

# LIBERTY PLEDGE

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## newsletter

### THE RIGHT TO WORK ...

## *Libertarian lawyer sues over immigration law*

**A** Libertarian lawyer, whose last major case made it to the Supreme Court, is preparing to file a lawsuit to challenge a law that requires Americans to show identification and proof of citizenship before getting a job.

Attorney Walker Chandler is expected to file suit in federal court in Washington, DC, within the next several months to overturn the employment verification provisions of the Immigration Reform and Control Act (IRCA) of 1986, arguing that it is unconstitutional.

"The right to work is one of the most important rights there is," said Chandler. "If the federal government can condition the exercise of this right on showing ID, a terrible precedent will be set."

**The Libertarian Party** will also play a role in the lawsuit as the "employer entity" in whose name the suit will be filed. As a not-for-profit corporation, the Libertarian Party is required to follow the IRCA provisions, which gives it legal standing to challenge the law.

The IRCA mandates that Americans must sign a statement and show identification to prove that they are not "illegal immigrants" as a condition of employment.

This provision fails Constitutional muster, said Chandler, because it "presupposes one's guilt" if a potential employee doesn't fill out a government form.

"The main Constitutional infirmity of IRCA is that it places the burden of proof on the employee," he said. "Congress has declared that every employee who doesn't fill out the I-9 form [attesting to citizenship] is an unauthorized alien. This is a bill of attainder and a denial of due process."

**Chandler, a Zebulon, Georgia-based attorney** and two-time Libertarian Party candidate for public office, shot to national prominence in 1997 when he won a Supreme Court case that overturned a candidate drug testing law.

Representing himself, Chandler earned an 8-1 victory in the case of *Chandler v. Miller*, in which a one-of-a-kind Georgia state law mandating drug tests for political candidates was declared unconstitutional.

### ELECTION '98 UPDATE ...

## *City council win boosts election victories to 18*

**T**he number of Libertarian victories in the November elections has increased to 18, with late-breaking news of an unexpected win in a California city council race.

Libertarian John Mehaffey won a seat on the Saratoga City Council, placing first in a field of five candidates with 24.2% of the vote. Three council seats had been up for grabs in the city of 28,000.

"It is another triumph for limited government," said Santa Clara County LP Chairman Marvin Rudin. "Mehaffey will do his utmost to protect the lives, liberties, and properties of his constituents."

Mehaffey's victory pushed the total number of Libertarians in the November winner's circle to 18.

In all, LP members were elected or re-elected in nine states, and five states had multiple Libertarian victories: California (four wins), South Carolina (3), Indiana (2), Virginia (2), and Vermont (2).

In Vermont, State Representative-elect Neil Randall is already making plans for his term in office.

Randall promised that he would introduce legislation to prevent any new taxes from taking effect without the express approval of the voters. Such legislation is consistent with his promise to work for a "government controlled by the people, instead of government control of the people," he said.

### **Other Election '98 highlights:**

■ In California, statewide LP candidates won over 1 million votes – 55% more than the nearest third party. Libertarian candidates received 1,073,924 total votes in the races for U.S. Senate, governor, and six other offices.

■ The Libertarian Party added three more states to its ballot-qualified list – giving it a spot on the ballot in 28 states for the 2000 election. By contrast, since the 1996 election, the Reform Party has *lost* ballot status in 20 states, and is now qualified in only 15 states.

■ LP candidates for U.S. House won the largest cumulative vote total ever for an off-year election, with 857,769 votes. The previous record had been set in 1982.

# Third parties face tough challenge to get on ballot

By Steve Dasbach

Imagine what would happen if the U.S. government issued the following rules before the next presidential election:

Rule 1: Black candidates, like Gen. Colin Powell, will be forced to collect 28 times more signatures to get on the ballot than white candidates like House Speaker Newt Gingrich.

Rule 2: Female candidates, like Elizabeth Dole, will be required to gather 13 times more signatures than male candidates like Vice President Al Gore.

Americans would be outraged if their government practiced such blatant racial and sexual discrimination.

But the shocking truth is, the government already practices such discrimination against candidates, though not because of their race or sex.

Instead, it discriminates because of their political beliefs. If you're a Republican or Democratic candidate for president, you can put your name on all 50 state ballots after collecting 25,000 to 55,000 signatures.

But if you're a third-party candidate, the law requires you to

gather a whopping 700,000 signatures — 28 times as many as Democrats and 13 times as many as Republicans.

Welcome to the civil rights battle of the 1990s: political discrimination.

These barriers to the ballot are the result of laws written by Republican and Democratic politicians in state legislatures across the country. Their intention is to force their third-party competitors to spend their time, energy — and millions of dollars — asking the public for signatures instead of telling voters about their ideas.

The victims of discrimination at the ballot box are no longer women, who won the right to vote when the 19th Amendment was ratified in 1920. And they're no longer blacks, who marched on Washington to demand their full voting rights in the 1960s.

Today's victims are third-party candidates — along with the 9 million Americans who voted for them in the 1996 presidential election.

But just as blacks and women won the battle of electoral equality because their cause was just, so, too, will America's third parties. Supporters of third parties are the women of the early 20th

century and the blacks of the 1960s: We're tired of sitting at the back of the electoral bus, and we demand the right to full, free and fair elections.

Some polls show 100 million Americans support the formation of third parties. And as third parties grow in popularity, Democrats and Republicans are trying to strangle the competition.

If you wanted to form a new political party and run candidates for all federal and state offices, you would need more than 3.5 million valid signatures. In contrast, a new party formed in Russia needs only 100,000 signatures to get on the ballot, and a new party in South Africa needs only 10,000. Isn't it deplorable when Russia and South Africa can boast of greater democracy than the United States?

If Ford and Toyota conspired to lock their competitors out of the auto market the way Republicans and Democrats have locked their competitors out of the political market, their CEOs would be prosecuted under anti-trust laws.

Yet, Republicans and Democrats defend these "incumbent protection" laws by claiming the government has to keep the number of candidates to a minimum

to avoid "voter confusion."

But if consumers aren't confused when choosing among 100 different models of cars and 150 brands of breakfast cereal, why would we be confused when choosing among more than two political candidates?

Republicans and Democrats reiterated their support for political discrimination on July 30, when they voted 363 to 62 against the Voter Freedom Act sponsored by U.S. Rep. Ron Paul, a Republican of Texas. The bill would require states to establish fair, uniform and non-discriminatory standards for candidates for president, the U.S. House and Senate.

America's largest and most successful third party — the Libertarian Party — is inviting every citizen who believes in free and fair elections to join us in supporting the Voter Freedom Act when it is reintroduced next year.

Voting and running for office are fundamental rights, and every American should be treated equally, regardless of race, creed, sex — or political party.

*Dasbach is national director of the Libertarian Party.*

▲ *The Plain Dealer*, Cleveland, Ohio, October 6, 1998

▼ *The Honolulu Advertiser*, Honolulu, Hawaii, November 1, 1998

## What if Libertarians could have their way?

By Tracy Ryan

What might the election of a couple of Libertarians mean to the Legislature?

Here are some possibilities:

■ **Tax cuts.** Taxation discourages productive activity and limits the ability of poor and working class people to enjoy a higher standard of living. Let's focus on raising the personal exemptions and standard deductions on Hawaii's income tax. This would cut taxes on low income people. Let's raise the personal exemption from the \$1,040 it's been stuck at for 10 years to \$3,000.

Let's double or triple the standard deduction. This would let individuals spend more of their own money.

It would also reduce the number of tax returns filed, since many people would then fall under the minimum filing requirement.

■ **Voluntary taxation.** Various programs of less urgency could be funded

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through voluntary taxation. Many states now have a system where taxpayers can add an additional amount to a balance due or subtract it from a refund by checking a box for some sort of special fund. This could be done on a trial basis as early as next year.

■ **Cut the state's capital spending**

program. No new schools, prisons, University of Hawaii campuses, housing stadiums, freeways to nowhere, convention centers, *ad nauseam*. The construction industry should be responding to the demands of the free market, not turning constantly to government to create jobs.

■ **A resolution to repeal the Jones Act.** This federal law passed in 1920 limits all waterborne transport between U.S. destinations to U.S.-built, U.S.-flagged, U.S.-crewed and U.S.-owned vessels. This has left only two companies in (the Mainland-Hawaii) market and has left Hawaii citizens paying much higher shipping costs than they would if foreign companies were allowed into the market.

■ **Work with other states on a strong Tenth Amendment program.** This seldom-used amendment reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to

the people." We need the combined strength of a number of state legislatures to bring the federal government to heel.

■ **Legalize hemp production now.** Industrial-grade hemp has more than 25,000 uses including textiles, cosmetics, fuel and construction materials. Many imported products could be produced locally at competitive prices were we to allow hemp cultivation.

Libertarians believe the purpose of economic activity is the production of goods and services people want to consume. The more efficiently an economy can do that, the greater our material well-being.

When government spends tax money, it substitutes its consumption choices for those of taxpayers. There is no economic benefit to the community by government spending since government must tax or borrow the money it uses away from the private sector.

The government's role in promoting development should be to remove the

arbitrary barriers that it has created. Then the projects favored by the voluntary action of the market will go forward.

Libertarians urge the government to get out of managing the economy. We want to put all citizens on an equal footing with our government. This can't be done when the government retains its vast power to tax money away from all of us in order to hand it over to its supporters.

Unfortunately, the other political parties aren't committed to getting the government out of the economy. The solutions they offer will only make our economy worse. We won't reverse the long, slow down trend we have been suffering through unless we bite the bullet and cut the size of government.

Let government do a few essential things well and leave the rest to the free market. That's the solution.

*Tracy Ryan is vice chairwoman of the Libertarian Party of Hawaii.*

## Libertarian Party backs Bridgeton in airport fight

Declaring that they believe in "the separation of airport and state," Missouri's Libertarians said Thursday they support Bridgeton in its fight against Lambert expansion.

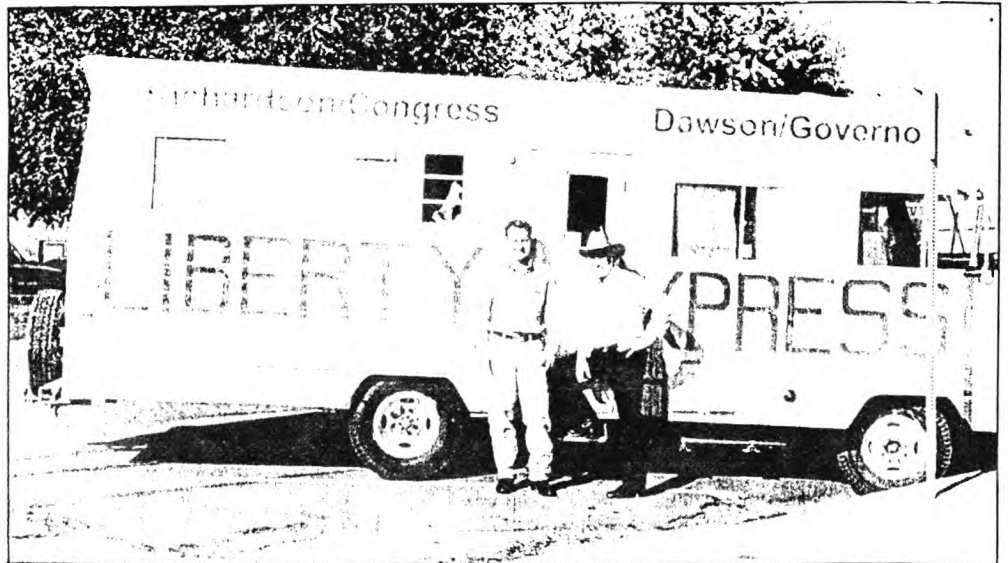
Jim Higgins, the Libertarian candidate for St. Louis County executive, said it is neither fair nor economically smart for government to use its eminent-domain powers to displace property owners in Bridgeton.

"It's wrong for the government to trample on the property rights of citizens," Higgins said. "Libertarians oppose forcing citizens to sell their land at prices deemed fair by the government."

Higgins said the Missouri Libertarian Party and 50-some Libertarian candidates for public office in Missouri almost universally oppose W-1W. The state party has about 500 dues-paying members, and Libertarian candidates are running for U.S. Senate, St. Louis County executive and all nine congressional seats from Missouri.

▲ *The St. Louis Post-Dispatch*  
St. Louis, Missouri, October 2, 1998

▶ *The Daily Rocket-Miner*  
Rock Springs, Wyoming, Oct. 13, 1998



Daily Rocket-Miner/Abby Williams  
**WHISTLE STOP** — The Liberty Express rolled into town on Thursday, Oct. 8. From left, Libertarian Dave Dawson, gubernatorial candidate and Steve Richardson, candidate for U.S. House of Representatives, have been traveling across Wyoming in the red, white and blue 1973 Wayfarer.

## Libertarian Candidates Visit Rock Springs

ROCK SPRINGS — The Liberty Express rolled into Rock Springs recently.

Dave Dawson, L-Casper, and Steve Richardson, L-Casper, candidates for governor and U.S. House respectively, began a week-long trip across Wyoming on Oct. 5.

Dawson, a computer consultant, is married with four children, the youngest being 16. He moved to Wyoming in 1976.

In his bid for governor, Dawson said, "Vinich and Geringer have spent too much time arguing over who has spent the most money on bringing busi-

ness to Wyoming." He thinks Wyoming has given up too much in trade for "pork projects."

He would like to carry Wyoming into a new century where "we set the example and states bordering us pattern themselves after us, not the other way around." He said, "The Libertarian party offers the chance to make Wyoming the land of opportunity, by running a free market system. They don't use bribes or matching funds as attraction." Based on the fact that "most people believe we have too much govern-

ment," Dawson predicted he would win by a landslide.

Richardson, 41, is married with no children. He moved to Wyoming 17 years ago and worked as a petroleum engineer. He currently holds an office with a Casper pipe company. He is a supporter of the free market system saying, "By allowing each entity to find the highest and best use of property and then paying for that value, the competition generates funds and the owning entity becomes responsible to ensure the proper usage of the land." He expects the Libertarian

party to become a "major player" in Wyoming with this election. Richardson's beliefs lie with the liberals on social matters, however, he is conservative with financial matters. Both candidates believe small government is the main answer.

The Liberty Express traveled from Rock Springs to Rawlins and Laramie on Thursday. Friday they were in Cheyenne, Wheatland, Guernsey, Torrington and Lusk. The whistle-stop tour was to conclude in Douglas on Saturday, Oct. 10.

## Libertarian in U.S. Senate race

Michael Cloud is the Libertarian candidate in the race being dominated by incumbent Democrat Sen. Harry Reid and Republican John Ensign.

Cloud, 47, is an author and public speaker who says he is the smaller-government alternative to the big-government liberal — Reid, and the big-government moderate — Ensign.

And when he says smaller government, he slips the modifier "radical" in front.

"Government should be like a night watchman," Cloud says. "Make sure nobody is stealing and nobody is hurting anybody. It shouldn't be what we have now, which is a mother-in-law who never leaves."

"That's why I'm running. Ensign vs. Reid is not a choice, it's a dilemma. I'm the only candidate favoring smaller government."

On public lands, Cloud said the central government lays claim to a minimum \$80 trillion worth of real estate. He suggests selling off \$10 trillion of

that to erase the national debt and pay off Social Security contributors. "Then, we can still argue about the other \$70 trillion worth."

On Nevada's ballot question concerning term limits, Cloud said he favors the limits, but is voting against the question due to the constitutional convention provision: "The right-to-lifers could seize control" and make "women take a urine test before they could order a drink at a bar."

On the medical marijuana question, Cloud said he is sickened by those arguing against it, including his two opponents. "A quarter of a million people die every year from cancer," he said, and some of them are dying sooner than necessary because they can't keep food in their stomachs long enough for it to metabolize — a problem that can be corrected with marijuana. In addition, he added, we need congressional representatives who will stop the federal government from blocking medical marijuana sales. "Defund the DEA if necessary."

Cloud lives in Las Vegas and was the organizer of the Harry Browne Libertarian presidential campaign in 1996. Other positions include an end to the income tax and a \$700 billion cut in the federal budget to make up for it; getting rid of Social Security; ending the "insane War on Drugs"; and immediate repeal of the Brady Bill.

◀ *The Elko Daily Free Press*,  
Elko, Nevada, October 27, 1998



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**EDITORIALS**

# Don't Travel With Too Much Money

Travelers usually concern themselves about having sufficient funds for a particular trip, so what's this we hear about carrying too much money when we travel?

A recent report out of Washington, D.C. released by the Libertarian Party, warns that it may soon be a crime to get on a plane or drive down the highway anywhere in America with too much money.

Directed to African-Americans, the warning suggests that they beware lest they may soon have to fear being mugged by their own government. According to Steve Dasbach, Libertarian Party national director: "Your government wants the power to label you a criminal and seize all your money with no proof that you've committed a crime. In other words, your government is about to give police a license to steal. And this bill will disproportionately affect Black Americans, since they tend to fit the governments racist drug-courier profiles."

The bill alluded to by Dasbach is reportedly being considered by the Senate Judiciary Committee and will allow police to assume that anyone traveling with more than \$10,000 in cash in so-called "drug transit areas" is a drug dealer—and confiscate all the money.

Here we go again with the old stereotypes. An African-American walks into a store to do some legitimate shopping, and all the clerks in the store watch to see if that person is going to shoplift something. After all, we all look alike and we all fit the profile for shoplifting.

The bill in question, The Drug Currency Forfeitures Act, is sponsored by Senators Max Cleland (D-GA) and Charles Grassley (R-LA) is reportedly designed "to hit drug dealers where it hurts the most": in the wallet, say its sponsors. At the same time, the bill will allow police to seize cash from any American who happens to be traveling through a drug-transit area. Since that label includes airports, highways and ports of entry, all persons traveling might be affected.

Anyone unlucky enough to be caught in this web will be subjected to further maltreatment. One of the most repugnant provisions of the bill, says Dasbach, is that people who want their money back have to face a "rebuttable presumption" of guilt. That is to say, they must prove they are innocent. Added Dasbach, Sen. Cleland was motivated by the fact that courts frequently throw out money-laundering cases for lack of evidence, so his solution was to stop requiring evidence and simply allow police to steal your money.

Who would carry around \$10,000 in cash if he's not a drug dealer? It doesn't matter. If you want to do it, carry as much as you like, and you shouldn't have to explain where it came from. Ironic, isn't it, that police see every day unemployed individuals with wads of money and fancy new cars, and though these people have no visible means of support, police don't worry about where the money comes from? And these people are in "drug transit areas"—the streets of Atlanta.

▲ *The Atlanta Inquirer*, Atlanta, Georgia, October 17, 1998

# Libertarians Blast High Court Over Claremont Issue

CONCORD — The state Supreme Court chose court decisions and sections of the state's constitution that matched its opinion on the Claremont school-funding suit, a speaker told the state Libertarian Party's convention yesterday.

"It used the ones that were useful and ignored the ones that would disprove their case," Doris Hohensee said in an interview after addressing the convention.

"The only ones that really like Claremont need the economic bailout of some sort," said Hohensee, a Nashua mother of six who has done extensive research on the state constitution.

She addressed about 30 people at the state Libertarian Party's convention at the Holiday Inn.

Her research shows no justification for the state's highest court to rule that education is a "state duty."

"The court's own previous decisions said there was no constitutional duties," Hohensee said.

Constitutional founders came to New Hampshire to get away from state-funded education. "It's like you're doing the opposite of why we came here," she said.

Recent work in the Legislature and governor's office to satisfy the high court's decision has included state control.

"Every solution they come back with has the word 'state duty' in them," she said. "Every time they put the word 'state duty' in there, they have control."

Libertarian Ken Blevens said if he's elected governor, "adequate education will be zero as far as the state is concerned."

"We go back to 100 percent local control," Blevens said.

Blevens advocated an immediate reduction of \$100 million in

state taxes, by removing state control from classrooms.

By setting the state court's education "adequacy" mandate at zero, a Gov. Blevens would effectively end the Claremont lawsuit "without amending the New Hampshire state Constitution," he said.

Part of the reason the Legislature recently couldn't get sufficient votes to put a constitutional amendment on the Nov. 3 ballot was because the public wasn't part of the process, Hohensee said.

"They didn't give people a voice," she said.

"Effectively, they shut us out. They have not let the people speak," Hohensee said. "They're shutting us out. We want a voice. Maybe a couple of thousand (petition) signatures would make a difference."

Former gubernatorial candidate Miriam Luce said consensus on a constitutional amendment is difficult. "We're never going to have a (required) super majority in the Legislature for any one certain amendment" or get two-thirds of the state's voters to support any one amendment, Luce said.

▲ *The Union Leader*  
 Manchester,  
 New Hampshire  
 October 18, 1998

▼ *Washington Times*  
 Washington, DC  
 November 5, 1998

## Foot in the door

The Libertarian Party was cheering yesterday as Vermont became the third state to send one of their members to the state legislature.

Neil Randall was elected to the Orange County District 3 seat with 53 percent of the vote in a two-way race, beating a Democrat. He won the seat on a dual-party nomination, which allowed him to pick up additional votes as a Republican.

New Hampshire elected a total of six Libertarian state representatives in 1992 and 1994, and Alaska elected three Libertarian state representatives in the late 1970s and early 1980s.