

Free State

LIBERTARIAN

Newsletter of the Maryland Libertarian Party

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Fall/Winter 96/97

DEMONSTRATION AGAINST BALLOT ACCESS FOE

At a recent fundraiser, Delegate Cheryl Kagan (D-17) was unexpectedly greeted by more than a dozen demonstrators. On Sunday, October 20, 1996, Delegate Kagan, who voted against the Pinsky Fair Ballot Access Bill (SB-330), held a fundraiser at Nunziata's in Gaithersburg, Maryland. Protesters with picket signs marched along the sidewalk and through the parking lot as guests arrived, attracting both attention and the local police.

After being restricted by police to the sidewalk, the demonstrators attracted the attention of local traffic. Nunziata's is located at the corner of a major traffic intersection in Gaithersburg. Many people passing by read the signs and honked their horns or gave the thumbs up sign.

Several of the people coming to the fundraiser walked up to the picketers to ask what the protest was about. Among those who inquired was Delegate Kagan's father. His reaction was that he didn't understand why his daughter would vote against the bill.

The protest was organized by Dr. Scott Becker and sponsored by Marylanders for Democracy, the organization that he co-founded. All but one of the 14 protesters were Libertarians. Marylanders for Democracy hopes in the future to have greater participation by other parties and greater numbers of protesters.

-- *Stuart Simms*



BROWNE THANKS MARYLAND VOLUNTEERS

At the election night celebration held at the Libertarian Party National Headquarters in the Watergate, Washington, D.C., presidential candidate Harry Browne asked Baltimore City Vice Chair Earle Pearce to convey his personal thanks to the Maryland Libertarian Party volunteers who supported his presidential campaign.

Browne garnered just under 500,000 votes in the November 5 presidential elections—the second largest vote total in Libertarian Party history (the highest was Ed Clark in 1980).

“MOURN THE DEAD; SAVE THE LIVING”

Officers of four different law enforcement agencies, who converged on the office of the Drug Czar in Washington, D.C. a few days after Thanksgiving 1996, did not know what to make of the homemade, cardboard coffin which engineer/inventor Harold Courtright and his companion Naron McCormick had deposited in the lobby. Far from being hate-filled bombers, Courtright and McCormick wanted the nation's drug enforcement officials to know how sickened they were at the enormous toll of suffering and violent death caused by the “drug war” over the last several years.

Their journey to Washington began on September 21, 1996, when they marched out of Boston on foot, following the Old Boston Post Road (Route 1). They were to follow Route 1 through New York, Philadelphia, and Baltimore, all the way to the nation's capital. To everyone who asked, they explained that the coffin they carried represented all the people who have perished in the drug war: innocent bystanders caught in crossfire, police officers killed in the line of duty, and the victims of contaminated needles and tainted drugs. Up to 25 people, mostly young, joined them

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NOTES FROM THE CHAIR

For the past two years, Jesse Markowitz has stood up here and publicly thanked our hardest working Libertarians for their dedication and contributions. Now that he has "retired", I think it's about time somebody thanked him. Jesse is one of those people with seemingly limitless energy and enthusiasm; it has allowed him to do more for this party in the last two years than I would have thought possible. I have said many times over the past two years that I wasn't foolish enough to try to follow his act; I certainly don't have his energy level, and could never be as good a chair as he has been.

Well, so I changed my mind! Actually, I still don't think I can live up to the precedent he set. However, this is a different time in our four-year cycle. Right now our challenges are more suited to my style than his. We need to keep up a presence in Maryland politics, but we also need to "clean house" and do some work on our administrative procedures so we can be better prepared for the next round of elections in 1998. Thanks to Steve Boone, who has volunteered to coordinate Campaign '98, Lauren Hill who is coordinating the Petition Drive, and Keith Halderman, Outreach Coordinator, I will be able to focus inward on the procedural things I do best.

Well, it's 1997, and election day 1996 is past. I'd like to thank everybody for all the hard work last year on the 3% effort. It was a job well done, and everyone who pitched in deserves a big "THANK YOU."

Even though things didn't go as well as we had hoped, there's a lot we can learn from this election. We spent a lot of time last year—as before—working on the presidential race, when we should have been focusing closer to home. Jon Coon BEAT THE REPUBLICANS to come in second in his race for the Michigan State House. The REAL growth of the Libertarian Party is at the grass roots, local level. The Presidential race gives us some national exposure and name recognition in the media; but without a local "farm team" of candidates elected to the local and state level, we'll never be taken seriously
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SABEL et al. vs. CREAGER et al.

Libertarian Robert Creager has lost his suit against the Maryland State Administrative Board of Election Laws (SABEL). Bob ran against Libertarian Terry Atwood in Maryland's first Libertarian primary election. Based on the fact that he was nominated through a primary election, just like the Democratic and Republican candidates, he then sued SABEL for not allowing him on the ballot as a Libertarian running for U.S. Congress in the Eighth District. His complaint is based in large part on the U.S. Supreme Court decision in *U.S. Term Limits vs. Thornton* that it is unconstitutional for states to adopt their own qualifications for congressional service. The Supreme Court ruled that "An amendment with the avowed purpose and obvious effect of evading the requirements of the Qualifications Clauses by handicapping a class of candidates cannot stand." The following legal opinion was written by Libertarian attorney and State Party Treasurer T. Bruce Godfrey.

While Judge Williams' decision was a disappointment for those of us committed to fair ballot access principles, it was not a total loss. Judge Williams stated that he found himself bound by precedent from the Fourth Circuit (which hears appeals

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As one officer put it, "Drug money corrupts bad cops and makes life difficult for good cops."

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for portions of the march. In every major city they entered, they marched through the center of town to the beat of a muffled drum, intoning "Mourn the dead; save the living," in what Courtright described as a "resonant, soulful voice." They were warmly welcomed by most of the communities they passed through. Churches provided them with shelter, food, and donations. Their only trouble with police occurred in Pawtucket, Rhode Island, where their original plywood coffin was seized and McCormick was detained overnight. Police in other localities were more sympathetic, particularly when they understood that the marchers were mourning their dead as well as other drug war victims. Many officers who agreed with the demonstration also told Courtright that they were afraid to express their opinion openly. As one officer put it, "Drug money corrupts bad cops and makes life difficult for good cops." The marchers received press coverage in almost all the small towns they passed through, although they were usually gone by the time the local papers went to press. "I felt I was lighting a little fire out there in the heartland," said Courtright, looking back on his three month trek.

Courtright is not a newcomer to political and social activism, having been in the forefront of the struggle to end drug prohibition for over 20 years. A resident of Baltimore, he was on the road on election day, but says he would have voted for Harry Browne if he could have gotten to the polls. The "fire in the heartland" which Courtright and McCormick lit has not gone out. Several of the young adults who walked with them want to continue the march across the United States. They are raising funds to support their cause under the name "Pennies for Peace."

Lorenzo Gaztanaga



A Minority View

By Walter E Williams

Black Education

The April 29, 1996 edition of Newsweek magazine carried Howard Fineman's story, "Redrawing the Color Lines." It's mostly a piece about Minneapolis Mayor Sharon Sayles Belton's efforts to end court-ordered school busing in her city. Belton is not alone in her efforts. Officials in other cities with large black populations such as Philadelphia, Pittsburgh and Prince George's County, Maryland are also seeking an end to court-ordered busing.

The 1954 Brown vs. Board of Education U.S. Supreme Court decision fostered the belief that the way to improve black education was through school integration. It was a racially insulting belief that had no basis in fact and has produced more than four decades of half-baked education ideas which have rendered academic excellence among black students virtually impossible.

In the years following the Brown decision, there have been a few voices that protested the false assumption that black academic excellence could not be achieved unless black people captured white kids to sit beside their kids.

Among those voices is Dr. Thomas Sowell, Hoover Institution's senior fellow. In his study "Patterns of Black Excellence," published in Public Interest in 1976 and earlier published in his book "Myths and Tragedies of Black Education," Sowell examines the history of several black public schools before the birth of the idea that school integration was necessary for black academic excellence.

Four of the six high schools in Sowell's study produced a long list of breakthroughs: Thurgood Marshall, first black Supreme Court justice (Baltimore's Frederick Douglass school); Wilson Riles, first black state superintendent of schools (McDonough '35); Benjamin Davis, first black

(Dunbar); Charles Drew, discoverer of plasma (Dunbar); Edward Brooke, first black senator (Dunbar); and Martin Luther King (Booker T. Washington).

The District of Columbia's Dunbar was the most illustrious of the black high schools. Between 1870 and 1955, most of its graduates went on to college--an achievement rare among white schools. Its students earned degrees at prestigious colleges like Harvard, Amherst, Williams and Wesleyan. As early as 1899, Dunbar scored higher in citywide tests than any of the white schools. Dunbar's student attendance was better and it had a lower rate of tardiness than the white public schools. Were Dunbar's students the children of elite black parents? No. Only 17 percent came from households where parents listed their occupation as white-collar and professional.

The success of these schools had nothing to do with what "experts" tell us is necessary for success. With more than 40 students per teacher, Dunbar had the highest student-to-teacher ratio in the city. The school was 40 years old before it had a lunchroom, which then was so small that many children had to eat out on the street. Blackboards had so many cracks that they resembled road maps, and it was 1950 before the school had a public address system. Dunbar was administered by a discriminatory board of education, which never provided equal financial support.

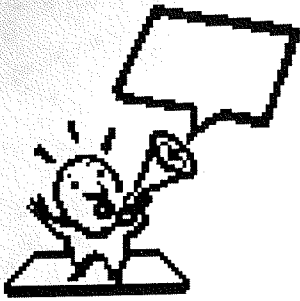
Sowell says the destruction of high-quality black schools has been associated with the breakdown in law and order and the implementation of half-baked education ideas. Today, it is virtually impossible for public schools to expel students who are alien and hostile to the education process, allowing them to sabotage education for others. Ability-grouping was a prominent feature of black schools during their periods of excellence--today, it can bring lawsuits.

There is no question that at least islands of black academic success can be restored. But it's going to take a complete rejection of what today's educationists say is necessary for black academic excellence.

TANSTAAFL

"There Ain't No Such Thing As A Free Lunch"

LIBERTY SOAP BOX



This section of the newsletter might be compared to Boston Commons or Hyde Park in London--areas that have been set aside for people to freely express their views and respond to the views of others. In past issues, there has been some stimulating dialogue on the subject of abortion. In this issue, Libertarian, vegetarian, and animal rights advocate Louis Levin shares his views on "Libertarianism and Animal Rights." He promises to answer, on the pages of this newsletter, any letters his article might generate--whether pro or con.

LIBERTARIANISM AND ANIMAL RIGHTS

A major underlying premise of Libertarianism is the fact that we are born with the right to the pursuit of life, liberty and happiness. This inherent right is not something any group of individuals, commonly known as "Government," has a right to grant or deny. Nor is it a commitment that we must involuntarily put our lives on the line for, or a gift that we should feel grateful for.

Freedom to express one's will, instincts and inclinations is a given birthright, a birthright which includes the right to life, and to live free from molestation, abuse, and restriction of movement. These rights are as intrinsic to non-human animals as they are to the human variety.

Unless we are willing to concede that might makes right, and that one group of individuals has the right to control or determine the fate of another, this must hold true for all creatures. If we believe in the rights of individuals, those same rights must be seen as intrinsic to all who live and seek to preserve their lives.

We humans--the most irresponsible of all creatures, who have overpopulated the earth, driven millions of species into extinction, polluted our waters and atmosphere, and displaced others with whom we share this planet--have lost sight of the reality that we are a part of nature, not above it. At best, we may perhaps look

upon ourselves as stewards or caretakers. Sadly, many abuse this responsibility to the extent of becoming oppressors and despots, rationalizing some kind of sick "right" to imprison, eat, and experiment upon other living, feeling, sentient beings who, unlike our species, cannot band together and cry out for their natural, inborn right to life.

These abuses extend further in an endless list of tyranny which includes hunting, fishing, using animal hides for clothing, forcing animals to live in what are for them unnatural conditions and perform in abnormal ways for human entertainment.

This species-ism, which is equally as abhorrent as racism and sexism, denies to others those very same rights we decry the government of the United States--the largest, most powerful criminal organization, not only in the world, but in history--for taking from us.

As an added insult, we are forced to pay this self-serving entity an annual fee of \$6 billion so that, under the false banner of medical science, over 100 million animals of various species are sentenced to be experimented upon. In these heinous experiments, animals are scalded, electrocuted, frozen, starved, operated on without anesthesia, and irradiated. If any of us, as private citizens, were to perpetrate such horrors on another living creature, we would find ourselves, not in prison, but locked away in an institution for the criminally insane.

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ABORTION: ISSUE OF PRIVATE MORALITY OR RIGHTS UNDER JUSTICE?

"Because of the diversity of opinion," Glenn Howard reasoned (July/August), "abortion should be treated as a moral issue and left to the people, etc., to decide, not the government."

Unfortunately, Howard failed to disprove that by supporting abortion choice, the LP supports a violation of children's rights. And inadvertently, he stuck it with another problem.

Before the Civil War, diversity of opinion was used to defend slavery. Diversity be hanged, many protested--slavery is about rights under justice, not private morality. But if the LP had existed back then and followed Howard's reasoning, it would have supported slavery choice.

Donis Gordon, Libertarians for Life

TANSTAAFL



CONFESSIONS OF A CHOCOHOLIC

The clerk scrutinized my driver's license before unlocking the cupboard behind the counter. Among the cigarettes and alcoholic beverages were baking chocolate and candy. I paid \$22 for a 12 oz bag of chocolate chips, which the clerk carefully wrapped in discrete brown paper. Twenty dollars of the price was tax, but that's the price we pay to keep chocolate legal. The Surgeon General's warning stated, "Chocolate may mimic marijuana in the brain." Whatever it mimics, I can't do my income taxes without it!

I closed the curtains, opened my chocolate chips and began to read the paper. Our state senators have received substantial contributions from Hershey's and Nestlé. The anti-chocolate people picketed their offices and threatened to bomb the offices of lawyers who defended chocolate companies in the current class action suit. They claim the companies kept secret the fact that chocolate was addictive. They claim that chocoholism is devastating the health and finances of the country.

"Humbug," I thought. "It's not the chocolate that is so bad for the health, it's the sugar." Some women snort cocoa to keep their figures. You can tell them by the brown stain under their noses. I put my chocolate chips in a child proof container. Imagine, they actually used to give chocolate to children.

One year later.

I write this from a federal penitentiary, where I am serving 10 years for possession of over five pounds of chocolate. The drug agents

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enough to elect a president.

So where do we go from here? Even though we face some tough ballot access hurdles, we NEED to run candidates in 1998. All those people who heard about us this year need to keep hearing about us for the next two years. They need to associate people they know and trust with the

***The REAL growth of the
Libertarian Party is at the grass
roots, local level.***

Libertarian message the began hearing this year. Where they couldnt bring themselves to vote for Harry Browne, they may very well vote for their friend and neighbor Bob Creager for State House in 1998. Or Steve Boone. Or you! We've still got a lot of work to do. We need to collect a total of about 14000 petitions to regain our ballot status - preferably before the state has a chance to reprint the voter registration forms. Once that's done, we need to find some candidates and start petitioning to get them on the ballot for 1998. We need to leverage all the money the Browne campaign spent on the WTOP ads this year and make it

people to get active in their home counties to build a network of local activists to support our local candidates. We need a few more key volunteers at the state level to coordinate the local activists.

We need to make this happen at the state level—we can't just wait for the national LP to find the magical presidential candidate/campaign which will give us a "breakthrough." Yes, we can't do it without them—but they can't do it without us, either!

Again, thank you for all your hard work. I look forward to working with all of you—and as many of your friends as you can bring along!—for the next year as we work on the grassroots growth of the Libertarian Party of Maryland.

TANSTAAFL!

*Amy Rule
LPMD Chairman*

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grows) who are able to live and eat well, maintaining our health in peak condition, secure in the knowledge that not a single creature had to suffer and die in order that we might enjoy our life, liberty and pursuit of happiness. We do not support the cruel and wasteful animals-for-food industry. As a consequence, we enjoy a standard of health which is undeniably on a higher scale than that of the general population.

It is imperative that we become aware of our elemental roots connecting us to nature. We will then be more powerfully connected to our primary struggle for survival--our fight against the kind of growing oppression we are experiencing from the United States Government. We will be able to tap into that basic instinct to be safe from molestation and to strive as free individuals for those goals worth pursuing--life, liberty, and happiness. As we return to our roots and the realization of our primal yearnings and needs, we can then compassionately empathize with the fact that all creatures seek the same freedom and peace. If you harbor any doubts of this, avail yourself of the opportunity to look deep into the soul reflected in their eyes.

As Libertarians, let us embrace the spirit of the Hindu prayer which proclaims, "Let all who have life be free from suffering and abuse."

Louis Levin

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the issue of the "unreasonableness" of the 3 percent vote requirement. It should not be regarded as totally offensive to libertarians that a federal judge should exercise judicial restraint.

On the other hand, several items from the judge's remarks troubled this attorney. Judge Williams accepted by "judicial notice" that the voters of Montgomery County were relatively sophisticated citizens and partly on that basis stated that the petitioning requirement was not overly burdensome in Montgomery County. The case law on what is overly burdensome does not allow for different standards for "sophisticated" jurisdictions as against

I think that this case shows that ballot access reform will require greater than a piecemeal approach for long-term success. Judge Williams did, in my view, close to the best that he could do under the weight of hostile precedent. We have a line of precedent and a set of statutes that reflect the unwillingness of incumbents to act against their own self interest.

In *United States vs. Topco*, the U.S. Supreme Court hailed the antitrust laws as the "Magna Carta of free enterprise" in the United States. The antitrust laws were passed to prevent the eventual arrival and perceived destructive power of the "socialist, the communist and the

..as if to suggest: "give us, the State, what we want, or we will destroy plaintiffs as political entities." I would have enjoyed asking the Assistant Attorney General her precise, factual and constitutional basis for her comment and implied threat.

perceived civic backwaters. This inverse "Deliverance" defense is not supported by law, nor should it have been entertained without evidence introduced by the government.

A second failure by Judge Williams, in my opinion, was the absence of any verbal reprimand against the Assistant Attorney General, representing the various government agencies, when she suggested that placing Robert Creager on the ballot would discourage Maryland from recognizing any new parties in the future. Aside from the gross non sequitur in her remarks, the comment suggests a severe statist approach to ballot access and more than a hint of blackmail, as if to suggest: "give us, the State, what we want, or we will destroy plaintiffs as political entities." I would have enjoyed asking the Assistant Attorney General her precise, factual and constitutional basis for her comment and implied threat.

anarchist," in the words of Senator Sherman. We may debate the legitimacy of the antitrust laws and their beneficial effects on the economy as a whole--this attorney is highly suspicious of most of that set of federal trade statutes. But it will take laws on the level of magnitude of the Sherman Act to fight the political "horizontal price fixing," "market allocation," and "bid rigging" that currently characterize the American electoral process. Let us hope that it will not be threat of the socialist, the communist and the so-called "anarchist" that creates our Magna Carta for free, democratic process.

*7. Bruce Godfrey
Attorney*

(licensed to practice in Maryland)

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found my hoard: 100 pounds of semi-sweet chocolate chips, 10 pounds of baking bars, uncut, a 50 pound sack of cocoa, five boxes of Russel Stover's, and a crate of Mounds bars.

My cellmate paces back and forth. She murdered 20 people and a boa constrictor with her bare hands. Since there were no witnesses, she only got two months for cruelty to animals. She should have left the snake alone. My cellmate claims she was suffering from chocolate withdrawal. I know the feeling. I open a fresh box of Whitman's and toss her a caramel. She falls on her knees and greedily crams it into her mouth. Disgusting! I get all the chocolate I want--the warden gives it to me. I do her income taxes.

Beverly Lynch



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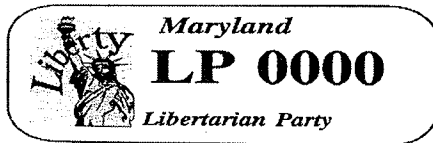
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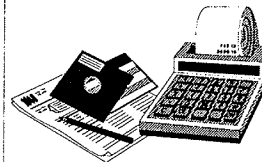
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NEW MEMBERSHIP POLICY

The Libertarian Party of Maryland is changing the way we track membership. Due to the confusion and difficulties of having people renewing throughout the year, memberships will now be on a calendar year basis. This means that anyone getting a membership between now and the end of the year will get a '97 membership--good for all of next year.

If you have not yet joined, or your membership has expired, please take this opportunity to join with us through all of '97. Membership dues remain \$15 for a State membership, and \$30 for a combined National and State membership. The combined membership is a great deal. National is normally \$25 alone--this way you get both.

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 National LP HQ (202) 333-0008
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 (after 6 p.m. & on weekends)
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FREE STATE LIBERTARIAN

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 Bethesda, MD 20814

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 Robert E. Glaser
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SPECIAL EVENTS

Apr 5 John Taylor Gatto will be the main speaker at the 20th annual home schooling seminar and resource fair at Anne Arundel Community College. (Contact Ruth Mayer, 410-672-5609 for info.)

Calendar of events

1st & 3rd Sunday Washington Area Libertarian Alliance, Tom Fishbeck's
 Every Thursday Baltimore Libertarian Drinking and Debating Society
 4th Sunday Human Values Network, Mike O'Mara
 2nd Monday Executive Committee Meeting
 3rd Monday Montgomery County Meeting
 4th Monday Harford County Meeting, Bel Air Public Library
 3rd Wednesday Frederick County Meeting, 8 p.m.
 2nd Monday Tune in to "Let's Talk" on WSER, 1550AM from 12:30-2 P.M.