

LIBERTY PLEDGE

newsletter

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JUNE 2002

DRUG WAR STRATEGY...

LP staffers arrested at medical pot protest

Two staff members from the LP's Washington, DC headquarters were arrested when they participated in a nationwide protest against the federal government's war on medical marijuana.

LP Political Director Ron Crickenberger and LP Campus Coordinator Marc Brandl were taken into police custody on the steps of the Department of Justice (DOJ) building on June 6. They had chained themselves to the door and to other protesters.

Along with eight other activists from the medical marijuana movement, Crickenberger and Brandl were handcuffed, charged with the misdemeanor offense of trespassing to block access to public property, and jailed. Both were released that same day after paying a \$50 fine.

Crickenberger said he joined the protest because he had "met dozens of medical marijuana patients who have found what is often life-saving relief from this medication. Having seen what I have seen, how [could] I not do all I can to end this injustice for others?"

His participation in the event, said Crickenberger, was also designed to draw attention to his Congressional campaign (in Virginia's Eight District) and his role as point man in the LP's Drug War Strategy, which seeks to eliminate federal drug prohibition by 2010.

The Washington, DC rally was one of 55 coordinated protests by more than 1,000 participants at DEA offices and other federal buildings in cities across the country. The events were organized by the drug-reform coalition Americans for Safe Access.

The protest was held in anticipation of a federal court decision that affirmed the right of the DEA to close down medical marijuana dispensaries in states that have passed medical marijuana initiatives.

The battle between the DEA and the medical facilities began in California, where medical marijuana has been legal since 1996.

In the last few years, the federal government closed the Oakland Cannabis Buyers' Cooperative and the Los Angeles Cannabis Resource Center, claiming both facilities run afoul of federal anti-drug laws.

"The federal government has chosen to push aside local decision-making in favor of heavy-handed raids and intimidation of medical marijuana patients and providers," charged Crickenberger.



■ Ron Crickenberger: "End injustice."

STATE ACTIVISM...

Colorado LP helps pass asset forfeiture reform

Colorado Libertarians are celebrating their role in a statewide coalition that helped pass a bill that will significantly roll back the power of the government to seize property from citizens.

"[This victory] demonstrates the LP can have an effective voice in practical politics," said LP activist Ari Armstrong.

On May 31, Republican Governor Bill Owens signed HB 1404 – a bill that requires a criminal conviction before property can be forfeited, compensates innocent people who have an ownership interest in any seized property, and raises the government's burden of proof for seizing private property.

The fact that the governor signed the law is proof that public opinion is changing on asset forfeiture, said Armstrong.

"We didn't know whether Owens was going to sign the bill," he said. "But Owens is a political calculator, so we knew when he signed it that it had to be a pretty popular issue with the public."

The Libertarian Party was one of 85 organizations in the Colorado Criminal Justice Reform Coalition, the group which worked to pass the bill.

As part of the coalition, the Colorado LP sent an action alert to its e-mail list, asking Libertarians to contact their state representatives and urge them to support the bill.

The bill had also been endorsed by several newspapers, including the *Denver Post*, the *Rocky Mountain News*, the *Daily Sentinel*, the *Colorado Springs Gazette*, and the *Durango Herald*.

Liberty Pledge Reception

Members of the Liberty Pledge program are invited to attend a special reception at the National LP Convention in Indianapolis, Indiana.

The event will be held at the Marriott Downtown Hotel at 6:30 pm on Thursday, July 4.

The reception, which is exclusively open to pledge program members, is the party's way of saying "thank you," said LP Executive Director Steve Dasbach.

"Liberty Pledgers are the wonderful and reliable people who keep this party going," he said. "We want to show them exactly how much we appreciate their monthly support."

Libertarians push for state credibility

By **Phil Angelo**
Managing Editor

In Illinois politics, this is the year of discontent.

Thus, the Libertarian party will field a ticket, and if its gubernatorial candidate can pull 5 percent or more of the total vote the Libertarians can become an "established" party in Illinois politics.

That means they would then be able to slate candidates for county offices throughout the state without going through the petition process, says Cal Skinner, the party's candidate for governor.

"I'm as much outside the regular political parties as Jesse Ventura," Skinner says, "but I won't be wearing a feather boa."

Skinner swung through Kankakee and The Journal recently, part of an effort to visit every daily newspaper in the state.

The Libertarian philosophy is one of the least government possible, privatizing

services where practical and lowering taxes.

Outspoken, colorful and controversial, Skinner has served eight terms in the state legislature. He was not always outside the political mainstream. In 1982, he was the Republican nominee for state comptroller, losing to Roland Burris.

Skinner traveled the state, telling audiences that Adlai Stevenson was more likely to raise taxes than Jim Thompson.

"Boy, was I wrong," he says.

In the 1990s, he voted against Jim Edgar's decision to make the temporary income tax hike permanent. Persona non grata with the GOP, he faced three straight primary fights, finally losing in 2000.



Skinner



Beauchamp

Now his campaign is a demonstration against both Republicans and Democrats.

He likens both Republican Jim Ryan and Democrat Rod Blagojevich to "Don Quixote Bobble Head Dolls."

"Blagojevich tilts after windmills that fly, crash and burn," he says. "The blades on Jim Ryan's windmill don't turn."

Skinner opposed Illinois FIRST, saying it made little sense to borrow money for 25 years to pay for asphalt overlays that will last for five.

"People not in kindergarten will be paying for this when they graduate from college," he says.

Skinner took a Miss Piggy doll to a toll authority meeting to make the point that

tolls were tax hogs. He also wants term limits on the four legislative leadership posts in Illinois, which have been held by the same four people for 20 years. Other Skinner proposals include a statewide referendum on the death penalty and combined state purchasing for prescription drugs.

The proposed tax hikes to solve the "budget crisis" are unneeded. Tax receipts are down less than 1 percent, he says. Considering the fact that taxes coming into the state went up 6 percent in 1998, 8.5 percent in 1999 and 7.3 percent in 2000, there should be plenty to cut.

Skinner travels with Matt Beauchamp, the Libertarian candidate for Secretary of State.

Beauchamp is a former trader at the Mercantile Exchange who is "retired" at 31. His campaign promise is simple.

"If you stand in line to get your driver's license and can't get it in 15 minutes, it should be free."

Ed Thompson tries to attract ordinary people in run for governor

By **KEVIN BRALEY**
Daily News Staff

Gubernatorial candidate Ed Thompson sees himself as the common man.

He's a small-business owner (Mr. Ed's Tee Pee Supper Club in Monroe County) and has been mayor of Tomah, a professional boxer, a road construction worker and even worked in the federal prison system.

Perhaps best known as the brother of former Wisconsin Gov. Tommy Thompson, he is taking his "common sense" and "smaller government" approach on the road, trying to capture the governor's seat in Madison. And don't think he's riding on the shirttails of his brother, who now sits on President George W. Bush's cabinet as secretary of Health and Human Services.

"I'm very thankful to Tommy," Ed said during a visit to the Daily News. "But we have different political views. Government grew a lot under Tommy. It won't grow under me.

"It's time for a common man to run government. My government won't be a government of career politicians."

Among Ed Thompson's priori-

ties is to lower the tax burden.

"We are the third-highest taxed state in the country," he said. "I want to get us out of the top 10. I will get us out of the top 10."

Thompson, running on the Libertarian ticket for the 2002 election in early November, said he wants accountability from politicians and less corruption.

"We have too much corruption in government," he said citing the sex scandal between Milwaukee Mayor John Norquist and his former aid and the Milwaukee County pension scandal. "The common people want a change."

The budget, too, needs an overhaul, Thompson said.

"(The Legislature) passed the worst budget in the nation," he said. "It's pathetic. They've wasted



Thompson

the tobacco settlement.

"It takes \$62.5 million to run the offices of the 132 legislators," he said. "It's no wonder the state has a \$1.1 billion deficit. They have so much pork in the budget."

Thompson was the mayor of Tomah for two years starting in 2000. He won the election over a two-year incumbent and reduced the city's debt by more than \$4 million without resorting to a property tax hike. He decided not to run for the spring 2002 mayoral election, devoting his time to the governor's race.

Thompson said his interest in government began after his business was raided because of video poker machines. Forty-two other businesses were also raided in Monroe County.

The raid opened his eyes to the need of "ordinary citizens" in government roles.

Thompson is running on the Libertarian ticket, pushing for individual freedoms.

"Libertarians stand for liberty and being free," Thompson said. "That's what I want."

▲ *The Daily Journal* • Kankakee, Illinois • May 20, 2002

◀ (TOP) *The Daily News* • West Bend, Illinois • May 8, 2002

Libertarians plan strategy to upset elections

By Allison Stevens

Long reviled by Republicans for eroding its base in congressional elections, the Libertarian Party is now taking the unprecedented step of engineering a nationwide "spoiler" strategy in this year's midterm elections.

Libertarians plan to field candidates and pour resources into a select few races not in order to win office but rather to siphon away enough votes to defeat targeted incumbents. They are zeroing in on both GOP and Democratic incumbents who oppose the decriminalization and legalization of drugs and who face potentially tough reelection contests in November.

To date, the targeted incumbents include Sens. Tim Hutchinson (R-Ark.) and Max Cleland (D-Ga.) and Reps. Bob Barr (R-Ga.), Henry Bonilla (R-Texas), Doug Ose (R-Calif.) and Mark Souder (R-Ind.).

"The so-called spoiler effect in the past has been random," said Ron Crickenberger, the party's political director. "It hasn't been a weapon that we've attempted to use for specific purposes in the past. But this time it is."

Following the drawn out 2000 presidential contest, where Green Party nominee Ralph Nader garnered national attention by helping tip the race to George W. Bush, Libertarians held a year-long planning process where they weighed strategies that would maximize their influence on the national agenda.

As Crickenberger put it: "We feel as a third party, we can have an influence on

Congress and the state legislatures through the use of our spoiler effect. ... It will have the most influence for the least amount of money."

Green Party officials said they too are focusing on a single issue in the 2002 elections — theirs is fast-track trade promotion authority — and have in the past employed a similar strategy of fielding candidates in competitive races. They were careful to note, however, that they have never had a nationally coordinated strategy to intentionally spoil elections.

"Generally the Green Party does not seek to split votes," Green Party Political Coordinator Dean Myerson said. "It does happen on occasion. ... But it's not usually something we do as an intentional strategy. It's something that happens when Democrats are weak."

Meanwhile, the Libertarian and Green parties will field candidates in a majority of House and Senate races this year, many of which are considered toss-ups. The third party presence could tip the balance in some competitive congressional races this year, as it has done on several occasions in the past, and could therefore help determine which party controls the Congress in January.

So far, Libertarians have filed Senate candidacies in at least 15 states, including Colorado, Georgia, Missouri, Montana, New Hampshire, New Jersey, North Carolina, South Dakota and Texas. Green Party Senate candidates have already filed in five states — including Texas — and are debating whether to file in Minnesota, where they could erode Democrat Paul

Wellstone's progressive base.

In the House races, Libertarians have fielded 166 candidates so far, about a dozen of whom are running in competitive races. In 2000, the party fielded 256 House candidates, a number they hope to match this year. Green Party candidates have so far filed in 32 races, almost none of which are regarded as competitive.

In the past, third party candidates have been able to change the result of an election, according to Rob Ritchie, executive director of the Center for Voting and Democracy.

In 2000, a Libertarian candidate took credit for spoiling the Senate race in Washington state, where then-Sen. Slade Gorton (R) took 48.6 percent of the vote and Democrat Maria Cantwell took 48.7 percent. Libertarian Jeff Jared won 2.6 percent of the vote — largely from conservative voters — enough to hand Cantwell a victory.

In 1998, Sen. Harry Reid (D-Nev.) narrowly won a third term with 47.9 percent of the vote against John Ensign (R), who took 47.8 percent of the vote. Libertarian Michael Cloud won 1.8 percent of the vote.

In the same year, New Mexico Republican Heather Wilson cruised to victory in a special election against her Democratic opponent Phillip Maloof, thanks to Green Party candidate Robert Anderson, who took 15 percent of the vote. Green Party candidates challenged Wilson in the 1998 and 2000 general elections, taking a majority of votes away from the Democratic candidate and handing reelection victories to Wilson.

In 1997, New Mexico Republican Bill Redmond defeated Democrat Eric Serna with the help of Green Party candidate Carol Miller in a special election House contest. Redmond later lost to Democrat Tom Udall in the 1998 general election, where Miller garnered only 3.6 percent of the vote.

And in 1996, Georgia's Cleland narrowly defeated Guy Millner (R) in a race where Libertarian Jack Cashin took 3.6 percent of the vote. Cleland captured 48.8 percent while Millner captured 47.6 percent of the vote.

While political experts don't discount the possibility that third party candidates could spoil a tiny fraction of this year's competitive races, most doubted the Libertarian's coordinated strategy to split votes would cause targeted incumbents to lose.

The policy would only be successful in districts where people place a high priority on ending the war against drugs, Cato analyst John Samples said.

He noted that voters concerned about this issue don't tend to reside in large numbers in rural states like Georgia and Arkansas. Targeted races must also come down to a 1 or 2 percent margin — an unlikely scenario in races that feature incumbents, he added.

"It strikes me as unlikely that they're going to make a difference," Samples said. "But as Florida proved, if the race is close enough, you don't need a whole lot of votes [to alter an election result]."

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Fukuyama way off on libertarians



TIBOR R. MACHAN
adviser to
Freedom
Communications

Francis Fukuyama, the author of the famous book of prophecies, "The End of History," penned an essay for the Wall Street Journal recently — "The Fall of the Libertarians" in which he makes several critical points

about this political outlook. I will address the more important ones.

Fukuyama labels Margaret Thatcher and Ronald Reagan "classical liberals." In fact these political leaders were conservatives. Although both liked the free market because it yields more goodies than the alternatives, both also wanted a good deal of control over personal behavior and favored more religion by means of public institutions (schools). That's hardly a classical liberal, let alone libertarian, stance. Ronald Reagan talked a good game about personal responsibility and freedom but then failed dismally to deregulate the market and mainly played the supply-side gambit, one that gives support to business mainly so as to garner more taxes and thus make the government rich. This is no libertarian policy.

Fukuyama's claim, moreover, that libertarians are anarchists is

just wrong. Libertarians are not all of one kind, of course — some are more anarchist, some less. For example, R. C. Hoiles, the founder of Freedom Communications, was no anarchist but came close, as did the former libertarian adviser at his company, the late Robert LeFevre. Many libertarians are far from being anarchists. They do not believe that a government is necessarily evil but hold, instead, that once corrupted, a government (not a "state," as Fukuyama calls it) is more dangerous than any private institution that is corrupt. Even libertarians who call themselves "anarchists" aren't really anarchists but believe in what we might call competitive government or the handling of dispute-adjudications and law-enforcement by means of private defense or justice agencies. That's not classical anarchism at all, which renounces all law and even defensive force.

Another related claim Fukuyama makes is that libertarianism is isolationist. Most libertarians, however, are not even that but, rather, what we might call "defensivists." They hold that military or any other physical force must be defensive, or at most retaliatory, but never offensive and intrusive. The military of a free country is duty bound to secure our rights, not gully about the globe, trying in typ-

ically futile fashion, to right all wrongs. The basic idea is that human beings may not use force against those who haven't initiated force against them.

Fukuyama then zeroes in on libertarians for advocating an essentially deregulationist approach to cloning and other forms of biotechnology. True, libertarians look with great suspicion on governmental efforts to do the right thing in this or any other areas where the issue isn't securing our rights. Why is that a bad thing? Does government have such a sterling record righting other types of wrongs?

More substantively, libertarians also hold that once a new person has been cloned, his or her rights need respect and protection and if provided with this, there would be no great cause for alarm. Indeed, it is within libertarian political theory alone that the cloned being would be seen as fully human and thus endowed with unalienable rights that governments are instituted to secure. A vigilant devotion to this task, in turn, would be far more just and safe than any massive government meddling in yet another area of social life that has no justified room for forcible government regulation.

If Fukuyama is supposed to have shown libertarianism has fallen — as a good guide to public policy — he has botched the job.

▲ *The Hill* • Washington, DC
• May 15, 2002

◀ *The Orange County Register* • Santa Anna, California • May 7, 2002

▼ *The Washington Post* • Washington, DC • May 2, 2002

■ **Health and Human Services Secretary Tommy Thompson's** younger brother, the owner of the Tee Pee supper club in Tomah, Wis., is in town this week trying to drum up support for his campaign for governor—the job his 60-year-old brother held for 14 years. On Tuesday 57-year-old **Ed Thompson**, a Libertarian who is Tomah's mayor, lobbied Tommy in support of the legalization of medical marijuana. "He's opposed to it," Ed told us accurately yesterday. "I gave him a letter and he quickly stuffed it in his coat pocket without even reading it." Candidate Thompson reluctantly answered our question: Has he ever used marijuana recreationally? "That's a personal question, so I'd rather not," he began. "But the truth is, I have. And when I did, I inhaled." Thompson added that he hasn't smoked or drunk alcohol in the past eight years.

Libertarianism Lives

By Edward H. Crane
And Roger Pilon

Political fashions come and go, but political principles endure. President Clinton noted some six years ago that the era of big government was over. Yet today, conservatives who should know better see a new fashion. George Will, high on his Hamiltonian horse in the Washington Post last month, seemed delighted that minimal-government conservatism was dead. And on these pages recently, Francis Fukuyama declared the libertarianism that followed the Thatcher-Reagan revolution to be in retreat. We're all Keynesians now, apparently.

Well, we're not. Nor are most Americans, though you'd never know it from the drone today in Washington. Indeed, you'd almost believe we're all clamoring for tariffs on imported steel, welfare for agribusiness, and higher payroll taxes to save Social Security.

It's easy to attack a straw man. Mr. Fukuyama does it after equating libertarianism with "an ideological hostility to the state in all its manifestations." Yet the Founders who created this nation were libertarians. They didn't use that word, of course, nor did they call themselves (classical) liberals or democrats. But they stood for basic libertarian principles: the equal right of all to pursue happiness, free from arbitrary interference, and government dedicated to securing that right. Respect for government's limits is hardly hostility to government in all its manifestations.

But that simple, compelling vision of the proper relation between the individual and his government, which most Americans share with the Founders, is precisely what offends—because it restricts—so many in Washington today. Conservatives would use federal power to promote marriage—a fine end, but nowhere authorized by the Constitution they otherwise respect. Neoconservatives tout massive programs, domestic and foreign, to ensure "National Greatness," whatever that means. Modern liberals have long thought themselves able, and authorized, to regulate and run the economy for egalitarian ends. And New Democrats are forever reinventing government, hoping to make it run with private-sector efficiency. Libertarianism is an affront to such ambitions. That's why it's constantly under assault by the politically ambitious—and why the issues of the moment must constantly be put in perspective.

• **Terrorism.** It's odd that libertarians have come under fire since Sept. 11, for we stand for nothing if not a wise foreign policy and strong

national defense. Yet both Mr. Will and Mr. Fukuyama contend that 9/11 underscored the limits of libertarianism. The facile equation of isolationism with nonintervention is the problem. Thoughtful libertarians have never called for isolation. We have said, however, that America cannot police the world; and such policing as we do must be closely related to our national interests. Reasonable people can disagree about those interests, of course, and how to secure them. But that's a far cry from isolationism.

Ironically, the 9/11 attacks constituted a massive failure of government to do the main thing libertarians call upon government to do—protect us. Yet far from seriously examining that failure, officials rushed to acquire ever more power over American citizens, with marginal gains in security. In foreign affairs, then, the nation could well heed the libertarian call not for more but for wiser government. As a presidential candidate, George W. Bush spoke of the need for humility in foreign affairs, for a policy of restraint suited to a free people. That's exactly right.

• **Globalization.** No vision has championed global free trade more than libertarian-

ism. Libertarian principles are so powerful here that critics have been mostly marginalized. The danger comes not from principled critics but from domestic interests like steel, agribusiness and the like, seeking protection from competition.

• **Social Security.** The libertarian view on Social Security is gaining: More than two-thirds of Americans now favor privatizing Social Security. Internationally, more than a dozen nations have adopted some form of Chile's highly successful retirement plan. Even the socialist president of Chile dares not tamper with those private accounts. They're coming to the U.S. eventually. When they do, they'll return about one-quarter of the federal budget to the private sector. Here again it's libertarians who've done the most to promote this dramatic change in the way the world deals with old age.

• **Enron.** Liberal pundits have charged that

Enron's collapse was a libertarian fiasco, yet the hand of intrusive government is everywhere. The company's exotic capital structure was driven by our inscrutable tax code. And Enron's accounting scheme was aided by the Financial Accounting Standards Board, a government-appointed monopoly that lent credibility to methods designed to deceive or evade. The true libertarian approach—market competition in accounting standards—would have yielded financial transparency, not collapse.

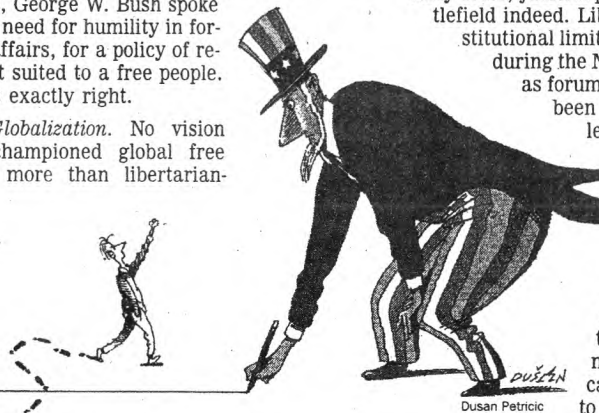
• **Judicial philosophy.** Perhaps nowhere is the congruence between libertarian principles and American values clearer than in the domain of judicial philosophy. Americans don't want judges running their lives. But they do want them checking overweening, unconstitutional government.

Before libertarians joined the debate in the early 1980s, judicial philosophy was a sorry battlefield indeed. Liberals, after removing constitutional limits on expansive government during the New Deal, viewed the courts as forums for achieving what they'd been unable to achieve in the legislatures. Conservatives, outraged at judicial law-making, demanded "judicial restraint," thus marginalizing the courts. Neither side was right. We needed neither activism nor restraint, but courts responsible to the Constitution. Fortunately, the Rehnquist court has heeded that call recently. It's beginning to restore limited constitutional government.

The list could go on, but the point should be clear. Libertarian principles are here to stay, because liberty is America's basic political value. Surveys repeatedly show that when lower taxes and fewer government services are pitted against their opposites, smaller government wins. Even term limits, which pundits say are passé, continue to triumph. Witness the recent effort by California's political class to overturn their limits with a dishonest initiative, outspending the opposition 10 to 1. It lost big.

Regrettably, the larger lesson was missed, especially by Republicans, nominally the party of less government: There's a constituency for smaller government to be organized and led. To do that, however, means understanding and articulating the principles. That's the challenge.

Mr. Crane is president of the Cato Institute. Mr. Pilon is Cato's vice president for legal affairs.



North Carolina: clemmons — The Libertarian Party of North Carolina will concentrate on nominating candidates for local races when it holds its annual state convention this weekend. The party is focusing on local races to increase its base, said Executive Director Sean Haugh. Recruiting members is as important as the number of votes on Election Day, he said.

▲ *The Wall Street Journal* • New York, New York • May 28, 2002

◀ *USA Today* • Arlington, Virginia • May 1, 2002