



NEW MEXICO LIBERTY

“Let Freedom Ring”

Editor / Publisher
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The Official Newsletter of the Libertarian Party of New Mexico
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v.2.0 #1

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Notes From The Editor

by Mike Blessing [gunssavelives@comcast.net]

New Mexico Liberty v.2.0

New Mexico Liberty will be getting more interactive and user-friendly, starting with this issue.

First, the PDF version will be posted to the Files section of the Yahoo group – groups.yahoo.com/group/nmliberty/files – as well as the reserved page on lpnm.org – www.lpnm.org/newsletter – available freely for members (or anyone else) to download. I have no plans to charge anything for electronic subscriptions. For a print subscription, contact Ron Bjornstad [rbjornstad@earthlink.net] for details.

Second, each month's articles will be posted to the blog section of the Myspace site – blog.myspace.com/nmliberty]. This will allow readers to post replies, complaints, compliments, etc., directly to the article in question, instead of sending an email to the editor. The articles posted as blog entries will be listed in three directories, by author, date and title, making it easier for readers to find what they're looking for in back issues. It will also make it easier for me to post articles with embedded links, so that readers can go directly to a link posted in an article, as opposed to having to type the URL into the address bar of their browser.

Third, since I can set for non-member viewing, the Messages and Links sections of the *New Mexico Liberty* Yahoo group – groups.yahoo.com/group/nmliberty/links and groups.yahoo.com/group/nmliberty/messages – will be used more. Uses for the other sections of the Yahoo and Myspace sites are open for suggestions.

www.lpnm.org/newsletter
www.myspace.com/nmliberty
groups.yahoo.com/group/nmliberty

Editorial Viewpoint

The basis for libertarian thought is the Zero Aggression Principle –

A libertarian is someone who believes that **no** human being has the right – under **any** circumstances – to initiate force against another human being, nor to threaten, incite or delegate its initiation.

New Mexico Liberty holds that Libertarian candidates and officeholders at all levels of government should refrain from advocating new or more restrictive laws, new or more expensive spending programs, or new or higher taxes. To paraphrase from the medical profession, “First, do no harm.”

Convention Update

As you know, our annual State Convention is coming up. This year it's in Farmington on the weekend of 13-15 April, starting with a reception and presidential candidates' debate at K.B. Dillon's on Friday night, speakers and business session at the Farmington Civic Center on Saturday morning and afternoon, followed by the Banquet and keynote speech by L. Neil Smith. Sunday morning we'll wrap things up with our Die-Hard Breakfast at the Golden Corral. More details will be available in next month's *New Mexico Liberty*.

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Field Reports

From County / Campus Chairs

Bernalillo – The BCLP is hosting two meetings per month, as well as a weekly hour-long TV show (*The Weekly Sediton*) on Albuquerque Comcast Ch.27. Show times are Wednesdays at 8PM. For more information, see the BCLP website – www.lpnm.org/bernalillo. *New Mexico's Consumer Advocate* resumes in April, 2007. *The Weekly Sediton* and *New Mexico's Consumer Advocate* are now available in webcast format. For the viewing links, see Channel 27 [www.quote-unquote.org] or the KCUF Media website [www.myspace.com/kcufmedia].

The Bernalillo County LP is currently seeking one or more persons to represent the BCLP in front of the Albuquerque City Council and / or Bernalillo County Commission in the public-comment sections of those bodies' meeting agendas.

Jay Vandersloot has been active in staffing tables at gun shows at the State Fairgrounds in Albuquerque, and could use some help at those shows.

Paul Gessing and the staff of the Rio Grande Foundation, has been getting columns and letters to the editor printed in the *Albuquerque Journal* on a regular basis. Some of those have been printed here in *New Mexico Liberty*. Others are available at the RGF's website – www.riograndefoundation.org.

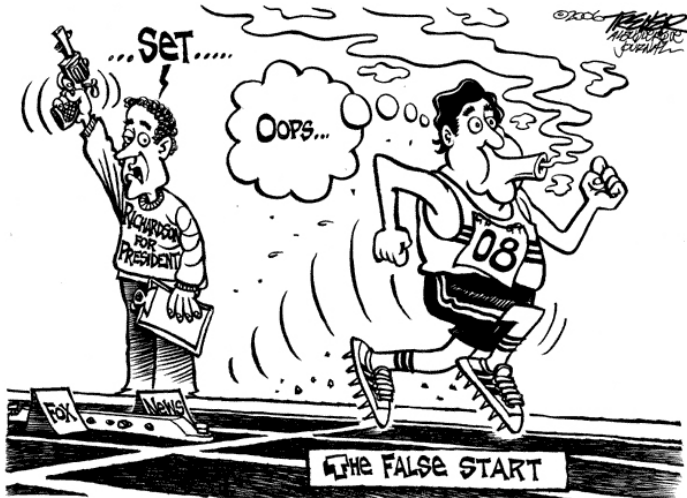
The next BCLP convention will be concurrent with the State Convention.

Dona Ana – The LPDAC Central Committee has been having monthly meetings, as well as an information table at the Las Cruces Farmer's Market. See the LPDAC website – www.lpnm.org/dona-ana – for details.

We are planning a convention the afternoon of Saturday, February 17th in the Dresp Room at the Branigan Library here in Las Cruces.

San Juan – The SJCLP held its Bill of Rights Day event on 15 December 2006, concurrent with the rifle and pistol raffle drawing. The winners – Joe Coufal (Taurus 357 Magnum revolver) and Elden Knehaus – (Rock River Arms AR-15). Information about the 2007 raffle will be posted when it becomes available.

Sandoval – The LPSC is having its monthly meetings at the J.B.'s on 528, north of Intel.



The False Start

by John Trever of the Albuquerque Journal
20 December 2006

Calendar

Special Events

State Convention – 13 / 14 / 15 April 2007 in San Juan County. All Libertarian presidential candidates are invited. The keynote speaker will be Prometheus Award-winning science-fiction writer L. Neil Smith [www.lneilsmith.org]. The March Central Committee meeting has been moved back to coincide with the State Convention.

Regular Events

Thursday, 4 January and 18 January – Bernalillo County Liberty Forum meets in Albuquerque, 6:00 to 7:00 PM at Fiesta's Restaurant & Lounge (Carlisle & Montgomery NE). Contact Mike Blessing, 505-710-5197, for details.

Saturday, 13 January – San Juan County LP meets at 6PM – contact Bob Ziesmer, 505-327-6681, for details. The San Juan County LP's Central Committee will meet at 5PM.

Wednesday, 10 January – Interested Dona Ana County Libertarians are invited to attend and to contact Siebert Ickler, 505-541-9079, for information on location and time.

Wednesday, 24 January – The Sandoval County LP meets at JB's restaurant on 528 near Intel. Contact Ron Bjornstad, 505-288-4228, for details.

Saturday, 27 January – The LP of Dona Ana County will host an information table at the Farmer's Market in downtown Las Cruces. Contact Siebert Ickler, 505-541-9079, for details.

TV Shows – Channel 27 in Albuquerque (not necessarily endorsed by LPNM)

The Weekly Sediton
Wednesdays at 8PM

www.myspace.com/kcufmedia

Hemp TV – Tuesdays at 7PM
www.myspace.com/nmhemptv

Reeferhead – Saturdays at 6PM

Contact Brian Bakri at hippiegyppy@webtv.net for details



You have many rights as an American citizen toady. Pre-Paid Legal can show you how to protect your legal rights at a low cost. With Pre-Paid Legal you can prepay your most common legal needs, much like you prepay your medical needs. It is important to know and exercise your legal rights as an American citizen.

Call Jay Vandersloot, Independent Associate, at 505-362-1733

Identity Theft

According to the FTC, in the last five years 27.3 million people have been victims of identity theft. The number in 2002 alone was 9.9 million. What if it happens to you? The Identity Theft Shield can help lessen your exposure. To learn how, contact Jay Vandersloot, Independent Associate, at 505-362-1733

Voice of the Chair

Jay Vandersloot

jayvandersloot@yahoo.com

*"We judge ourselves by what we feel capable of doing,
while others judge us by what we have already done."
– Henry Wadsworth Longfellow, poet*

Another Update on the Ballot Access Court Case It's not over yet!

The ACLU had filed an appeal on our behalf with the 10th Circuit Court for decision. The 10th Circuit Court had scheduled a mediation conference, which was scheduled for December 5th. However, it was cancelled the night before, as the State refused to settle.

Subsequently, the ACLU filed another brief on our behalf, again with the 10th Circuit Court (see below paragraph). It's highly possible we might get a different judge next time. The ACLU anticipates the hearing will probably be sometime next spring.

ACLU Files New Mexico Ballot Access Brief in 10th Circuit

On December 20, the Libertarian Party's brief was filed with the 10th circuit, in the ballot access case against New Mexico. The lawsuit had lost in U.S. District Court, in September 2006. The lawsuit challenges New Mexico's practice of requiring qualified minor parties to nominate by convention and then requiring each person nominated to submit his or her own separate petition (signed by 1% of the last vote cast). No other state except Pennsylvania requires the NOMINEES of a qualified party to submit a petition. The logical equivalent would be a law requiring primary winners to submit petitions to be on the November ballot.

2007 LPNM Annual State Convention, April 13-15th Need Candidates for LPNM Elections

One of the topics during the convention will be the election of our LPNM officers for the next two years. This will include the positions of Chair, Vice-Chair, Secretary, Treasurer, representatives for each of the three districts, and at-large representatives.

I strongly encourage each of you to consider running for one of the positions. If there is even the slightest possibility that you could be cajoled, enticed, seduced, etc., into running for any of these offices, please let me know (at jayvandersloot@yahoo.com, or at 505-362-1733), or contact your CenCom representative. Speaking for myself, and I am sure all the present and past officers and CenCom representatives would agree, if you are elected, we are ready to provide you with all the support and guidance we can.

LP Platform Undergoes Major Change

There were major changes to the LP National Platform passed at the Convention in July. Mainly, it eliminated the majority of the planks. I envision a flurry of efforts between now and the next LP Convention in 2008 to reinstitute as many of the planks as possible.

Let's take a look at the next of the remaining planks from our LP National Platform.

I.5 The Right to Privacy

The Issue – Privacy protections have been eroded gradually over many years. The Social Security Number has become a universal ID number, causing rampant and massive identity theft. Government routinely keeps records on the bank accounts, travel plans, and spending habits of law-abiding civilians, for no other reason than they "might" commit a crime in the future.

The Principle – The individual's right to privacy, property, and right to speak or not to speak should not be infringed by the government. The government should not use electronic or other means of covert surveillance of an individual's actions or private property without the consent of the owner or occupant. Correspondence, bank and other financial transactions and records, doctors' and lawyers' communications, employment records, and the like should not be open to review by government without the consent of all parties involved in those actions.

Private contractual arrangements, including labor contracts, must be founded on mutual consent and agreement in a society that upholds freedom of association. On the other hand, we oppose any use of such screening by government or regulations requiring government contractors to impose any such screening.

Solutions – We support the protections provided by the Fourth Amendment and oppose any government use of search warrants to examine or seize materials belonging to innocent third parties. We oppose all restrictions and regulations on the private development, sale, and use of encryption technology. We specifically oppose any requirement for disclosure of encryption methods or keys, including the government's proposals for so-called "key escrow" which is truly government access to keys, and any requirement for use of government-specified devices or protocols. We also oppose government classification of civilian research on encryption methods. If a private employer screens prospective or current employees via questionnaires, polygraph tests, urine tests for drugs, blood tests for AIDS, or other means, this is a condition of that employer's labor contracts. Such screening does not violate the rights of employees, who have the right to boycott such employers if they choose. We oppose the issuance by the government of an identity card, to be required for any purpose, such as employment, voting, or border crossing. We further oppose the nearly universal requirement for use of the Social Security Number as a personal identification code, whether by government agencies or by intimidation of private companies by governments.

Transitional Action – We also oppose police roadblocks aimed at randomly, and without probable cause, testing drivers for intoxication and police practices to stop mass transit vehicles and search passengers without probable cause. So long as the National Census and all federal, state, and other government agencies' compilations of data on an individual continue to exist, they should be conducted only with the consent of the persons from whom the data is sought. We oppose government regulations that require employers to provide health insurance coverage for employees, which often encourage unnecessary intrusions by employers into the privacy of their employees.

*"If a nation values anything more than freedom, it will lose its freedom; and the irony of it is that if it is comfort or money that it values more, it will lose that too."
– W. Somerset Maugham, writer*



“Big-Box” Proposal Makes No Sense

By Paul J. Gessing [pgessing@riograndefoundation.org]
www.tinyurl.com/yby3yj

Having wisely postponed plans to construct a \$270 million streetcar, City Council is again on the verge of taking a policy stance that is driven by the philosophy of “new urbanism” rather than the wishes of a vast majority of Albuquerque residents.

How do I know this?

I don’t need polling data to prove that residents of the Duke City love their big box stores; all I need is to head into my local Wal-Mart (or Target, or any other “big box” store) and see the hordes of people of all racial and income groups who are taking advantage of the low costs and vast array of goods available.

The most dangerous part of the proposed “big-box” legislation is that it would slap a six-month moratorium on development of stores sized at more than 50,000 square feet. There is no better way to stifle economic growth than the use of arbitrary prohibitions aimed at specific businesses or industries.

Worse, would this be only a six month moratorium or, as first occurred with the transit tax for the streetcar, will the moratorium, once in place, be extended?

According to the ringleader of the anti-big box coalition, Councilor Debbie O'Malley, the goal of her legislation is to use the moratorium to give Council time to develop a permanent set of guidelines.

This sounds nice, but big box stores are certainly not new to Albuquerque, why is this suddenly such an emergency that a moratorium is required?

Secondly, there already are standards for all development in this City called zoning requirements. If Council wants to alter the way development is done here, they already have the tools to do it.

Instead of being an honest effort to make our fair city a bit fairer, the proposed regulations – 37 pages in length – appear to be little more than a cynical ploy to slow down the process of locating and constructing these stores. At every turn in the process, the regulations make it possible for a small handful of NIMBY activists and radicals to stop the process of locating one of these stores in its tracks.

Traffic issues, for example, are already taken into account in the location of any new business or shopping area, but the regulations add additional steps to the process. The appearance guidelines are particularly absurd.

If window size and pedestrian-friendliness are going to be factors in the development of big-box stores, why shouldn't all developers face similar issues?

Clearly, what we DON'T need in this city is government bureaucrats determining window size, toilet flow, and every other aspect of our homes and businesses.

One last example of just how out of touch many of our Councilors are with the citizens they represent is the idea contained in the proposed regulations to place residential units in and around big-box stores. It is hard to believe, given the opposition these stores often face, that people would want to live on top of or immediately next door to their local grocery store or Wal-Mart.

The reality is that the very same middle and working class residents on behalf of whom Council purportedly acts, also happen to be the biggest beneficiaries of big box stores. Wal-Mart alone draws 100 million customers a week and is estimated to save the average household \$2,300 annually. Now, in response to Wal-Mart’s introduction of \$4.00 generic drugs, retailers are battling to offer the cheapest generic drugs.

And, perhaps even more importantly, a rising number of big box retailers are opening in-store health clinics that charge patients a fraction of what doctors do. These tangible benefits offered to low-income customers are an obvious reason why Counselor Sanchez wants to exempt his district from the legislation.

If O'Malley and her allies get their way and pass a moratorium and subsequent regulations that dramatically raise the costs of locating big box stores in Albuquerque, she will be attacking the very residents of this community that can least afford it. Of course, given Council’s track record, they’ll probably respond to the economic harm done to low-income workers with new subsidies or welfare.

Paul Gessing is the president of the Rio Grande Foundation, a non-partisan, tax-exempt research and educational organization dedicated to promoting prosperity for New Mexico based on principles of limited government, economic freedom and individual responsibility.

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Resolution on Election Law

Passed by the LPNM Central Committee
10 December 2006

Introduced by Joseph Knight [nm_libertarian@yahoo.com]

Be it resolved by the Central Committee of the Libertarian Party of New Mexico that:

1. The Libertarian Party of New Mexico advocates repeal of Subsections B and C, Section 1-8-2, New Mexico Statutes Annotated 1978, which requires minor parties to petition twice, once to qualify the party and again to place nominees on the ballot;
2. The Libertarian Party of New Mexico advocates amending Subsection C, Section 1-7-2, New Mexico Statutes Annotated 1978, to allow more options for political parties to remain qualified including a minimum number of registrants, holding a partisan office, or running ballot-qualified candidates in a statewide race;
3. The Libertarian Party of New Mexico opposes limits on campaign contributions as contributing to campaigns is a form of free speech and such limits would create a further advantage for major parties who have a larger pool from which to solicit smaller contributions than do minor parties; and
4. The Libertarian Party of New Mexico opposes public financing of political campaigns as this could force taxpayers to support candidates they may be opposed to and as qualification thresholds could further disadvantage minor parties.

Be it further resolved by the Central Committee of the Libertarian Party of New Mexico that:

1. This resolution shall be printed in the LPNM newsletter and posted on the LPNM website; and
2. The Chairman is authorized and encouraged to develop an appropriate program of advocacy to promote these objectives prior to and during the 2007 session of the New Mexico State Legislature.

Kelo's Holiday Greeting To Foes: 'I Curse You All'

Fort Trumbull eminent domain plaintiff hopes recipients of cards will 'rot in hell'

By Steven Slosberg [s.slosberg@theday.com]

Published on 20 December 2006

www.tinyurl.com/yzwopw

New London – Fort Trumbull diehard Susette Kelo has sent out a heartfelt holiday greeting card to some 30 or so current and former members of the City Council and New London Development Corp., among others, wishing them, in essence, hell on Earth for the rest of their lives.

The text, accompanying a sparkling, snowy image of Kelo's iconic pink house in the Fort Trumbull neighborhood, reads, in its entirety:

*Here is my house that you did take
From me to you, this spell I make
Your houses, your homes
Your family, your friends
May they live in misery
That never ends.
I curse you all
May you rot in hell
To each of you
I send this spell
For the rest of your lives
I wish you ill
I send this now
By the power of will*

The cards – conceived and produced by Kathleen Mitchell, a friend of Kelo and city gadfly, and bearing Kelo's name – were received Tuesday by NLDC members David Goebel (the agency's former executive director), George Milne and Reid Burdick, and by Alan Mayer and his wife, Gail Schwenker-Mayer, supporters of the Fort Trumbull development project and one-time assistants to Claire Gaudiani, former president of both the NLDC and Connecticut College. State Sen. Andrea Stillman, D-Waterford, also got one.

Kelo said this week that she mailed two cards to Gaudiani.

Kelo confirmed others on her list for the Christmas curse, including Mayor Peg Curtin and Beth Sabilia, Ernie Hewitt, Ron Nossek, Jane Glover, Kevin Cavanaugh, Rob Pero, Tim West, all current or former city councilors involved with Fort Trumbull. NLDC President Michael Joplin and members John Johnson, Carl Stoner, Steve Percy, Karl Sternlof, John Brooks and Pam Akins also are to receive the cards.

Kelo said she was considering sending the cards to the five U.S. Supreme Court justices who, in 2005, sided, as a majority, with the city and NLDC against the Fort Trumbull homeowners who fought the city's right to take the properties by eminent domain.

Kelo, among six Fort Trumbull property owners who contested the city's and agency's right to seize their homes and businesses, was the lead plaintiff in the case. She ultimately accepted a settlement offer from the city totaling \$442,155 for her house at 8 East St., more than \$319,000 above the appraised value in 2000.

"It's amazing anyone could be so vindictive when they've made so much money," said Schwenker-Mayer on Tuesday, after receiving her card.

Milne, a former top executive at Pfizer Inc. here, called the card "immensely childish."

"It's sort of sad she elected to do this," said Milne. "We were trying to do things for the city. It was nothing personal."

Burdick said he put the card on his mantel with all his other Christmas greetings. "I think the poor woman has gone around the bend," he said. "I haven't gotten any mail from her in years. I still feel bad for Susette. The sorry part of this is that the things she's angry about were not done to be mean-spirited toward her personally."

To Glover, a former mayor, the card's rendering of the Kelo house was cute. But the curse didn't cut it. "Being a Christian, I don't believe in curses," she said. "It was really childish. I didn't think Susette Kelo believed in curses and black magic. If she did, she would have tried it on the Supreme Court."

Goebel, the former NLDC executive director, said, "Children will be children." But Goebel was the only recipient, thus far, to suggest that the card might not be from Kelo.

"You shouldn't take the signature at the bottom as that of the one who sent it," Goebel said. "It's not something Susette would have done, in my view. It's unfortunate children have to do this."

He did not speculate on who else might have been behind the mailing.

Kelo said the card was her idea. "I'm very upset with what these people did to me," said Kelo, who works for the City of New London as a nurse dealing with lead paint and lead poisoning cases.

"This all could have been solved and ended many years ago," she said. "They didn't have to do what they did to us, and I will never forget. These people can think what they want of me. I will never, ever forget what they did."

Denver to Host 2008 Libertarian National Convention

Libertarian Presidential Candidate to be Nominated in Mile High City

www.lp.org/media/article_449.shtml

(Washington, DC) – The Libertarian National Committee has announced that Denver, Colorado will be the host city for the 2008 Libertarian National Convention. The LP presidential nomination convention will be held between Friday, May 23 and Monday, May 26 at the Adam's Mark Hotel. Adam's Mark Denver is Colorado's largest hotel, with over 1225 rooms and 133,000 sq. ft. of meeting and exhibit space.

"We are extremely proud to serve as the venue for the 2008 convention," said Libertarian Party of Colorado Chairman Travis Nicks. "We look forward to showing the nation's Libertarians what the birthplace of the Libertarian Party has to offer."

While Libertarians hold a Libertarian National Convention every two years, on presidential election years the Party selects its presidential and vice presidential candidates through the convention process.

"With all of the recent media interest about the libertarian vote in western mountain states, Denver will provide an excellent opportunity for us to show the voters what is meant by smaller government, lower taxes and more freedom," said LNC Chairman William Redpath. "Additionally, the Libertarian National Convention won't be a coronation of some pre-determined candidate held at taxpayer expense."

The Libertarian Party, which recently celebrated its 35th birthday, was founded in Colorado in 1971. Libertarians do not accept public funding for their national convention, while the Republican and Democrat conventions generally cost taxpayers tens of millions of dollars.

New Mexico Governor Announces 10 Point Animal Protection Package

www.tinyurl.com/ygyrw7

By Ronald A. Gustafson

[ron.gustafson@worldnet.att.net]

Sunday, 31 December 31, 2006

Governor Bill Richardson is squarely in the Animal Rights camp. His "advisors" on animal issues come from New Mexico's largest Animal Rights organization APNM-APV (Animal Protection New Mexico - Animal Protection Voters). APV is the PAC of APNM.

Look at the legislation the Governor endorses and who writes that legislation. The first version of the Animal Sheltering Services Act (2004) had provisions for mandatory statewide spay/neuter of ALL pet animals. The provision was hidden in the bill for animal shelters. Fortunately, in 2004 (the first year the legislation was introduced) I was able to work with a senator's staffer and have the mandatory spay/neuter language removed.

Also consider the background of the lady who was appointed by Governor Richardson to head writing the Animal Sheltering Services Act. As I recall, she was the "undercover" PETA member that misrepresented herself to get employment at Huntingdon Labs. At one time her diary was on the internet. She moved from New Jersey to New Mexico. In preparing the Animal Sheltering Services Act she worked with the New Mexico Regulation and Licensing Department (RLD).

The bill was reintroduced in 2005 and 2006. Now there will be another try in 2007. I'm concerned what language may be added to the bill for the upcoming legislative session. The session starts at noon January 16 and ends at noon on March 17.

Governor Richardson's press release is posturing him for the presidential race. Look at each of his 10 points. Without knowing who wrote it, wouldn't any of us suspect the 10 points were an HSUS initiative? Does anyone really believe the Governor came up with those points on his own?

Since the Governor will be a candidate for president, I suggest that his position is of concern to all of us.

The Case for Libertarian Hope

www.lewrockwell.com/rockwell/have-hope.html

by Llewellyn H. Rockwell, Jr. [lewrockwell@gmail.com]

2 January 2007

As the war drags on and the state expands in nearly every area of life, I'm detecting another moment of despair sweeping through libertarian ranks. Why aren't all our efforts making a difference? What are we doing wrong? Are we just wasting our time with our publications, conferences, scholarships, editorials, vast web presence, recruitments of thousands of young people? Have our educational efforts ever made any difference?

There are a thousand reasons to object to this line of thought. Let us speak to the moral and strategic ones directly. Despair is a vice that defeats the human spirit. Hope, on the other hand, is a virtue that creates and builds. This is true in business, sports, and intellectual life – indeed, in every area. We must see success in the future in order to achieve it.

Murray Rothbard used to wonder why people who believe that liberty is unachievable or that activism of any sort is futile became libertarian in the first place. Would a team that is convinced that it will lose every game practice or come together at all? Would an entrepreneur who is convinced that he or she will go bankrupt ever invest a dime?

Perhaps you could say that a person has no choice but to follow truth even when it is obvious that failure is inevitable. And truly there is some virtue in doing so. But as a practical matter, it makes no sense to waste one's time doing something that is futile when one could be doing something that is productive and at least potentially successful.

[Continued next page]

N.J. Judge Voids City's Gun Control Law

Charles Toutant

New Jersey Law Journal

12-20-2006

www.law.com/jsp/article.jsp?id=1166448999875

A New Jersey state court judge on Dec. 13 enjoined enforcement of a Jersey City ordinance limiting handgun purchasers to one gun a month.

In a suit that tested the power of cities to write their own laws to curb gun-related violence, Hudson County Assignment Judge Maurice Gallipoli said he doubted the ordinance would achieve that end. And he found it pre-empted by the state's extensive gun-control scheme.

Gallipoli also said the law violated equal protection grounds, deeming it arbitrary, capricious and lacking a rational basis.

Jersey City's lawyer, Thomas Jardim, of Ramsey Berman in Morristown, says he will seek leave to appeal, particularly as to the equal protection holding.

Jersey City was the first municipality in the state to adopt an ordinance limiting gun purchases. Ordinance 06-082, adopted June 13, required purchasers to certify in writing that they had not bought another handgun in the city in the past 30 days. Violators could be fined as much as \$500.

In July, suit was filed by Caso's Gun-a-Rama, the only licensed gun dealer in Jersey City, as well as the Association of New Jersey Rifle & Pistol Clubs Inc., which argued the law gave out-of-town gun shops an unfair advantage.

During the oral argument Dec. 13, Gallipoli pointed out to Jardim that the city had no evidence that any guns purchased at Caso's were used in crimes.

After the ruling Jardim said, "I respect the judge's personal opinion but the fact that he didn't think it was a wise piece of legislation is not within his purview. It's the job of the mayor and council."

ACORN lawyer Fisher says Gallipoli wrongly interpreted the court's "careful grid" language in Pries to mean that state legislation intended to have exclusive authority over gun regulation. The state statute, for example, does not address frequency of gun purchases at all. "There's plenty of room in that state statutory scheme for municipalities to fill in the gaps," Fisher says.

Fisher conceded the ordinance will have the effect of sending purchasers to nearby towns in search of guns. "We would be more than happy if Bayonne or Hoboken would enact similar ordinances, but in this business it's one step at a time," she says.

Plaintiffs lawyer Pisano says of the ruling Dec. 13, "I think the court clearly recognized that our Legislature has enacted comprehensive regulations regulating the purchase and sale of firearms and intended to occupy that field exclusively.

"The other message is if you want to address the problem of violent crime, the way not to do it is by restricting law-abiding citizens from lawfully purchasing firearms consistent with state law, which they can do everywhere else in the state."

[Continued from previous page]

So should libertarian activists be doing something else with their time?

Here is the crucial matter to consider. What might have been the fate of liberty if no one had cared about it in the last 100 years? That is an important way to look at this issue, one that accords with Frédéric Bastiat's emphasis on looking not only at the seen but also at the unseen. He urged us to look at the unseen costs of state intervention. I ask that we look at the unseen benefits of activism on the part of liberty. We need to look at the statism that we do not experience, and what the world would be like if it weren't for the efforts of libertarians.

Less than a century ago, in our own country, the state was in its heyday. Socialism was the intellectual fashion, even more so than today. The income tax was seen as the answer to fiscal woes. Inflation and central banking would solve our problems with money. Antitrust regulation and litigation would achieve perfect industrial organization. World war would end despotism, or so that generation believed.

Preposterously, a small faction that would later be dominant in public life believed that if we could just pass national legislation against drinking, sobriety would prevail. Fathers would become responsible, sons would become educated, churches would fill with pious worshipers, and even poverty – which people then as now associated with substance abuse – would be a thing of the past. Speech should be controlled and dissidents suppressed. Health care should be cartelized. Business should be restrained. Unions should be promoted. The environment should be protected. The state would uplift us in every way.

If that trend had continued, we would have had totalitarianism right here at home. If the state had had its way – and the state is always happy with more power and money – there would have been no zone of freedom left to us at all, and we would live as people have always lived when the state controls every aspect of life: without civilization. It would have been a catastrophe.

But it didn't happen. Why? Because people objected, and they kept objecting for the remainder of the century. An antiwar movement put a major dent in the war and led to an unraveling of the state afterwards – and kept us out of more wars for decades. Public outrage at the income tax led to keeping a lid on it. Inflation was kept in check by intellectuals who warned of the effects of central banking. So too with antitrust action, which has been set back by libertarian ideology. Free speech has also been protected by activism.

The alcohol prohibitionists managed to pass a constitutional amendment banning liquor – think of that! – but their victory was short lived. Public opinion rose up against them and the amendment was eventually repealed. It was a magnificent reversal, brought about mainly by the force of public ideology that said it was causing more harm than good, and violating people's rights. We can look forward in time and see another bout of statism during the New Deal and World War II. But the state faced resistance. FDR and Truman hated, spied on, and harassed their opponents, but their opponents prevailed. FDR was stymied in his attempts to further the state, which is why he turned to war. Wartime planning and price controls were beaten back against Truman's objections. The same was true with Vietnam and the draft. The war ended because public opinion turned against it. Reality conformed more closely to the critics' views than to the proponents'. We won.

Nixon limited traffic speed to 55mph by national decree, but Clinton finally repealed it. Carter did some good things, like deregulating trucking and airline prices, and he did them because of public pressure and the triumph of free-market economics.

Again, what we need to take into account are the unseen benefits of activism. Had the advocates of liberty ever spoken

up, never written books, never taught in the classroom, never written editorials, and never advanced their views in any public or private forum, would the cause of liberty had been better off or the same? No way.

You have to do the counterfactual in order to understand the impact of ideology. Libertarian ideology, in all its forms, has literally saved the world from the state, which always and everywhere wants to advance and never roll back. If it does not advance and if it does roll back (however rarely), it is to the credit of public ideology.

Don't think for a second that it doesn't matter. Most of the time the impact is hard to measure and even sometimes hard to detect. Libertarian ideas are like stones dropping into a body of water, making waves in so many directions that no one is sure where they come from. But there are times when the Mises Institute or LewRockwell.com has made a direct hit, and we know from personal testimony that we've caused bureaucrats and politicians to fly into a rage at what we are saying and what we are doing. If you think public opinion doesn't matter to these people, think again. They are terrified about the impressions the public has of their work. They can be completely demoralized by public opposition.

We live in times of incredible prosperity, unlike any we've ever known. This is solely due to the zones of freedom that remain in today's world, technology and communications among them. Why are these sectors freer and hence more productive than the rest? Because this is an area in which we've achieved success. The state is terrified to touch the internet for fear of public hostility.

Again let me ask the question: does anyone really believe that these zones of freedom are best protected when there is no public advocacy of the libertarian cause? Would Bush feel more or less secure in the continued conduct of his egregious war if the antiwar movement shut up? Would entrepreneurs feel more or less at liberty to invest if there were no advocates for their cause working in public and intellectual life?

When measuring the success of the freedom movement, these are the sorts of questions we have to ask. It is not enough to observe that the world has yet to conform to our image. We need to take note of the ways in which the world has not conformed to the state's image. No state is liberal by nature, said Mises. Every state wants to control all. If it does not do so, the major reason is that freedom-minded intellectuals are making the difference.

If it were otherwise, why would the state care so intensely about suppressing ideas with which it disagrees? Why would there be political censorship? Why would the state bother with propaganda at all?

Ideas matter. More than we know. Why haven't we won? Because we are not doing enough and our ranks are not big enough. We need to do what we are doing on ever-grandier scales. We need to make ever-better arguments on behalf of liberty. And we need to have patience, just like the prohibitionists and socialists had patience to see their agenda through to the end. They've had their day. Our time will come, provided that we don't listen to the counsels of despair.

The Angel Clarence says in *It's a Wonderful Life* that "Each man's life touches so many other lives. When he isn't around he leaves an awful hole, doesn't he?"

It's something for anyone who advocates liberty to think about before he bails out.

*Llewellyn H. Rockwell, Jr. is president of the Ludwig von Mises Institute [www.mises.org] in Auburn, Alabama, editor of LewRockwell.com, and author of *Speaking of Liberty*.*

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District 2 Representative, Seat A
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Harding / Hidalgo / McKinley / Mora
Luna / Quay / Rio Arriba
San Miguel / Sierra / Socorro / Taos
Torrance / Union

College Contacts (3)

Eastern New Mexico University
(Portales)

New Mexico State University
(Las Cruces)

Western New Mexico University
(Silver City)

**Contact the state chair if you're
interested in filling a slot.**

If you don't, who will?

INTERNET RESOURCES

Official Website
www.lpnm.org

Mailing lists on lpnm.org
www.tinyurl.com/hogsn

LPNM Discussion
groups.yahoo.com/lpnm-discuss

New Mexico Liberty
groups.yahoo.com/group/nmliberty

LPNM Activists
www.tinyurl.com/z7ug5

LPNM Business List
groups.yahoo.com/group/lpnm-biz
(Caucus membership required)

Myspace.com
groups.myspace.com/lpnm

The SW Region LNC list
www.tinyurl.com/e8khh

**AUTHORIZATION FOR AUTOMATED TRANSFERS
(DEBITS AND CREDITS)**

Charter Bank:

I authorize Charter Bank to initiate an electronic transfer via the Automated Clearing House (ACH) as noted below:

Customer Name (on account, please print): _____

DEBIT (charge) Financial Institution

Name: _____

City: _____ State: _____ Zip: _____

Routing Number / ABA: _____ / _____ / _____ Account Number: _____
(Please include a deposit slip or voided check)

CREDIT (deposit) Charter Bank, to the account of LIBERTARIAN PARTY OF NEW MEXICO, account number 0092040302

\$ _____ LPNM General Fund \$ _____ Chair's Contingency Fund
\$ _____ Major Player Fund \$ _____ Win One Fund

TOTAL AMOUNT of electronic transfer \$ _____ MONTHLY on the ____ day of each month starting ____/____/____

I understand this authority is to remain in full force and effect until Charter Bank has received notification from me regarding termination in such time and in such manner as to afford Charter Bank a reasonable opportunity to act on it. I also understand this transfer is not immediate and could take up to two business days.

Signature: _____ Date: _____ Social Security Number: _____

BANK USE ONLY Bank Employee: _____ Date: _____

Authorization processed by: _____ Date: _____

Alternately, if you prefer not to have our bank initiate an electronic transfer, you may have your bank initiate the transfer to Charter Bank, Routing Number 307072427, to the account of LIBERTARIAN PARTY OF NEW MEXICO, account number 0092040302. Also, please fill out the info section below, allocate your contribution on the "Funds" line above, and mail this form to LPNM.

MONTHLY CREDIT CARD PLEDGE

SORRY FOR THE INCONVENIENCE, BUT LPNM NO LONGER ACCEPTS CREDIT CARD PAYMENTS DUE TO EXCESSIVE FEES INCURRED WITH OUR FORMER CREDIT CARD PROCESSOR. WE ARE CURRENTLY LOOKING FOR A REPLACEMENT PROCESSOR OR BANK THAT WE CAN AFFORD. WE WILL LET YOU KNOW WHEN WE KNOW ANYTHING.

FEDERAL INFO REQUIREMENTS, DISCLAIMERS, ETC.

Federal law requires political committees to report the name, mailing address, occupation and employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. Political contributions are not tax deductible. Your contribution may be used to fund federal election activity.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone (h): _____ (w): _____ E-mail: _____

Employer: _____ Occupation: _____

This form is for monthly pledges only. Please pay dues separately. Complete the AUTOMATED TRANSFER section and the INFO section. Mail the entire form to the address below. Thank You !!

LPNM, 918 IVORY RD SE, RIO RANCHO NM 87124

ADMINISTRIVIA

Mike Blessing, Editor [gunssavelives@comcast.net]

If you have news, interesting stories, op-ed pieces, a letter to the editor, or timely information that you think belongs in the newsletter, please send it along. I can be contacted at 505-710-5197, or just send it to email address gunssavelives@comcast.net.

When sending your submission as an MS Word (or Open Office Text) file, send it single-spaced in 9-pt Arial – like this is. Margins should be half-inch (0.5”) around, with no headers or footers. If you send it in a text-only format, make it clear to me if you want anything in **bold type**, underlined, *in italics*, ~~struck through~~, **different colors**, etc. I'm not telepathic here, so help me out. And **NO** Wordperfect files – I can't open those.

Graphics (pictures, cartoons, etc.) – send the highest quality graphics you can – email them to me at the address above, and I'll do what I can to get them in the next issue. In particular, what I want are pictures of YOU the LPNM members, either at LPNM-sponsored events or at other peoples' events.

Submission deadline for each issue – midnight, third Tuesday of the month.

Articles

As for writing your article, It should be concise (no longer than a full page) and topical. A bit of humor helps, especially for op-ed pieces.

What I'm really looking for in the way of articles is what's going on in the LPNM – what YOU the membership are up to in spreading the message. For example, an article about the stupidity, insanity and evil of the UN might get put in, depending on available space and the quality of the article. A group of LPNM members counter-protesting the raising of a UN flag by the city council WILL get put in, and probably will get first priority.

Editorial Viewpoint

The basis for libertarian thought is the Zero Aggression Principle [ZAP] –

A libertarian is someone who believes that *no* human being has the right – under *any* circumstances – to *initiate* force against *another* human being, nor to threaten, incite or delegate its initiation.

New Mexico Liberty holds that Libertarian candidates, officeholders or appointed spokespersons at all levels of government or the Party should refrain from advocating new or more restrictive laws, new or more expensive spending programs, or new or higher taxes. To paraphrase from the medical profession, “First, do no harm.”

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www.lpnm.org/newsletter
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nmliberty-subscribe@yahoogroups.com

To UNsubscribe: send a blank email message to:
nmliberty-unsubscribe@yahoogroups.com

For a print subscription, contact Ron Bjornstad for details.

Finally, *New Mexico Liberty* will be posted to the web, in PDF format, both to the Archives section of the page on lpnm.org, and to the Files section of the Yahoo group I've set up for it:

groups.yahoo.com/group/nmliberty

If you are moving or change your mailing address, please use the enclosed envelope to let us know, so we can keep your *New Mexico Liberty* coming to you.

Advertising in *New Mexico Liberty*

Current rates for year-long spots

Full page	Ø60.00
Half page	Ø30.00
Quarter page	Ø15.00
Business card	Ø 8.00

Rates are subject to change at the discretion of the editor. The editor will do his best to make any such changes only when absolutely necessary.

Inserts – For an insert into the PDF version that goes out over the internet, contact the editor at email address nmliberty-owner@yahoogroups.com. For an insert into the print edition, contact Ron Bjornstad at email address rbjornstad@earthlink.net or phone number 505-288-4228.

Ø – The symbol for Federal Reserve Note(s), as used by Boston T. Party in his books. In plain-text message traffic (such as email), the acronym “FRN” will be used by the editor. See www.javelinpress.com for more information. Also see the Wikipedia page for “Federal Reserve Note” – en.wikipedia.org/wiki/Federal_Reserve_Note.

Submissions Policy

The editor reserves the right to refuse service to anyone for any reason. The editor will most often be willing to explain any such reasons. Appeals of the editor's refusal to post an advertisement, article, letter to editor, or anything else can be made to the LPNM's State Chair, Central Committee and/or Judicial Council.

THE LPNM OFFICIAL WEBSITE

www.lpnm.org

LPNM OFFICIAL MAILING ADDRESS AND PHONE NUMBER

918 Ivory Road SE
Rio Rancho, NM 87124
505-288-4228

If the date on your mailing label is before 10/01/06, it's time to renew your LPNM membership.

The Unanimous Consent Challenge

CASH Ø10,000 PRIZE

To the first person to write a logical and documented essay showing one of the following to be compatible with the Declaration of Independence:

- Sherman Anti-Trust Act of 1890
- Pure Food and Drug Act of 1906
- Federal Communications Act of 1934
- National Firearms Act of 1934
- Emergency Banking Act of 1933
- The Internal Revenue Code
- Bank Secrecy Act of 1970
- Controlled Substances Act of 1970
- Organized Crime Control Act of 1970
- Federal Elections Act of 1971
- Plumbing Products Efficiency Act of 1992
- USA PATRIOT Act of 2001
- Bipartisan Campaign Reform Act of 2002

To claim your prize, contact
Mike Blessing at 505-710-5197
or gunssavelives@comcast.net

The Unanimous Consent Challenge is available online at the
KCUF Media site – www.tinyurl.com/hn982

Remember Your Jury Rights

by Mike Blessing [gunssavelives@comcast.net]

As a juror, you have the *right* and *duty* to vote your conscience not only on the facts of the case – did the accused do what s/he is accused of – but also on *the law itself* –

- Is it a good law?
- Is the law being properly applied?
- Does the punishment asked for fit the crime?

Using jury nullification, just one percent of the population that disagrees with a bad law (victim disarmament, Drug Prohibition, the tax code, etc., etc.) can start getting these bad laws knocked off the books.

See www.fija.org for more information.

See also You & The Police, by Boston T. Party, available at Javelin Press [www.javelinpress.com].

America: From Freedom To Fascism – Now Available

From: Linda C. on the [smith2004-discuss] email list

It looks like Aaron Russo's move America: Freedom To Fascism is now available online (free) to watch (109 min.):

www.informationclearinghouse.info/article15399.htm

It's also available on DVD for \$19.95 if you want to have a copy to show to others:

www.freedomtofascism.com

A Modest Challenge for

Republican Officeholders and Candidates

by Mike Blessing [gunssavelives@comcast.net]

Name ten (10) EXISTING regulatory statutes or spending items that you're willing to do away with before the next election, even at the cost of losing that next election.

I'll be waiting for answers . . .

Phone – 505-710-5197

Email – gunssavelives@comcast.net

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The Simon Jester Project

www.simonjester.org

What is the Simon Jester Project?

If you haven't read the classic SF novel, The Moon is a Harsh Mistress, by Robert A. Heinlein, the whole Simon Jester thing may be confusing you. Simon Jester was the "imaginary" creation of a group of Loonies fomenting rebellion. He was a little devil who tormented the Lunar government with catchy little jokes, ditties, poems, slogans, and cartoons. Later, Simon expanded into the poltergeist business by playing practical jokes on gov-goons and bureaucrats. He always signed his work with a little cartoon image of a grinning devil.

"Simon" was a game everyone could play, anyone who wanted to bug the ruling authoritarians, that is. Any pissed-off miner could scribble a bit of seditious graffiti on a wall and attribute it to "Simon" with the easily scrawled logo. To the Authority, it seemed that Simon Jester was everywhere, all the time.

We need Simon Jester now.



A "meme" is an idea, a thought; hopefully a seed that will germinate in the recipient's mind and grow into a whole garden of worthwhile ideas. In theory, one exposes people to short, memorable phrases or images which stick with them; rather like the tune you can't get out of your head. In this case, the "tune" is akin to Yankee Doodle Dandy and is meant to generate thoughts on liberty.

Planting those mental seeds is what the Simon Jester Project is all about. To get you started, we've provided a few basic files.

Surely this is enough to get us started.

Enough plotting; let's get out and do something!

What to Do With This Stuff

Okay. We've told you who Simon Jester is. We've given you a bunch of files for posters, stickers, flyers, et cetera.

So what the devil (pun intended <grin>) are you supposed to do with this stuff?

Assuming you read The Moon is a Harsh Mistress, you should already have a pretty good idea. But here some specifics you might try:

- Flyers can go on bulletin boards, car windshields in parking lots, or simply be handed out.
- The same goes for folded pamphlets, or you might put some in the form slots on bank tables and the counters at the post office.
- Stickers can go anywhere: Service counters at DMV, the post office, post drop boxes, windows and doors. But if you're considering putting them on private property, also consider whether the owner might not appreciate it.
- Business cards can be handed out, left on magazine piles in waiting rooms, set on counters, stuck under windshield wipers, or even flung out high windows. Try including one in all your bill payment envelopes.
- The Cthulhu election posters can go up anywhere you see other campaign signs posted. Try putting them up in your car windows, too. If you stake out a polling station like the other campaign aides, come election time, the Cthulhu posters go great with the Democracy Explained flyers to get voters' attention.
- Stickers can also go on packages and envelopes. Kinda like Easter Seals, but a lot more fun.

Libertarian Party of New Mexico Enrollment / Renewal Coupon
Please print in all areas

Name _____ Address _____

City _____ State _____ Zip _____ Phone _____

Email _____ Employer _____ Occupation _____

I am registered to vote as a Libertarian and wish to join renew as a caucus member. Enclosed is \$25 annual dues payable to “**LPNM.**” (Sorry, we cannot accept corporate checks.) I will get the state newsletter “*New Mexico Liberty*” and will have delegate status at state conventions. I understand that the *LP News* is **NOT** at this time included in my membership.

I am not registered as Libertarian in the State of New Mexico or I do not wish to sign the statement opposing the initiation of force to achieve social or political goals at this time. Enclosed is \$25.00 annual-dues payable to “**Libertarian Party.**” (Sorry, we cannot accept corporate checks.) I will get the state newsletter “*New Mexico Liberty*” and will have no other benefits. I understand that the *LP News* is **NOT** at this time included in my membership.

I oppose the initiation of force to achieve social or political goals.

Signed _____

Enclosed is my donation of \$ _____ for use as indicated:

LPNM General Fund Chair’s Contingency Fund Major Player Fund Win One Fund

Please make donation check payable to “**LPNM.**” (Sorry, we cannot accept corporate checks.)

Government mandated notices:

- The US Postal Service requires us to notify you that the annual *New Mexico Liberty* subscription cost is included in your LPNM membership dues of \$25.00.
- The Internal Revenue Service requires us to print “political contributions are not tax deductible” on all fundraising appeals.
- The Federal Election Commission requires us to ask for the employer and occupation of each individual whose contributions aggregate in excess of \$200 in a calendar year.

The preceding notices alone should be enough reason to join the Libertarian Party, the only political party working to increase your freedom.

COPY OR PRINT, FILL OUT, AND SEND TO:

**918 IVORY RD SE
RIO RANCHO NM 87124**