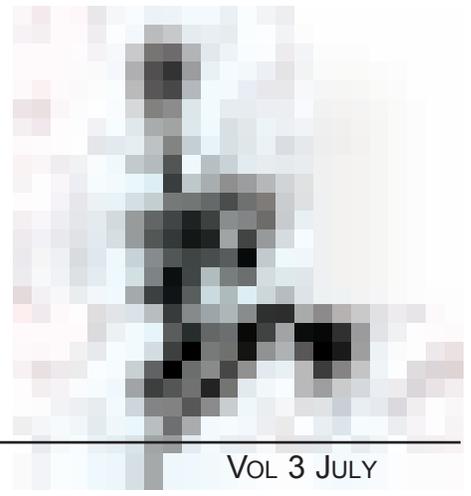


Free NY

WORKING TO ACHIEVE LIBERTY IN OUR LIFETIME



THE OFFICIAL NEWSLETTER OF THE LIBERTARIAN PARTY OF NEW YORK

VOL 3 JULY

NEW YORK IMPOSES STATEWIDE SMOKING BAN

In another example of its increasingly paternalistic approach to NY residents, New York State has once again legislated morality, and by July 24, 2003, the recently enacted public smoking ban goes into effect. No longer will smokers

(about 24% of NYS population) be permitted to enjoy a cigarette, pipe or cigar with their meal, not even at a bar with their drink.

Restaurants, bars and hotels now face civil fines of up to \$1000 for each incidence of violation found by

the smoke police. Amazingly, these fines don't just apply to the businesses alone, but also to the patrons themselves as well. Private citizens smoking on private premises are now subject to fines for consuming perfectly legal products. Local and County police are

Cont'd on page # 1

WEAPONS OF MASS DISTRACTION?

The Bush Administration's duplicity is finally showing threadbare. Despite over 12 weeks of

searching for WMD, and under extreme pressure to produce something, the harbingers of our synthetic war with Iraq are beginning to run rough around the edges. Instead of the pre-war certainty, fed to us with straight faced solemnity: "There are WMD in Iraq, and Saddam Hussein is ready, willing

Cont'd on page # 1

NY LIBERTARIAN PARTY SUES FOR

Last governor's election was not kind to several minor, but 'recognized', parties in New York.

Of the then recognized parties (Republican, Democrat, Independence, Conservative, Liberal, Right to Life, Working Families, and Green), the Greens, RTL, and Liberal parties all failed to obtain the minimum

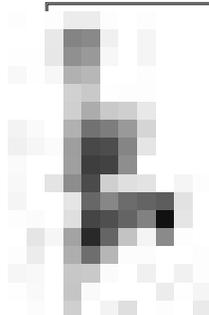
50,000 gubernatorial votes in order to maintain their 'recognized' status.

In order to be 'recognized', by the Board of Elections (the state administrative body that officiates all election laws in NY) and by law, a political organization must have received at least 50,000 votes for their nominated candidate in a gubernato-

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OUR PARTY MATTERS

CONVENTION NEWS:

NY Libertarian Party 2003:

The Libertarian Party of New York held its annual convention the weekend of April 26, 2003 at the Mohonk Mountain House, atop the Shawangunk Ridge, six miles from the town of New Paltz.

The convention director was Werner Hetzner.

The Mohonk House is a picturesque hotel, with hiking trails, boating, and a mountain/river valley backdrop that rivals the scenery found in the Lord of the Rings. (The hotel was featured in the movie "The Road to Wellville", as Dr. John H. Kellogg's retreat and health spa).

The convention started out with the business meeting where new NYLP officers were elected, the business meeting portion was open to all without any convention fees.

After the elections, a buffet lunch was had in the grand dining room. Thereafter various speakers interactively addressed the attendees, covering a wide range of Libertarian activism concerns (four of which have contributed articles in this issue)

At dinner, a lecture by Cato Institute Fellow Dr. Thomas Szasz, who spoke on the implications of personal freedom rights for the mentally ill.

A convention committee is being formed to plan the 2004 convention.

Currently Jen Rog and Rob Robinson of the Hudson Valley LP Chapter are scoping out locations for the next NYLP Convention. Significant criteria being considered as to viability of the eventual location are: [1] Cost to LPNY and attendee membership fees, [2] Location and [3] Size to accommodate as many as 200 attendees.

Some regions/locations considered: Sullivan County Catskill Resort areas, Hudson Valley areas, Lake George areas, and some State University hosting sites.

Members, please submit your suggestions and if you'd like to be on the selection committee.

National Libertarian Party

This year the Libertarian National Committee held its most recent meeting in Seattle, WA on June 28-29, 2003, and was attended by our Bonnie Scott; see Sean Hugh's report on developments made therein at:

<http://www.libertyforall.net/2003/archive/july20/Inc.html>

Next year's National Convention is expected to be on May 27-31, 2004, at the Marriott Atlanta Marquis Hotel, Atlanta, Georgia, where the LP nominee for President will be selected.

ACTIVISM SUGGESTIONS

*A Recurring Section, highlighting suggestion(s) made by LP Members as a starting point for NYLP activist projects in the furtherance of LP goals.
(Editor kindly requests topic contributions for this section)*

2004:

Suggestion:

C o n t a c t i n g /
Outreaching persons

who are having or have recently had a frustrating time dealing with the government for petty civil or criminal offenses, or administrative callousness, like building code constraints, arrest for marijuana, tax penalties, motor vehicle administrative snafu, or the like.

In such cases, the govt has already pissed off the target member, unjustly put them through hell, and softened them up for our position on these issues,

making such outreach efforts all the more effective toward such persons.

Often such persons in the public record as to their being targeted by the government (e.g. marijuana arrest, publically posted stop work orders) or we can actively seek them out via advertising or talk radio commentary.

Of course the details have to be worked out, but the general idea is targeted marketing to a sub-population that is already angry and fed up with the system, and is eager for an

Cont'd on page # 3

POINTS OF NOTE

AN OVERVIEW FROM THE NYLP CHAIR,**John Clifton:**

It is with abiding gratitude in a perilous time that I thank the members for granting me the ability to lead the Libertarian Party of New York. I have orally (or at much greater length online) described my vision for growing the movement inside and outside of LPNY, but briefly it may be summed up by saying I believe in pursuing progress for liberty through both electoral and, more urgently, non-electoral political action.

We have been, I feel, too wound up in this week's campaign, or the minutia of putting on the current protest or the next convention, and not enough focused on CHANGING THE RESULT. Too often, I have felt activists have been spinning our wheels around a tree while the forest is on fire; there is much needed to do beyond our little tree to put out the statism that is incinerating our once free republic. We ought to have a larger and longer view and ought to get started putting out the fire.

THE MISSION of the movement is (or should be) to restore and sustain a more Libertarian society (or, a "culture of liberty"). I have devised a "RED DISSECT" acronym formulation to help summarize how goals and strategies can effect that vision. Consistent with this, THE GOALS to achieve that result should consist of:

- 1) to **R**eplace the current non-libertarian, statist dynamics of the current establishment,
- 2) to **E**nact structural changes to the society, creating future political blocks, so as
- 3) to **D**evelop a more libertarian orientation to its major institutions and culture.

(That's the 'RED')

THE STRATEGIES to realize these goals (again, very briefly), involve:

Disinvestment—not trying to 'make peace with' elements of the current establishment (major media, government, electoral 'system,' etc.) that are hardwired to support and legitimize statism/initiation of force

Integration—working with non-political libertarians and pro-liberty/coalition entities, understanding it is more important for US to foster THEM, than the reverse

Sufficiency—Not always running for office if there are inadequate resources to support or justify even an educational campaign

Shadow Government—Building a bank of experts/drafting legislation both locally and nationally, to reinforce an expectation the party is ready to "assume power"

Establishment Building—contributing directly to individuals, organizations and movements within different industries across the culture whose causes are consistent with liberty until they rival or replace the pro-state insitutions

Competitive Model—allowing and encouraging

diverse activity or emphases among local LP chapters to help determine which ideas/actions are more effective

Triangulation—put on more "Guns for Tots" type events, which use LP's radical/principled stances to evoke radical responses, that ultimately produce a moderate outcome (changes the result incrementally in favor of more liberty) (That's the 'DISSECT')

As newly elected chair of LPNY, I plan to foster movement towards better organization and concrete development of the party in this state. To that end, the state committee is working this summer towards appointing, electing or hiring individuals to perform duties that permanently establish essential party-building functions within LPNY.

At our most recent meeting, the sense of the committee was to proceed withfilling those positions mainly through appointment of volunteers. Some committee members have already indicated interest in performing specific duties under the following general categories: Politics, Communications, and Operations. Final adjustments to and suggestions on the proposed schema below are welcomed.

I hope if we proceed with appointments, it will conform to the hoped for outcome of continuity and accountability for the functions—not just passing out the titles and basic descriptions. Something ought to be accomplished in 1-2 years for the person filling each role, which can either be defined for them, or presented by them at or by the scheduled committee meeting. Each such meeting should not just feature reports by treasury, secretary, etc., but updates or project proposals in each of the functional areas as part of regular old business.

Proposed Functional Organization:**Political Director:**

Political strategy; Candidate recruitment and support Petition drives; Election law knowledge keeping track of bills at the state legislature.

Communications Director:

Communications strategy; Media contacts; News Releases; FreeNY; Web Site Marketing.

Operations Director:

Affiliated Svcs.; County organizing; Membership Development; Fundraising; Conventions & Special Projects.

Those interested in contributing volunteer or contracted work in the above areas should contact myself, John Clifton, or other state committee members immediately. My email is johnclifton@netzero.com.

Announcements, Past and Present:

For Immediate Release

LIBERTARIANS TAKE ACTION ON LAND-GRABBING ASSAULTS ON PRIVATE PROPERTY, WILL TESTIFY ON USE OF EMINENT DOMAIN TO SUBSIDIZE CORPORATIONS

Bellport, NY 6/18/03— Libertarian Party of New York State Chair John Clifton and area Libertarians will attend a public hearing Wednesday to object to the Empire State Development Corporation's effort to condemn several properties on 42nd Street in Manhattan. The hearing is scheduled on June 18 at the New 42nd Street Studios, 229 W. 42nd St., 3rd Floor, from 5 to 7 PM. "This is the latest sad episode of the government being used by private companies as a vehicle for de-facto corporate welfare," said Mr. Clifton, citing that "this taking away of the property of private owners, under eminent domain procedures is not being done for public use purposes, but on behalf of the Bank of America." The bank will be developing a new complex on 42nd Street if the condemnation proceeds.

"Libertarians have long protested efforts to misappropriate public resources to deprive or harass the regular citizen out of his property," says Mr. Clifton. "From St. Luke's Pentocostal Church in New Cassel, to Ikea's attempt to evict an entire residential neighborhood in New Rochelle, to the current 42nd St. shakedown, Libertarians stand with the "little guy" to protect him from being ripped off. Using government force to benefit large corporations is simply wrong."

Former State Chair Richard Cooper led Libertarian opposition to previous eminent domain and corporate welfare schemes. Cooper cites a similar trend in Syracuse, where taxpayer funds are proposed to help build a private mall. "Gov. Pataki is backing a scheme to have the state guarantee \$1.5 billion in bonds on behalf of the Destiny Mall in Syracuse. This is the latest variation of the scheme to expand the Carousel Mall at taxpayer expense that the Libertarian 2001 Syracuse mayoral candidate, Dr. Jennifer Daniels, campaigned against. Now, they want to have all the State's taxpayers pick up the tab," says Mr. Cooper. The Libertarian Party of New York is preparing to mount a media campaign in opposition to the proposal. Mr. Clifton remarks that "legalized theft appears to be breaking out all over New York State."

Libertarians have nominated candidates for New York City Council and the other local offices in 2003, who will defend the property rights of ordinary citizens against the land-grabbing tactics of powerful corporations and bureaucracies. The party stands for championing the entire Bill of Rights in New York State, and ending all variations of legalized theft or corporate welfare.

LIBERTARIAN PARTY OF NEW YORK (516) 767-4688
PO BOX 728, BELLPORT, NY 11713 website: <http://www.ny.lp.org/>
Contact: John Clifton (email: johnclifton@netzero.com)
(work) 718-276-4630 x139; (biz) 917-798-0025

Libertarians Clear the Air of Smoking Bans

Westbury, NY 6/30/03: The Libertarian Party of Nassau County will present County Chair Richard Cooper of Westbury on "The Case Against Smoking Bans," on Tuesday, July 15th, from 8:00-9:15pm in the lower level conference room of 230 Hilton Avenue, Hempstead. Free to attend, and there will be a door prize drawing for a carton of cigarettes for those over 18. Cooper is a nonsmoker, a business executive, and a former NY State Libertarian Party Chair. For information about the Libertarian Party, call 516-767-4688 (SOS-GOVT) or view www.ny.lp.org. Cooper contends that "We Libertarians are pro-choice on smoking. Who should decide whether there should be smoking in bars and restaurants? We say the property owner, not Mike Bloomberg or Chuck Fuschillo. Whether to work at or patronize an establishment permitting smoking is a choice too. Private property rights, individual liberty, free markets and personal responsibility should guide public policy on smoking. Smoking bans trample suffocate a person dedicated to freedom of choice like myself, although I don't like smoking. The Surgeon General of the United States, Richard Carmona, has said he would support banning cigarettes and all tobacco products. The handwriting is on the wall for Americans who cherish freedom and personal responsibility, not just smoking."

Other Events:

8/19 Uzo Akujuo, editor of FREEDOM & PROPERTY on "Long Island's Govts. versus Property Rights & Affordable Housing."
9/16 Tribute to 9/11 Libertarian Hero and former Seaford resident John W. Perry

10/21 State Chair John Clifton on "Black & Libertarian: Why All Americans, but especially minorities should embrace libertarianism."

LIBERTARIAN PARTY OF NASSAU COUNTY C/O
LIBERTARIAN PARTY OF NEW YORK (516) 767-4688
PO BOX 728, BELLPORT, NY 11713 website:

<http://www.ny.lp.org/>
Contact: Richard Cooper

For Immediate Release

GUNS FOR TOTS II: LIBERTARIANS CELEBRATE TOY FREEDOM WITH "MERMAID MILITIA"

6/16/03 – The Manhattan Libertarian Party is celebrating their improbable victory over the City Council's spoilsport toy gun ban by bringing their famous "Guns for Tots" philanthropy to the annual Coney Island Mermaid Parade this Saturday. Marching in the parade as "the Mermaid Militia," the Libertarians will distribute free water pistols to children and sea creatures of all ages along Surf Avenue in Brooklyn.

"Everyone knows mermaids cherish freedom," declares Jim Lesczynski, spokesman for the Manhattan Libertarian Party. "And how do mermaids safeguard liberty under the sea? With squirt guns, of course!"

The Libertarians poured cold water on the City Council's proposed toy gun ban, Intro 298, in February by launching their Guns for Tots toy drive outside an East Harlem grade school on the day of the Consumer Affairs Committee hearing on the legislation. Although the intro's sponsors promised it would be passed by the Council no later than March, the unexpected media scrutiny brought on by the Libertarians caused the nanny-state legislation to be laid over by the Committee indefinitely.

"The Manhattan Libertarian Party clearly disrupted what I have no doubt was going to be a well planned out dog-and-pony show," says Jacob Rieper, Legislative Director of the New York State Rifle & Pistol Association. "They didn't waste time having a long, boring discussion on the issue. They didn't waste time trying to convince the Council, the media, or the public of their righteousness. They went to the source of the problem and stopped a stupid idea from becoming law. That's called victory."

Lesczynski concedes the Libertarians have won a battle, not the war. "Squirt guns are great, but we won't rest until our right to bear real arms has been fully restored. Still, for this summer at least, we can celebrate a small win for fun and freedom. And we can't think of a more appropriate venue than the Mermaid Parade."

Contact:

Jim Lesczynski, Media Relations Director, 646-387-7591.
Gary Snyder, Manhattan LP Chair, (gary@garysnyder.org) 212-873-6703

Further Operation Politically Homeless (OPH) outreach tablepresence events:

Jun, Jun 29th - Gay Pride Parade
Sat, Jul 5th - Sixth Avenue, bet 14th & 23rd
Sat, Jul 19th - 14th Street, bet 7th & 8th Avenues
Sat, Aug 9th - Washington Square North, bet Bdwy & MacDougal
Sat, Sep 13th - Eighth Ave, bet 14th & 23rd

MANHATTAN LIBERTARIAN PARTY
646-387-9591
18 Greenwich Avenue
Box 127
New York, NY 10011

www.ManhattanLP.org

Monroe County Libertarian Party Invites Notable Libertarian Speakers to their Chapter

Libertarian celebrities don't often visit Rochester, but this year the LP of Monroe County has already entertained two.

Jim Lark, former National Chair, gave an outstanding keynote address at our February convention. However, the May visit by Judge James Gray topped even that honor.

Judge Gray has recently joined the LP after many years as a loyal Republican in one of the most conservative counties in the country. He [Continued on Page](#)

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was appointed to the Orange County Superior Court in 1989 and has since been re-elected twice. What drove the Judge from the Republican Party was his frustration with the War on Drugs.

For over ten years Judge Gray has been publicly criticizing the new Prohibition. In his 2001 book, "Why Our Drug Laws Have Failed and What We Can Do About It", he pulls no punches, clearly laying out the evidence and underlying reasons. He includes quotes from numerous judges around the country who agree with his premise, and later in the book he devotes essential pages to discussing alternatives to our current laws.

The ReconsiDer policy group brought the judge to Syracuse for two days of events and graciously offered him to the LPMC. We accepted and set up radio interviews, plus meetings with as many prominent locals as we could fit into the afternoon. We even managed, through a chance encounter, to arrange a meeting with the Rochester City Council. Judge Gray charmed and impressed the councilmembers, and each left with an autographed copy of his book, including one gentleman who actually remembered Alcohol Prohibition, and was delighted to hear good sense applied to the issue. While we didn't convince any to quit the Democrats and join the LP as outright legalizers, it is clear we can make some difference if we are realistic.

The day was capped with an evening event at the Unitarian Church where Judge Gray spoke to both Libertarians and folks drawn in by print ads, flyers, and media coverage. We counted 75 in attendance, of whom 1/3 were from outside our LPMC circle. The crowd was inspired by the judge's passionate call for action.

The event resulted in about 20 new names for the local LP, but clearly a majority of those are more interested in drug law reform than in the LP platform. Judge Gray is offering to run for President in 2004 as a Libertarian, but only as a single-issue general at the head of a like-minded army. He would not be the standard purist, explaining economics and philosophy at every turn. To us this reflects a larger debate we continually face between ideological purity and political possibility. How much can we accomplish while staying true to our beliefs?

Nassau County LP Barbecue

Jim Harris, former State Chair, will have a BBQ at his house on the fourth Saturday in August (August 23) at 426 Centre Street, Westbury (corner of Livingston) in Nassau County. 1pm-6pm. Free, but please bring food or drink or entertainment to share if you can. Call 631-269-5711 for directions.

LIRR stops in Westbury.

Manhattan LP Runs Three Candidates for City Council

by Jim Lesczynski

The Manhattan Libertarian Party has endorsed three candidates to run for New York City Council this November. Jak Karako, Dan Finley and Craig Milem will be carrying the Libertarian banner against the forces of statism.

Perennial Libertarian candidate and former Manhattan LP chairman Jak Karako will be running against incumbent Councilmember Eva Moskowitz – who defeated him for the same office in 2001 – in District 4 on the East Side. The contest should be much more competitive this time around, as Karako plans to run on both the Democratic and Libertarian lines, which means he will face Moskowitz in the Democratic primary on September 9, and possibly again in the general election on November 4. Karako, who is a financial analyst by profession, says he is running on a platform of "fiscal discipline and social tolerance." Supporters can reach the Karako campaign by emailing jak@electjak.org or visiting his website at www.electjak.org.

Craig Milem, also a financial analyst, will be the Libertarian challenger to Council Speaker Gifford Miller in District 5 on the Upper East Side. "I am running for City Council because I feel passionately about individual rights, proper government, and free markets," says Milem. "In application, this means lower taxes, less bureaucracy, and fewer regulations." Email newyork@craigmilem.com to get involved in Craig's campaign, or see his website at www.craigmilem.com.

NYU Law School student Dan Finley will take on incumbent Councilmember Margarita Lopez in District 2 on the Lower East Side. Finley cites the following "big issues" for his campaign:

- End sales and property taxes (by cutting spending)
- Privatize education (with vouchers)
- Maintain strong police and fire protection
- Encourage state to repeal rent regulation
- Repeal nanny laws (smoking, cellphone prohibitions, etc.)
- Cut city council salaries in half (from \$90,000 to \$45,000)

Potential supporters can contact Dan's campaign by sending an email to

NYLP CHAPTER-BY-CHAPTER ACTIVITIES:

A summary of activities, developments and progresses made by the NYLP Chapters and their contacts, as reported to FreeNY by the Chapter's themselves.

If you are (or will be) a Libertarian and your part of the state is not represented yet, call (516)SOS-GOVT to get help to set one up.

Capital District

Albany and Vicinity

Jeff Russell, JRuss1776@aol.com

518-371-3641

The Capital District Libertarian Party meets the 2nd Tuesday of each month at the Branch Restaurant on Maiden Lane in Albany. Meetings start at 6 PM and usually last about an hour. There are about 50 members of national who live within an hour's drive of Albany. About 10 of them are fairly active, but only 4-5 attend meetings.

We recently sent out a fundraising letter to members in the area to raise money for newspaper ads. We've already run one ad in the Troy Record and are preparing the 2nd one now. Also we're considering running some ads in in some of the college newspapers in September.

Some people from Reconsider are setting up tables at a couple of local festivals and we're thinking of sharing the space with them.

Central New York

Onondaga, Oswego, Madison, Cortland

Kevin Delaney, kdzrd@aol.com

Marc Romain, romainpcsi@altavista.com

A business meeting will be held from 2-3pm followed by a discussion group from 3-4pm on the second Sunday of every odd month.

Erie/Niagara Counties

Dr. John Wadsworth, jlwads@concentric.net

716-886-1919

John has been having meetings regularly.

Please contact him to be put on his email list.

Hudson Valley

(Includes Dutchess, Orange, and Ulster Counties)

Don Silberger
845-255-8819

Dottie-Lou Brokaw and Peter Carl
845-679-834

P.O. Box 66, Lake Hill, NY 12448

Gary Treistman, garyonthenet@yahoo.com
845-679-4770

POB 563, Bearsville, NY 12409

Meets "religiously" on the first Tuesday of each month at 7:00 PM at the College Diner in New Paltz, one block east of the thruway exit on route 299. Also read about the attempts to start a new chapter in Dutchess County.

Recently was involved in Green Party lawsuit intervention.

Kings County (a.k.a. Brooklyn)

(We are looking for a volunteer to be a contact)

Meetings are combined with the New York county (Manhattan) chapter until a Brooklyn chapter can be formed.

Livingston County Libertarian Party

Albert Dedicke, aadedicke@yahoo.com

Contact Al to get involved in Livingston County: we will need help with the campaign this year.

Libertarian Party of Monroe County

(includes Genessee, Orleans and Wayne counties)

Stephen Healey, easterof1916@runbox.com
585-529-9354

The Rochester News Democrat and Chronicle featured an article about the initial meeting: Libertarian Party plans new chapter in Monroe. The chapter meets on the third Wednesday of each month for strategy sessions. Call for location.

LP of Monroe Co. Recently hosted two notable Libertarians, Jim Lark (former LP Chair), and Hon. James Gray (Orange Co. Superior Court), see full story in Announcements, Past and Present Section.

New York County (a.k.a. Manhattan)

Gary Snyder, gary@garysnyder.org

Thomas Ruks, info@manhattanlp.org

Manhattan Libertarian Party

(212) 252-3449

18 Greenwich Avenue

P.O. Box 127

New York, NY 10011

Manhattan is now leading the state in terms of candidates run each year. Join the lpny_manhattan@yahoo.com mailing list to start contributing your ideas about how to make it work. Stop in at our monthly meetings from 6:30 p.m. to 8:30 p.m. on the second Wednesday of the month, at Evergreen Restaurant, 10 East 38th Street. The first hour is a business meeting, and it will start PROMPTLY. The second hour is educational/social with dinner and guest speaker.

The meetings get started around 7, and are subject to frequent interruptions from the host.

A guest speaker has been booked for next month's (July) meeting of the MLP: Brett Wynn of New Yorkers for Fair Use of Copyrighted material (a.k.a. New Yorkers for Fair Use). See:

<http://www.nyfairuse.org>

Any techie geeks or those who have techie geek friends who are interested in issues like the digital Millennium Copyright Act, may want to attend or mention next month's meeting to them.

Also see Announcements for other events.

Nassau County Libertarian Party

Vincent O'Neill

516-676-8029

Meets in the downstairs conference room at 230 Hilton Avenue, Hempstead, at 8:00 PM on the third Tuesday of each month. Also see Announcements for other events.

Libertarian Party of Queens County

Ed Velez, lpqc@ureach.com

info: (718) 707-1421

Meetings are held on the 2nd Saturday of each month, from 10:30 am to 12:30 pm, at Bohemian Hall, 29-19 24th Avenue, Astoria, Queens (Subway: one block north of the Astoria Boulevard N train station, just west of 31st Street.)

Suffolk County

Barry Loberfeld, BLoberfe@suffolk.lib.ny.us

516-543-3510

Contact Barry for meeting times and location.

Southern Tier Libertarian Party

(Includes Cortland, Chemung, Broome, Otsego, Schuyler, Tioga, and Tompkins Counties)

Michael Lurie, mlurie@control.com
607-797-7162

William Kone, _WilliamK@excite.com
322 Pine Tree, Apt #82
Ithaca, NY 14850

Meetings are 1:00pm to 3:00pm on the second Saturday of the month at the Vestal Public Library.

Western New York

(Includes Allegany, Chautauqua, Wyoming, Cattaraugus Counties)

John Wadsworth jlwads@concentric.net
Buffalo, NY
716-886-1919

There are fairly regular meetings in Buffalo at this point--please contact John Wadsworth in Buffalo if you'd like to get involved.

College Chapters and Contacts:

SUNY Buffalo

Jonathan Smilow, jsmilow@hotmail.com

Columbia University

Will Thomas
Damian Najman, libertarians@columbia.edu

Showed "The People v. Larry Flynt," Wednesday, April 23, 2003, as an example of government power unbridled.

Cornell University

Justin Peters, jtp22@cornell.edu

SUNY Geneseo

Matthew Ray
Jeremy Lerch, geneseolibertarians@hotmail.com
Matthew reports that Geneseo students are up and running, creating a web site and crusading against mandatory student fees at Geneseo.

CUNY Hunter

Chris Delano, Lockjaw47@aol.com
Not a formal organization yet, but Chris is our contact point: drop him a note if you're from Hunter!

Ithaca College

Prof. Kim Gregson
kgregson1@ithaca.edu A new contact as of April, 2003.

New York University

Nathan Gessner, nathan@altalena.org & nsg206@nyu.edu
Capitalist pig? Good, we like you already.
Come check out University Libertarians At NYUMeetings: Wednesdays at 5:30 Loeb Student Center, Room 412 (Usually-Check at Desk)

Our Party Matters

ACTIVISM SUGGESTIONS -

Cont'd from page

alternative.

(Suggestion offered by Gary Treistman)

Suggestion:

We should run a petition drive against the statewide smoking ban.
This would:

- 1) Give us an opportunity to have our members do something in public
- 2) Give the public a chance to sign something they identify with that has the word Libertarian
- 3) Generate publicity
- 4) Possibly induce contributions
- 5) Discover new prospects

I suggest keeping it simple:

We the undersigned, whether smokers or nonsmokers, agree with the Libertarian Party that the New York state ban on smoking in restaurants and bars should be overturned. Bar and restaurant owners should have the right decide whether to permit smoking or not on their property. The public has the right to choose whether or not to patronize or work there. The government, at all levels in New York, should not interfere with their choices.

We decide on an objective, say 25,000 signatures or whatever. The actual repeal of the ban is irrelevant.

We can put the petition on the website and distribute it to chapters to copy for summer OPH and other efforts.

We should then do a release, giving out the LPNY number, PO Box, and website as contact points for getting the petition. The petition itself should have the same info for people to return to.

PS: I don't like tobacco smoking, but I'm pro-choice on smoking.

NY LIBERTARIAN CANDIDATES CURRENTLY**RUNNING FOR OFFICE**

Jak Karako
 NYC City Council, district four
 jak@electjak.org, Website at
 www.electjak.org.

or by snail mail:

“Elect Jak” 240 E 76th St 5R, NY, NY 10021
 Phone: 212 314 5640

Craig Milem
 NYC City Council, District 5
 newyork@craigmilem.com, Website at
 www.craigmilem.com

Dan Finley NYC City Council, district 2
 dan@danfinley.com, Website at
 www.danfinley.com

Gary Treistman
 Justice of the Peace, Woodstock
 garyonthenet@yahoo.com
 Phone: 845-679-4770

Joseph Garrett (TBD--position in Dutchess County)

“Weapons of Mass Distraction” - continued from cover page:

and able to use them against us”, the Administration, in a furiously casual attempt to pull a newspeak fast one, now dismissively answers to criticisms: “As we have always stated, we will find evidence of Saddam Hussein’s plans to produce weapons of mass destruction, it is only a matter of time.”

With this transparent backpeddling, the Bush Administration seeks to artfully side-step the controversy juggernaut descending upon them. Fortunately, we are not yet living in Orwell’s 1984, and the recent past is not so easily rewritten. Such desperate and shallow sophistry will only delay the inevitable.

In retrospect, this eventuality was in the cards. Despite a dearth of indications showing a threat from Iraq, the Administration, for reasons yet to be understood, pushed hard for this war, pulled all its political strings, and pilloried all dissenters within its midst. Somehow they would have their war, damn the torpedoes and full speed ahead.

The wishful thinking was palpable.

Successive discoveries of herbicide factories, hydrogen production equipment, and conventional munitions were prematurely hailed as the latest “smoking gun” evidence, proving and justifying their horse-before-cart prosecution of this war. Aided by jingoistic media outlets, such pronouncements only served to embarrass all the more when they were found to be benign, mundane, and insignificant discoveries.

Even as recently as a few weeks ago, the POTUS proclaimed vindication of the finding of WMD, when two trailers were informally assessed by the CIA as have been portable bioweapons labs. Notwithstanding that mobile homes alone are not WMD, it was more

recently disclosed that the Defense Intelligence Agency had contradicted that assessment, reporting that there was no indication that said trailers were bioweapon labs.

Consequently, public and Congressional reassessments of the POTUS are now being raised; his decision making ability and official credibility are now under a microscope. Irked insiders, privy to the machinations going on behind the scenes, have leaked reports to the press, now revealing that the men behind the curtains of the original public pro-war campaign as not having been so cocksure. We find now that first there was the imperative to have the war, and only later was a justification found for it, the buggaboo of WMD. The only snafu, was that there was no evidence for it. Poor Colin Powell (probably the only honorable guy among the bunch) was drafted into making a presentation to the UN that he knew was unsubstantiated and balked at having to do so; even he didn’t believe what he was saying as he addressed the UN.

With the POTUS now claiming he relied entirely upon intelligence reports to reach his decisions, yone can be sure that everyone who is anyone has covered his ass. Like right out of a Tom Clancy novel, the POTUS will claim non culpa rea, but the record will be clear. No one is going to be left holding the bag on this one, and the buck will likely stop in the Oval Office.

While Clinton was impeached for lying under oath about his affair with a young concubine, we can only compare such breach of office with the magnitude of starting a war knowing that there wasn’t any cause to do so. The Bush Administration can only pray that WMD in fact will be found.

(Article by Gary Treistman)

"New York Imposes Smoking Ban" - continued from front page -

expected to enforce the new State laws; if a county or city government fails to cite violators, the state health commissioner is empowered to assess a fine of up to \$2,000. Smoking will still be permitted in taxi cabs, hotel rooms (subject to discretionary hotel policy), "cigar bars", private clubs with unpaid employees, and, at least for now, in people's own homes.

The vote for the bill was 57-4 in the State Senate and 97-44 in the Assembly, and subsequently signed by the Governor.

Dubiously premised on the proposition that (presumably only paid) employees of indoor workplaces are being exposed to second hand smoke to the detriment of their health, its proponents have characterized this law as merely another workplace safety statute, similar to OSHA regulations. By casting the law in such a way, and citing implausible statistics (e.g., restaurant workers have a 50% increased risk of cancer due to second-hand smoke, as stated by Senator Charles Fuschillo, Republican of Merrick), the bill's sponsors have artfully synthesized a legislative history demonstrating a facially legitimate "compelling governmental interest", the test by which a law can be shielded from constitutional attack in federal (or state) court. Despite this transparent strawman argument, used so as to distract from the law's actual intended purpose, i.e., to legislate morality, make life uncomfortable for smokers and to coerce smoker's personal choices to conform to special interest groups' agendas, this legislative position should keep the law intact from court challenges.

In enacting this law the State has effectively coopted all private businesses of public assembly, and commandeered what can and cannot be done on their own private property. Notwithstanding the granted permissions of all private parties involved (sans intolerant non-smoking patrons), businesses are not even given an option to effect measures that would permit peaceable co-existence of smokers and non-smokers, such as increased or targeted ventilation.



The law, which trumps New York City's March 2004 enactment of a somewhat more lenient version of the indoor smoking ban, is the most onerous of a multi-front attack on smoker's rights; the State has increased cigarette sin taxes to an exorbitant level, and has attempted to outlaw mail-order, phone and internet direct sales of cigarettes to consumers. (As of this writing, it appears that the latter law has been struck down in federal court, see Brown & Williamson Tobacco vs. Pataki, 00-CV-7274, SD/NY, as a unconstitutional curtailment of interstate commerce).

The nanny state mentality continues to expand; we are now burdened with yet another law designed to protect us from ourselves, and make us all good little boys and girls. Tally this one up right along with state laws mandating seat belts, helmet laws, cell phone use while driving, and private home indoor building codes, soon to be followed by criminal statutes against talking too loud in movie theaters, cursing at one another, and eating junk food.

(Article by Gary Treistman)

I will be speaking on the smoking ban at our next Nassau

ACTIVISM SUGGESTIONS -
Cont'd from page

meeting 7/15 in Hempstead.
(Suggestion offered by Richard Cooper)

Suggestion:

I believe it would be beneficial for the NYLP, to have several of its members immediately attempt to change their voter registration enrollment to Libertarian at this time, using the existing voter registration form, but writing in the preferred enrollment of "Libertarian".

Then parlay this act of civil disobedience by litigating the resultant refusal by the local county and state BOEs.

These acts are crucial and timely, considering the ongoing federal case concerning these very issues, and the court's most recent decision

"NYLP Sues for Ballot Equality" - cont'd from front page

rial election. Once having obtained that many votes, a political organization is officially elevated from political organization status to Recognized Political Party status, in NY.

Achieving recognized party status is a major coup for any political organization in New York; among other entitlements, a recognized party is [1] automatically entitled to be listed on the state-wide election ballot, [2] gets its name listed as an explicit choice for a voter's party enrollment on the NYS voter's registration form, and the voter's affiliation is reflected on his election registration card, [3] shares in all the demographic data (voter names, addresses, etc.) collected by the BoE on all voters choosing to be affiliated in their party.

For non-recognized political organizations, the going is tougher. In order for a non-recognized political group to be listed on the ballot, so as to try to get its candidates elected, it must petition the populace and obtain at least 15,000 valid signatures in support of its ballot presence. Furthermore, such an organization is denied any demographics on voters wishing to affiliate themselves with it; of course such demographics are preempted by the fact that the BoE does not permit a voter to even express such affiliation. Instead all such voters are relegated to "non-enrolled" status.

In 1998, the NY Green Party attained recognized party status, when it ran its candidate Al Lewis (who played "Grampa" the Count Dracula character of the 1960's TV series "The Munsters") and received 52,533 votes. As aforementioned, in last year's gubernatorial race the Green Party failed to receive the prerequisite 50,000 votes.

Upon losing recognized status however, the Green Party balked. It filed a lawsuit in federal court (*Green Party of N.Y. v Board of Elections*, 02-cv-6465 ED/NY).

Building upon the NY Libertarian Party's precedential lawsuit in *Schulz v. Williams*, 44 F.3d (2d Cir. 1994), the Green Party asserted that the State's skewed treatment of recognized vs non-recognized political organization violated the US Constitution's guarantees of equal protection.

In February 2003, at the monthly Hudson Valley Libertarian Chapter meeting in New Paltz, atten-

dant Bill VanAllan brought the Green's lawsuit to the committee's attention, and recommended the NYLP's involvement (despite having placed a Libertarian gubernatorial candidate on NYS ballots since 1974, the NYLP, not having attained recognized party status, has struggled against the BoE regulations each time, and was continually put at a disadvantage in not being able to receive voter demographics on voters wanting to enroll as Libertarians).

HVLP Chair Don Silberger commissioned a sub-committee of the chapter, to investigate what would be needed to intervene in the Green lawsuit, and to draft a proposed amended NYS voter's registration form that would recognize all political organizations that had taken part in the elections.

Libertarian members Dottie-Lou Brokaw and Gary Treistman partook in the sub-committee, and accomplished those goals.

Furthering the sub-committee's charter, Gary Treistman subsequently composed an intervenor motions brief (and an alternate amicus curiae brief) and submitted it to the NYLP State Committee. The State Committee then commissioned Libertarian member Chris Garvey, Esq. to represent the party and to submit the briefs to the court in the Green Party suit.

Having considered the arguments and claims before it, the court (Hon. John Gleeson, USDJ) issued its decision on May 30, 2003, finding that the Green Party had demonstrated a viable equal protections, and free speech infringement claim against the BoE. The court ordered a preliminary injunction against the BoE, enjoining it from removing the Green Party's voter enrollment records, and to continue to maintain said records. The decision addressed all of the Green Party claims, and ruled most of them valid on preliminary injunction, stating that the BoE did not present a justified position in defense of the invalid regulations.

However, since the decision only referred to the Green Party's rights on the matter, not mentioning the similarly situated Libertarian Party, on June 18th, Chris Garvey resubmitted the NYLP's intervenor motion, and expanded upon the origi-

nal brief, proffered the Libertarian Party's significant involvement in the election process (which is more extensive than the Green Party) and cited the court's findings in support of the NYLP - the NYLP moved the court to make similar findings in regard to the NYLP's rights to have access to its current and potential members demographics, and listings in voter registration forms and cards.

As of this writing, the Liberal, Right to Life, and Marijuana Reform Parties have belatedly all filed documents, also attempting to intervene in the Green Party suit.

Technically, the BoE is still entitled to a trial on the matter, however it is likely that they will either waive trial, or the court may find it unnecessary, since the decision concerns matters almost entirely of law, and both litigants in the suit did not

significantly contest the facts of the case. There is also an open question as to whether the BoE will decide to appeal the case to the 2nd Circuit Court of Appeals. It is possible they may forgo that avenue as well, since similar third party rights have recently been vindicated in several other federal circuits, and reform of this nature is in the air. But, the BoE has formally opposed NYLP's motion in the district court.

If all goes well, the NYLP will be able to share in all records of Libertarian voters and enrollees, have its name placed on all official voter registration forms, and be able to compete on equal footing with the State's "recognized" political parties.

(Article by Gary Treistman)

TWO ON EDUCATION

THE INTRUSION OF INCLUSION:

A SCOURGE OF THE SPECIAL EDUCATION COMPLEX

Arthur Claude Munyan, Sr.

There is a cancer eating away at our public education system today. A cancer which has been wrought by the insidious power of the Special Education Complex in our public schools.

Once upon a time, before this cancer was formed, we lived in saner times. In 1975, Public Law 94-142, the Education of the Handicapped Act, was passed. This law stated that students with special needs should be educated in what was called the "least restrictive environment." In my opinion, this was a good law and one which was very timely. Indeed, there had been a history of injustices and inequities in the manner in which many special needs students were educated. In some cases, they were unfairly denied any type of education at all.

What PS 94-142 accomplished was to open the doors of our regular classrooms for those special education students who possessed the requisite academic skills and behavioral self-control to succeed in those classes. If this law had never been enacted, they would have continued with their education in their usual self-contained classrooms.

Before I became an administrator, I taught American history for many years. In those days, our school was blessed with an outstanding special education coordinator. Any special education students I taught were carefully screened before they were mainstreamed

into my classes. She made sure they were in possession of the basic academic skills needed to meet my class requirements. Our special education coordinator also ran a tight ship. Behavioral problems were not tolerated. She laid down the law that one single misconduct referral would result in an immediate placement back into the special education classroom. Her screening was so successful that every single one of the special education students I taught during that era passed, and did so legitimately, without any lowering of my academic standards. They were also exceptionally well behaved. I can honestly say that they were among the nicest and most cooperative students I have ever taught.

In summary, I had no problem with the "mainstreaming model" of special education, at least, in the manner in which it was interpreted and implemented by our special education coordinator. Unfortunately, this era came to an end in 1990. This was the year in which the Individuals With Disabilities Act (IDEA) was enacted. It was this law which replaced PS 94-142. The enactment of IDEA has spawned an atrocity that I consider to be one of public education's worst nightmares. This nightmare has become known as the "inclusion model" of special education. The inclusion model essentially says that special education students have the unconditional "right" to be placed in the regular classroom setting, regardless of the severity of their disabilities.

From my experience, this has proven to be yet another one of those liberal social experiments that

has not only failed miserably, but which has also wreaked unbelievable havoc across the entire landscape of our public education system.

When IDEA was first enacted, we had to sit through countless faculty meetings and inservice workshops, so that we could be properly indoctrinated. They were usually led by some starry eyed liberal special educator, who couldn't wait to enlighten us on this wonderful new philosophy called "inclusion." I'll never forget one of these workshop leaders in particular. A group of us started to challenge some of her assumptions and statements and asked some hard questions. Finally, she got so angry and flustered that she snapped: "Oh, I see what your problem is! You all haven't had any sensitivity training!" This is one of many examples of how liberal educators try to use guilt trips to further their agendas.

When you mix a bunch of special needs students with severe academic and behavioral problems into a classroom with regular students, the education of both the special needs students and the normal students suffers. These students tend to require so much attention and monitoring that the education of the regular students gets held back. Needless to say, the inclusion model has also forced teachers to accept a lot of students into their classrooms with behavioral problems so severe that they should either be incarcerated or institutionalized.

Another atrocity that the inclusion model has wrought is that the special needs students are frequently graded and evaluated by a bunch of phony or dumbed down standards. These have become to be known as "accommodations" in the lingo of the special educators. Many of these students have IEPs with some of the most ridiculous accommodations you can imagine.

I have actually read some IEPs that stipulate that a student is to "pass" all of his classes and be promoted to the next grade level, regardless of effort or performance. Some of these students know this and milk it for all it's worth, sitting in their classes all year long while doing next to or absolutely nothing, except disrupting the learning process for their classmates. Don't tell me this doesn't happen. I've seen this happen. As a result of all of these special accommodations, a lot of these students develop a "prima donna" complex. They get extra privileges and less discipline than the regular student population, and they know it. Far too many of them freely misbehave and disrupt their schools and classrooms, confident in knowing that any consequences they receive, if any at all, will be of far lesser severity than those of the regular student population for the same offenses.

One of the most ridiculous examples which comes to mind is the special education student we once had at my school who regularly cursed his teachers. However, his IEP stated that his habit of "cursing teachers" was a symptomatic component of his "handicapping condition", and therefore, he was not to be suspended for this behavior. And no, he did not have Tourette's Syndrome. Another example of how absurd this movement has become is a relatively new diagnostic label which has come down the pike. This label is known as ODD. This stands for "Oppositional Defiance Disorder." This essentially means that if a student, who has been diagnosed and labeled accordingly, refuses to do what you say, and tells you to "Go to hell!", then he is not to be punished like the regular students. This is because he can't help it. His behavior is only symptomatic of his handicapping condition. Therefore, he is not responsible for his actions. It will even say so in his IEP. Don't tell me this isn't true. I once read one that said exactly that. If I had my way, I would outlaw the ODD label and change it to SNP. Snot Nosed Punk. And send any such student out of my school for good.

Another long range debacle of the inclusion model is that the accommodations mandated by the IEPs of many special education students severely compromises validity of their "grades" and renders the value of their education ultimately meaningless. This becomes all too crystal clear when a lot of these students receive their diplomas without ever learning how to read or write. Yet, by law, their diplomas and transcripts cannot mention that they were special needs students who were taught under these accommodations.

Granted, there are a number of special education students who do well in the regular classroom, and that is clearly where they belong. What IDEA has done has been to allow the so called "rights" of the special needs students to run roughshod over the rights of the normal majority of our student population. As a result, special education has come to the point where it is not only dominating, but suffocating, our entire public education system.

Several years ago, one special education expert told me: "Eventually, every regular education classroom is going to become an inclusion classroom. And don't be surprised if every student has an IEP." If this nightmare comes to pass, then IDEA will surely prove to be the death knell of public education.

A NEW OLD GOVERNANCE PLAN FOR NEW YORK CITY'S PUBLIC SCHOOLS

by Gary S. Popkin

Member, Community School Board 15

The Mayor of New York and the Chancellor of the public-school system have had in place now for one year a dramatically new governance plan. Sadly, the new governance addresses none of the problems of the governance it replaced. I propose a governance that addresses the fundamental issues, based on principles that have been known for thousands of years.

The Department of Education now collects around \$12 billion per year from the taxpayer to service about 1,100,000 New York City school children, to the tune of \$11,000 per child, less for primary- and middle-school children, more for high-schoolers. What if the taxpayer just gave parents \$11,000 for each child and said, "Buy the kind of education you want."? This situation is not unique to New York City. The United States now spends so much on public education that every child in the country could, for that price, attend any but the most expensive private school.

What would the world look like if we just gave to each child the money the taxpayer already spends?

Suddenly many hundreds of former public school buildings would be empty.

Hundreds of new private schools would have to spring up to meet the new

demand. They could rent the newly emptied buildings from the City for \$1 per year. There would be thousands of new job openings for principals, assistant principals, and other administrators, and tens of thousands of new job openings for teachers. The

best teachers would command premium salaries as schools competed for them. The worst teachers might be out and the average quality of the New York City teacher corps would be improved.

Parents would be hugely better off, as they could now just select the school that best suited them and their children, a school that emphasized academics, or music, or art, or creative writing, or sports, or a nurturing school instead of a competitive one, and no longer had to endure endless arguments with other parents at PTA meetings, ultimately fruitless arguments ignored by unresponsive and frustrated school administrators unable to satisfy all parents at once.

The only people worse off would be the thousands of former paper-pushers at the central Board of Education and the district offices, who would now have to find productive jobs and contribute to the economy of New York City instead of being a drag on it.

To paraphrase Thomas Jefferson, "That governance is best that is no governance at all."

So to sum up, I suggest that we use largely the same faculty and staff we have now, in the same buildings we have now, funded by the public, so this is true public education, but that we adopt the private-school governance model in its entirety, a model that is now serving a quarter of a million New York City school children fabulously well.

Since the private sector educates better at lower cost, perhaps a distribution of \$10,000 per year per child, or \$9,000, instead of \$11,000, would still enable parents to improve the education of their children. Each \$1,000 per year reduction on 1.1 million children reduces the taxpayer burden by one billion dollars.

UNCELEBRATING THE FOURTH

by Harry Browne

Unfortunately, July 4th has become a day of deceit.

On July 4, 1776, the Continental Congress formally declared its independence from Great Britain. Thirteen years later, after a difficult war to secure that independence, the new country was open for business.

It was truly unique -- the first nation in all of history in which the individual was considered more important than the government, and the government was tied down by a written Constitution.

It was the one nation where you could live your

life secure in the knowledge that no one would ask for your papers, where you weren't identified by a number, and where the government wouldn't extort a percentage of your income as the price of holding a job.

And so each year July 4th has been a commemoration of the freest country in history.

False Celebration

But the America that's celebrated no longer exists.

The holiday oratory deceitfully describes America as though it were the unique land of liberty that once was. Politicians thank the Almighty for conferring the blessings of liberty on a country that no longer enjoys those blessings. The original freedom and security have disappeared

-- even though the oratory lingers on.

What made America unique is now gone, and we are much the same as Germany, France, England, or Spain, a nation with:

1. Confiscatory taxes,
2. A Constitution and Bill of Rights that are symbolic only --merely documents used to justify governmental actions that are in fact prohibited by those documents,
3. Business regulated by the state in the most minute detail,
4. No limits on what Congress or the President might decide to do.

Yes, there are some freedoms left, but nothing like the America that was -- and nothing that you can't find in a few dozen other countries.

The framers of the constitution knew human nature as well as we do. They too had lived in dangerous days; they too knew the suffocating influence of orthodoxy and standardized thought. They weighted the compulsions for restrained speech and thought against the abuses of liberty. They chose liberty. W. O. DOUGLAS, Supreme Court Justice

what they're living now. Both groups need encouragement to quit supporting

The Empire

Gone, too, is the sense of peace and security that once reigned throughout the land. America -- bound by two huge oceans and two friendly neighbors -- was subject to none of the never-ending wars and destruction that plagued Europe and Asia.

Now, however, everyone's business is America's business. Our presidents consider themselves the rulers of the world -- deciding who may govern any country on earth and sending Americans to die enforcing those decisions.

Whereas America was once an inspiration to the entire world --its very existence was proof that peace and liberty really were possible -- Americans now live in fear of the rest of the world and the rest of the world lives in fear of America.

The Future

Because the education of our children was turned over to government in the 19th century, generations of Americans have been taught that freedom means taxes, regulations, civic duty, and responsibility forth whole world. They have no conception of the better life that could exist in a society in which government doesn't manage health care, education, welfare, and business -- and in which individuals are free to plot their own destinies.

Human beings are born with the desire to make their own decisions and control their own

lives. But in most countries government and social pressures work to teach people to expect very little autonomy.

Fortunately, in America a remnant has kept alive the ideas of liberty, peace, and self-respect -- passing the concepts on from generation to generation. And so today millions of Americans know that the present system isn't the right system -- that human beings aren't born to serve the state and police the world.

Millions more would be receptive upon being shown that it's possible to have better lives than what they're living now. Both groups need encouragement to quit supporting those who are taking freedom away from them.

You and I may not have the money and influence to change America by ourselves, but we can keep spreading the word -- describing a better society in which individuals are truly free and government is in chains (instead of the opposite).And someday we may reach the people who do have the money and influence to persuade tens of millions of Americans to change our country for the better.

I don't know that it's going to happen, but I do know it's possible. I know that the urge to live one's own life is as basic in human beings as the will to live and the desire to procreate. If we keep plugging away, we may eventually tap into that urge and rally the forces necessary to restore the real America.

And then the 4th of July will be worth celebrating again.

(Printed herein by permission, Harry Browne. See more of Harry Browne's writings at www.HarryBrowne.org)

POINT COUNTERPOINT

- HOW SHOULD WE "SELL" THE LIBERTARIAN MESSAGE? -

(Werner Hetzner & Don Silberger Observe Two Sides of the Question)

WHY WOULD ANYONE WANT TO VOTE LIBERTARIAN?

(And then again, why wouldn't they?)

by Werner Hetzner.

(Originally addressed on oral presentation at
the 2003 NYLP Convention)

I recently asked my daughter what I could do to get her to vote Libertarian.

She told me she can't take the Libertarian Party seriously. To her we are all crackpots.

If this is the common view, then either we really are crackpots or people mistakenly think we are. Of course there is nothing we can do to change our values. But can we better present our values so that people don't think of us as crackpots.

I wasn't always a libertarian. Just like my daughter, I once thought of Libertarians as - well - odd. Why are we Libertarians? What made us Libertarians? The idea didn't just come to me. Neither was it some dramatic LP event or a flamboyant celebrity running for Governor that made me join this group. It was simply a series of experiences which caused me to question my long held assumptions. It was just a question at the right time and circumstance.

All the LP did was send me a direct mail piece asking for support at the right time. What did I have to lose but a few dollars? And the rest is history. Other people have different experiences. So they have different ways of assessing the world. They don't have our values.

So you're not in favor of gun control? To most people you are a Redneck.

You are against the War on Drugs? To most people you're a crazy hippy.

How many of you are against Social Security, IRS, FDA, etc? You can't be serious!

Whether you accept it or not, most folks are comfortable with their assumptions; with their way of life; with what they understand the world around them to be. At least, they are not uncomfortable enough to question the way things are.

Some people, perhaps most people, especially don't like radicals or radical ideas. They distrust and fear change. This is perfectly understandable and normal.

You assure them that the LP is the party of principle. Well, so are the Communists. Pol Pot killed million on principle. The Mafia is said to have a code of conduct based on certain principles. I suggest to you those people out there don't care about what you want any more than they (or you) care about what Communists want or what Martians want. They don't care about your principles.

They don't want anarchy. They don't want big business controlling their lives. They want life to be fair. They want more for less. They want what they have. They want security and they have what they want. Let me suggest what they don't want. Don't want to make waves. They don't want to rock the boat. They don't want uncertainty.

Libertarians believe in the market. What happens when uncertainty affects the market? If you want them to choose what you offer, you have to persuade them to want what you offer. You have to overcome the fear of uncertainty. There is a market of ideas. You - we - have not marketed our ideas in a way for people to embrace them.

So, they think of us as odd. They think of us as dangerous, or deluded. That pure libertarian world may be important to you, but they, those vast numbers of other people who decide how politically relevant you are, don't give a hoot. The result is that politically, you and I are irrelevant. You and I probably used to be just like them. I came around to your way of thinking. That means other people must be able to be persuaded to your to our cause. It means other people can adopt our values. We have to believe this is so. People change their minds all the time. Hell, I'm living proof that it is so.

Any revolution is proof. History is full of examples: Communists Revolution and Counter-Communist Revolution; Nazi Germany; Iranian Revolution; Contract with America. Did any of

you read a recent article (March 2003) Am I a Libertarian by Brink Lindsey (of Cato/Reason) He wrote of two kinds of libertarians radical/utopian, and pragmatic/reformist. The latter start with the world as it is and strive to incrementally reach a more libertarian way of way of life. The former, the radicals, begin instead with a utopian ideal world view (fully privatized roads, elimination of compulsory vaccination even during epidemics, repeal of laws against blackmail) that does not allow any concessions to statism.

To the average person who is even aware of the LP, the party is about guns and drugs. The average person doesn't care about either.

This is why there are fewer than 1000 LP member in NY and many millions of non-Libertarians. It is why we get nearly zero percent of the vote. If you hope to change this you have to change their minds. Don't sell drugs. Don't sell guns. After all, who is buying what you're selling? Sell something people want. People can and do change their minds. They will question their assumptions when they must. When they have little choice, they will not avoid the fundamental shift of their ingrained positions.

When it is no longer in their interest to cling to old ways, people will adopt new ones. That is when those who offer more of the old ideas will become the crackpots because changing circumstances have shown the olds ways no longer work. That is when ideas that were considered unacceptable become accepted.

We have to persuade those other people out there, who count, that we are not crackpots. We must make it easier for those other people to accept our ideas. Before they change, perhaps it is we who must change. We have to start by accepting the world as it is, not as we expect it to be. There are indications that people might consider new ideas. The economy is in a slump. The value of government services will be questioned because taxes are going up. Political participation has been in decline while political apathy has increased.

People seem to have an undefined awareness that they are not in control. Campaign finance is a reaction to this. Public schools continue to be a source of embarrassment. Money is lavished on them. Reforms are instituted. Nothing changes.

We can expect conditions to get worse. Demands on government increase but debt at all levels does as well. From where will the money come to supply the demands It will probably be the printing press because there are no other sources. This is a time of problems.

It is a time of opportunity for the Libertarian Party.

We can't promise people free health care or more Social Security or better performing government schools. We can promise them the power of choice. The word choice associates very nicely with markets. People understand it. People may not be able to operate schools, but hardly anyone is incapable of making a choice. Hardly anyone is against choice. Most everybody prefers choice to no choice. What people will increasingly experience in these new circumstances is a lack of choice. Taxes can be expected to rise. They have no choice but to pay. Services can be expected to be reduced at the same time. They have no choice but to get less and pay more.

The LP will offer choice. Choice does not cost a dime. The opposition will have trouble promising people what they want because there is no money. We have to show people how they have been had. We have to explain that the old promises are not met and can not be met. We have to show them how laws, bureaucrats, and the public trough have lead to the problems people will be experiencing. We have to also show them that Liberty is just another word for Choice. We have to show how the opposition is stealing their choice as well as their money and their future. We have to show them examples of the power of choice and the awful reality of no choice. We have to show them what they already sense that their vote has no meaning if there is no choice. Show how their choices are disappearing lots of choices. Not just Smoking choices, gun choices, drug choices, but school choices, money choices. Show them how government reduces choices. What do they have when they have no choice.

Sell the power of choice! Let us define a libertarian as anyone who wants people to have more choice.

WHITHER, LP? Learn it or Wither.

By Don Silberger

*(Originally addressed on oral presentation at the
2003 NYLP Convention)*

I contend that the LP can at this time most usefully promote the cause of individual liberty by using the convenient format of a political party while discarding those aspects of political partyhood which are to us irrelevant.

That is to say, we should stop telling ourselves that we are running candidates for public office in order to elect libertarians to official power.

We should feign an interest in electoral victory only to those persons who seem unable to understand that political campaigns could have a purpose aside from electing candidates, and when those audiences would consider us unserious if electoral victory did not live somewhere in our hopes.

Among ourselves we ought to agree that most of our campaigns are to be aimed at providing us with slightly better soapboxes than usual for our political views. This must be a general understanding among us when we select people as LP candidates for prominent offices. We should in this light decide whether we want to be represented by People Magazine stick figures or whether we instead want candidates who can articulate our message with unforgettable passion and clarity. We cannot have both. To sum them up, I would address these issues, thus:

Issue One: How -- qua "political party" -- we ought to set our agenda, and decide upon the actions into which our meager resources should be invested.

Issue Two: We aim to spread our ideas, hoping to influence the course of social evolution. What, exactly, then, ARE those ideas?

Most LPers will claim that our primary aim should be the advancement of individual liberty. But, after that generality is enunciated in so many words, things get muddled in some of the particulars of what should be stressed and what marketing strategies should be developed to serve our purposes.

There are those among us who make a cogent argument calling for more effective general marketing strategies than we have exhibited to date.

Werner Hetzner joins with Michael Cloud and most of the LPNational leadership in emphasizing the candid SALE of the Libertarian Party and of libertarian ideals. Both Mary Ruwart and Sharon Harris partake of some of those attitudes. While we owe those individuals our gratitude for their devotion to the liberty cause, I believe their approaches have unexamined limitations and downsides.

A corollary of the marketing attitude is that one should present one's wares in the most attractive possible light, even if such a presentation may involve oversimplifying (to the point of misrepresentation) the ideological wares we wish to purvey.

A second corollary is that one may have to select among the wares to put into prominence; that we ought to choose those which might be expected to appeal in the most positive way to our prospective sales audience. Why talk alot about legalizing prostitution, for instance, when many people are turned off by prostitution and could be more agreeably reached via discussions of the Free Market applying to less controversial or emotionally charged merchandise?

Thus we should conduct market research on the best issues to gain us a following, and should exercise common sense, by appealing to the actual interests which our audience (presumably) has instead of putting forth mainly the issues which are of concern to us personally.

A third corollary is that, by virtue of bringing new people into our party as members, we can increase not only the LP's cash base for its projects but also the libertarian influence on society at large. So, our aim should be to lure people into our party, where they will pay dues, perhaps speak favorably about the LP to their friends and neighbors, and increase both our candidate pool our vote totals on election day.

It is in opposition to the sensible thrust I have just described, with its three corollaries, that I directed my talk at the Convention.

I believe that the marketing emphasis described above can result only in a dilution into platitudes of the principal passions which have brought most of us into the party, and without

which party we are indeed politically homeless. I expect that the strategy will not gain a significant increase in votes for our candidates, will not promote the spread of libertarian values and ideas (although it may increase the use and the misuse of the word "libertarian"), and it will not create a freer society.

Before a free society will have been created by the means suggested, most of us will have lost heart, honeyed ourselves into a cloyingly impotent sweetness, and will have come to forget the core meaning of what we came to the LP to seek in the first place.

I believe that only a minority will be induced to "buy" the libertarian viewpoint, and that this minority will not have to be "sold" the view we entertain, but merely exposed to the clear fact of its existence. Many Americans still do not understand what libertarianism entails, and some of those will passionately support libertarianism as soon as they come to understand that entailment.

In order to expose our vulnerably potential fel-

low libertarians to our healing message we have somehow to shout above the ubiquitous hubbub which tends to muddy and overwhelm any precise statement of ideas.

This outshouting of cultural noise and cliches will often require shock, street theatre, scofflaw behavior -- an effective use of the unexpected, the comic, and the outrageous.

We need clowns and street comedians more than we need buttoned down and necktied toothsome sales manikins.. We need to come down from our high jackasses and elephants, and dare to be what we are...

if we are to hope ultimately to reach our natural client audience. If our reaching those cognitive few necessitates our enraging almost everybody else, then the rage of the mob (and the vengeance of the mob's enforcers, official and otherwise) are what we must endure.

We can eventually win the changes we wish in society, I believe. But we cannot win those changes without personal cost and pain.

We are reluctant to admit that we owe our liberties to men of a type that today we hate and fear - unruly men, disturbers of the peace, men who resent and denounce what Whitman called "the insolence of elected persons" - in word, free men...G.W. JOHNSON

LIBERTY IN OUR LIFETIME

On the Road to Shambhala

A Perspective on the Free State Project

By Thomas Ruks

(Originally addressed on oral presentation at the 2003 NYLP Convention)

I am glad to be with you here at the NY State Libertarian convention. I am glad to be speaking with you today about a project for liberty, the Free State Project (FSP). It is a non-partisan effort that shares with us in the Libertarian Party the goal of Liberty in Our Lifetime.

The FSP is a project for liberty with the support of many libertarians and like-minded voters across party lines. It aims for similar goals but is a strategy independent from the label of our Party and preconceived views of our Party.

The Free State Project's mission is to have 20,000 liberty activists move to a selected state to concentrate efforts to move the politics of the state to an agenda of liberty.

How many before this convention never heard of the FSP or did not know what it plans to do these next few years? How many know of the FSP, not only support it, but also are signed members willing to move to another state for the aim of Liberty in our Lifetime?

The goal is to have 20,000 activists signed on, willing to move this decade to an agreed state, to be active for a liberty agenda with their energy, their resources, their time, and their money. Soon will be the time when a state is selected. It was considered that to achieve a significant state of liberty, it would require no less than 20,000 activists and that the state should have a population near or less than a million. Campaign expenses should be small scale just as the population is of limited number. A number of ideas and states were considered. Some like Hawaii were dropped because

of possibly the difficulty of the location or a political culture wedded or dependent on government social programs. In many of the candidate states, their LP organizations have endorsed the Free State Project. The candidate states for selection of the FSP are: Maine, New Hampshire, Vermont, Delaware, Alaska, North Dakota, South Dakota, Montana, Wyoming, and Idaho.

Here we are Spring 2003 and not yet to the 2nd anniversary of the Free State Project. The FSP has measured goals and a realistic timetable. The hope and question of the FSP will be answered in these next few years to come.

The threshold of 5,000-membership is significant for the FSP, members signed as willing to move to another state to bring about Liberty in our Lifetime. Before the LPNY convenes next year in 2004, the FSP expects to have passed the 5,000-membership level at which time membership will vote on the state selection. Currently the 3,000 mark is passed with 4,000 coming in a number of weeks. 5,000 members are anticipated before the end of this year. (Current expectations are to reach the threshold before or around November 2003. Please visit www.freestateproject.org for updates including membership levels.)

I believe that when the FSP accomplishes these goals, members have truly started down the road to make history.

If anyone has considered working towards the FSP or will do so- If you might decide this goal of liberty in our lifetime is worth taking your efforts to another state- would you not want to participate in such a critical decision of choosing which would become the Free State? This selection is likely to bring soon the greatest effort for American liberty, and likely the greatest successes for the Libertarian Party and friendly efforts, in our generation. This is a historical moment and a historical decision.

Once the state is selected, the momentum and the efforts of the present membership will carry to 10,000 and then 20,000 within 2 years before the end of 2006. The next threshold of 20000 is before the President elected in 2004 has midterm elections. Note this would be before the LPNY has the election results for the next Governor of NY. Note that it is not expected that when the 20000 mark is reached that on the same date everyone piles into cars and vans and everyone

starts to travel the roads to the destination state. The realistic expectation of the launch to the state is expected to take place over 5 years. This is to allow for employment opportunities, working out housing and dealing with other personal affairs. Much of this would take place before the next U.S. President completes a term and certainly before the end of a decade.

I had heard a presentation of the FSP at a local Manhattan chapter meeting. I wondered if the topic would be too idealistic or some plan of fantasy. I was impressed how rational the goals were and the serious considerations of different state variables. If you have not already, or would do so again, please visit the FSP website at www.freestateproject.org. There are discussions of organizational challenges, politics, and economics, among others.

Compare the goals of the FSP this decade versus LP successes in the recent decade.

The LP is working as it can where 1,000 strong membership in many states is encouraging. Votes for Browne, Libertarian candidate in 2000 for President, would find 3% of the Presidential electorate vote a notable showing.

Here in NY we are aiming and should continue to work for growth of the LP, for official political Party state recognition, which currently means 50000 votes for Governor. And when we succeed, we will then have around 1% or more of the vote for NY Governor.

Imagine if a state LP organization that can get a minority percentage of the votes in current conditions were then in a state with the population of a county in NY City but with the resources of 20,000 FSP active members. Each member would be working with an agenda for liberty, active in politics, Libertarian or familiar with the LP party, with energy/drive/and financial contributions. The probability would exist of not only libertarian school boards and town mayors, but also for elected libertarian officials (if not majorities) in state houses of assembly and senate. Perhaps the FSP would be a swing vote bloc to elect historical firsts for a governor with a liberty agenda, or a US Senator or two!

Imagine making a new home in a state where your first reward is the knowledge that you will have now 20000 neighbors working for liberty, living with respect for the rights of each person.

They work in a variety of occupations: journalists, teachers, police, doctors, you name it. Imagine living in a state where near term realizable goals are freedom from an income tax, low taxes across the board, forfeiting federal pork largesse, community efforts are voluntary and with goodwill, choice in education (freedom to homeschool, certainly), respect for and protections under the Bill of Rights, including respect for the right to self-defense and gun ownership, and limited government as expected under the law of the U.S. Constitution.

When in the Libertarian party and when with the FSP, we aim for liberty in our lifetime. The FSP is reaching a milestone. I hope you are or will be considering the Free State Project in the coming months. Decide if this is a suitable project for your sincere commitment and efforts. If it is, I hope you

join and participate in the important selection of which candidate state will be the hopeful Free State. The LP will still benefit from our membership as Libertarians. We may be here in NY or in the candidate state. If you are supportive but do not wish to move, we welcome your support as a friend. This would be just as some of us support the efforts of Libertarians in states other than NY (as in the case with 2002 LP campaigns recently in Massachusetts and Wisconsin). If you join, we welcome you as fellow FSP porcupines.

The Hope of Liberty is not only for the next generation, for our children, but for each of us in the coming years this decade. This hope is in a state of our choice. Liberty in Our Lifetime. Liberty in My Lifetime. And most important for you would be, Liberty in Your Lifetime.

STEALTH CANDIDATES

Self Defeat Through Success

By Kevin O'Connell

(The Anti-Libertarian, Bowie, Maryland)

Editor's Note: The author was invited to contribute commentary critically evaluative of Libertarianism or of the Libertarian Party, and/or what offends the public and puts them off in re the LP. In the interest of open disclosure the editor wishes to give LP members such an outside viewpoint as a way to keep our methods and motives whole, and to remain the Party of Principle.

(Author's Prelude: Although the invite to write this article was intended with the goal of strengthening the Party, personally I doubt that this will have any such effect, I believe Libertarians will just dig their heels in and intensify the efforts that alienate others)

One effort which is commonly used and semi-formalized by Libertarian Party affiliates across the US is running their candidates under another party's name or as an independent. The real problem for Libertarians is when they do this while making efforts to conceal their Libertarian Party affiliation and goals.

This article focuses on the paper trail left by the Maryland Libertarian Party in their effort to get Dr.

into office.

The earliest evidence I found of Zeigler's connection to the LP begins with his changing his voter registration from Democrat to Libertarian on 11/6/91.

Six months after registering as a Libertarian Zeigler founded the Charles County Libertarian Party and became it's first Chair.

Only 18 months later Zeigler closed the chapter. He stated that the he was closing the Party was because the Treasurer resigned.

He did not leave the Libertarian Party though, and he maintained his voter registration card as Libertarian. The events that began 3 months later show a more plausible scenario as to why the Chapter was closed.

On 2/25/94 Zeigler changed his voter registration from Libertarian to independent. Zeigler's still current membership and duties in the Libertarian Party were now well hidden from casual public view.

Nonetheless, Libertarian Party publications listed him as the "contact" for Charles Co. "chapter" and all of Southern Maryland, and would for some years. He continued most of the Chairman's functions, and title, without the officially required

Stephen Zeigler, DDS

income and expense reports.

With these developments, the question arises: What was needed to be kept from the voters?

The answer was that two specific planks of the Libertarian Party Platform applied to a School Board candidate. Zeigler could not possibly answer any questions on these two planks without destroying any chance of being elected.

The most pertinent plank that applied to a School Board candidate was the plank labeled "Education" demanding the closing of all public education.

There was no way Zeigler would have been able to run for School Board while his Libertarian Party membership endorsed the demand to close the Charles County Public Schools. Replacing public schools with a system that did not require parents to educate a child ("We condemn compulsory education laws"). Equally difficult would be answering the questions about allowing only private schools that were to be allowed to practice discrimination ("We oppose denial of tax-exempt status to schools because of those schools' private policies on hiring, admissions, and student deportment").

Equally difficult for Zeigler to answer would be questions about the "Children's Rights" plank. To the general public this plank is probably the most convincing argument that the Libertarians represent the lunatic fringe of politics.

Placing only 7th in the primary, Zeigler hired Mr. Ahmed as his campaign manager, and won the seat as a Republican. Mr. Ahmed outlined the campaign in the smoking gun article "How a LP candidate in Maryland won last election" featured in the February, 1995 issue of the National Libertarian Party newsletter. Irrefutable evidence of Zeigler being a candidate of the Libertarian Party and given by a first hand source, the campaign manager.

I found out about Zeigler getting elected as an "independent"/registered Republican about a year after his election. I contacted the Chair of the Charles County Republican Party Mrs. Schuster in 11/95. She was surprised to find out that Zeigler had changed his voter registration from Republican to Declined back on May 8th. and had thought he was still an active member of the Republican Party. She was surprised she found he was previously a Libertarian Party Chairman

at the county level. She was shocked to find that during the election, as a registered Republican, he was an officer serving on the Maryland Libertarian Party Central Committee.

Once Zeigler was elected to the School Board he was in position to start implementing the ultimate goal of the Libertarian Party for our public schools, to close them all.

My exposure of Zeigler removed the Republican Party mask he had hidden behind and he could not gather the support needed from within the system. Frustrated that he could not push his Libertarian Party views onto the other members of the School Board he did not seek re-election.

Confirming the deception of the Zeigler campaign was a 1989 issue of the MDLP Newsletter. In an article written by the State Chair it was stated that the MDLP would be running it's candidates not as Libertarians but as members of other parties.

Jack R. Jones attempted the same strategy. Being a LP officer, he did similar to what Zeigler did: resigned positions and then resumed them after the elections in an attempt to cover up his LP connection.

This was not just a lone LP member intent on such strategy, but part of an organized effort of deception created by and operated by the MDLP State Committee.

Similar operations exist in other LP affiliates; Maryland is not an innovator but a copy cat. There appears no official vote to adopt these measures yet it is still done, supported by and operated from the State Committee level. These type of candidates among the LP are commonly called "Fusion Candidates" or "Stealth Candidates". I prefer the term False Flag Candidates. Whatever they are called, the more they do to cover their tracks the more sinister the appearance of their actions.

A common LP defense is that ballot access laws make it difficult for Libertarians to run under their own party on the ballot. To the voters however, it matters only that the Libertarian appear to have used deceit to achieve their goal and creates the feeling of fear that these Libertarians will betray them to remain in office.

The entire concept of running a "Stealth Candidate" is self defeating.

Libertarians claim to be different from others and other political parties. That to be Libertarian

one has to be a person of high ethics. If the Libertarians use deceptive or less than truthful practices then they appear to the voters to be exactly what Libertarians tell them they should not vote for.

I am sure that at least a dozen responses will be made to this article as to why there was nothing wrong with this strategy. Each person will feel absolutely right about what they are saying. And like most, if not all, Libertarians they will fail to understand that in this case correct is defined in

the minds of the non-Libertarians who are the great percentage of voters.

If the voters do think the Libertarian's explanations are invalid then anything the Libertarian says only makes things worse. Believe me, anything such a Libertarian says only make this worse even when that one Libertarian voices disagreement with the Party Platform or this Libertarian Party practice.

RATIONAL RECREATION

Anguish Languish

The object of the Anguish Languish challenge is to read the seemingly nonsensical stream-of-consciousness poem written below, and decipher the underlying quotation, saying or exposition that it actually represents. The rules by which it is correlates to the underlying message, are that the words you read in the poem are phonetically similar in enunciation to the original message, although not always exactly so.

For example, as a simple start:

*"Gamma Way", when stated aloud, actually sounds like "Get out of my way", or:
Needles Toes Hay", translates to "Needless to say"*

Now lets try a slightly more complicated one for you to solve on your own:

"Aye sofa king we taw did."

(Didja get it? Do you think its true?)

And now here's the real heavy duty challenge:

§

**Then amber off floss hiss sponce tent lay groan anal coon treason doe ink tooths, wat scold
cry miss fairy off tenet ache rhyme atoll, fort can taint snow ailment oaf violets sore harum.**

§

(Hint: This is a quotation/statement by the popular disciple of G. I. Gurdjieff, P. D. Ouspensky)

(Send all comments and/or solutions to FreeNY@hvc.rr.com, or by mail at the Editor's contact address; there is a \$20 prize for the first correct answer, email or postmark date)

The Answer Begets the Question

Here is a challenging little poser.

Mary is 24 years old.

Anne is the age that Mary was, when Anne was 12 years old.

The question? How old is Anne now?



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