** Party's stances should be included in debate of state, national issues.

They didn't win a single political office locally, but there's no doubt in our minds that some of the biggest winners in Tuesday's elections were the Libertarians.

Two months ago it's safe to say the public knew little or nothing about Libertarians. Today, through the magic of our electoral process, we know quite a bit about them.

They fielded candidates for all of the statewide partisan races and all of Whatcom County's partisan races. The party's ranks are swelling, and it's safe to say they'll be growing even more now that the party's views are better known.

It's tempting now that the votes are in and the Libertarians have been crushed by the major party candidates to dismiss their Quixotic candidacies. But we would submit that there is much that we heard from these candidates that is worth considering and including in broader debate of state and national issues.

The issues are controversial, which is why more mainstream candidates won't

Our  
view

come close to them. But ideas as common as the 40-hour workweek were once considered radical. Most revolutionary ideas start out with fringe candidates. For example: Libertarians call for a completely open border with Canada. They feel so strongly about the issue that they campaigned together at a Blaine border crossing. The balance between encouraging trade and the need for drug and smuggling interdiction definitely needs continued discussion, and lawmakers need an open mind. The costs and benefits of our current border-crossing system need to be weighed against the lost business opportunities. We do need to ask the question as to why Europe can enjoy highly unrestricted borders while we cannot.

That's not to say we're ready to endorse the idea. It clearly requires a great deal more thought. But the Libertarians aren't the only people pushing the concept. The same business leaders in New York, Toronto and Montreal that pushed NAFTA are talking about it seriously. It may not be

such a nutty idea after all.

One of the reasons why Libertarians aren't overly concerned about wide-open borders is that they believe most, if not all drugs, should be legalized. Doing that would do away with much of the reason for border checks.

It's no secret that we have serious reservations about our nation's drug war. So do people as diverse as Whatcom County Superior Court Judge David Nichols and conservative pioneer William F. Buckley. A city in California considered Tuesday whether to legalize growing marijuana for personal use. Alaska also was considering a marijuana initiative. The tide is turning on this issue, and lawmakers will need to honestly address whether we're in a battle more hopeless than the Vietnam War ever was and what we should do about it.

Libertarians believe government should provide only the most-essential services and that virtually everything else can be privatized. While we certainly aren't ready to advocate disbanding most of government, the idea of privatizing where possible is worth more discussion. During the debate over Initiative 745, we heard that Yakima has successfully privatized city bus service.

It's worth checking to see if that's true. Private business can't do everything better than government. But sometimes it can, and the state should explore it when possible.

Libertarians hate taxes. They hate taxes more than Republicans and so they believe it's critically important for government to be able to justify the money it's spending.

It's a message we hear more and more from a cross section of voters, but it's far from clear that lawmakers are getting the message. Government should invest in programs that work and do so generously. But it must also actively purge what doesn't work. That's what voters don't see happening nearly enough.

Voters are really tired of politicians who are more interested in getting credit or stopping someone else from getting credit than they are in seeking solutions. Politicians care about their parties, but voters don't. They are ready to reward anyone who can deliver.

Otherwise voters are going to be increasingly willing to shake things up.

If lawmakers believe they can continue with business as usual, independent and third-party candidates will only become more attractive alternatives.

▲ *The Bellingham Herald*, Bellingham, Washington, November 8, 2000

▼ *The Bellingham Herald*, Bellingham, Washington, October 16, 2000

# Libertarians seek honks, support

**POLITICS:** Blaine rally designed to promote open-borders cause.

BY JOHN STARK  
THE BELLINGHAM HERALD

BLAINE — Libertarian Party members headed for the Peace Arch border crossing Sunday in hopes of recruiting frustrated motorists to their regulation-free vision of America's future.

They picked a good day for it. Southbound traffic was moving at a snail's pace through the U.S. port of entry. Party members planted a series of signs in the Peace Arch park lawn to provide a chuckle for drivers old enough to remember Burma Shave signs: "Out with the old, in with the new. Vote for us, and drive right through."

They also waved signs that read, "Honk if you want free borders." At one point, demonstrators were encouraged by a sudden burst of car horns, but the motorists appeared to be saluting a fifth-inning home run by Edgar Martinez as they listened to the Seattle Mariners game on their car radios.

Libertarian Stuart Andrews, a Bellingham physician who is running for the 2<sup>nd</sup> District congressional seat, explained the Libertarian position on borders, immi-



RACHEL E. BAYNE HERALD PHOTO

**ROAD WARRIORS:** Jacqueline Passey, 22, club coordinator for the College Libertarians of Western Washington University, hands out fliers to drivers waiting to cross the U.S. border at the Peace Arch during a Libertarian rally in support of opening the Canadian-U.S. border. A number of Libertarian candidates for the Nov. 7 election attended the event.

gration and drugs. He argued that despite the occasional well-publicized border drug bust, the border checkpoints

do little to stop drugs, criminals or illegal immigrants. Instead, they inconvenience law-abiding citizens and

choke commerce that would benefit people on both sides of the border, he said.

Andrews said he would

favor open borders to the south as well as to the north.

"We have open borders now," he said, contending

that costly border-policing efforts provide little more than the illusion of control.

Under Libertarian rule, border inspections might seem superfluous. Andrews said the party favors both drug legalization and an end to immigration restrictions.

Andrews said that drug prohibition has been no more effective than alcohol prohibition and that immigrants who want to enter the United States to work hard should be welcome. Seeing as how the Libertarians would replace the public welfare system with private charity, there would be no danger of immigrant-welfare cases soaking up public funds, he said.

Joan Hansen, Libertarian candidate for a 42<sup>nd</sup> District state House seat, said Whatcom County and the Vancouver, B.C., area form a natural economic unit.

"Sitting there for 45 minutes to be asked 'What is your citizenship and where are you going' doesn't seem like a very productive use of everybody's time," she said. "It would be like the bank frisking everybody as they come the bank because there are bank robbers around."

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