

California Freedom

March 2005

The official publication of the **Libertarian Party of California**

■ Region Report

Bright Ideas in a Sunny City

San Diego LP sets example for other regions

by **Elizabeth C. Brierly**
Editor, *California Freedom*

A brilliantly sunny Saturday was the perfect time for the San Diego LP to put on an all-day shindig full of bright ideas, local Libertarians, and even an increase in Party coffers. What was the occasion?

Just their annual regional business meeting. Party officials fashioned what can be a dry and routine business meeting into a commendable convention that set an example of what even a local party can do. Heck, this convention probably offered more to party members

than even some state parties' conventions do.

Mike Benoit and Michael Metti had been sensing among their fellow activists a degree of letdown about the November election results. They decided they needed to pick things up right away and renew the momentum from election fever. Benoit had been listening recently to the radio program of former Presidential nominee Harry Browne, and proposed they investigate Browne as a guest speaker for the event. Browne was indeed available, as was property rights advocate Bernard Siegan. Serving to round out these main events

were emcees Ed Teyssier and Richard Rider.

About six years ago, San Diego's annual convention had attracted 77 people—a record for their region—so this time, with two enticing speakers and a comfortable setting, the intrepid pair of planners felt they could again attract a respectable-sized crowd, and even perhaps make a profit on the event. January 29 was selected and space was booked at Marina Village Conference Center, a garden-like facility at



the San Diego marina.

Complete with a hearty buffet luncheon and dinner catered by a nearby Iraqi-American restaurateur, the event featured an exhibit hall and space for the portable, drawing room-like



• **Above: LP of San Diego convention organizers Mike Benoit(L) and Michael Metti(R) with Jennifer Osborne.**

• **Left: Speaker Harry Browne asserted that the U.S. is the only developed country without a third party as a strong contender.**

set of Mark Selzer's *Libertarian Alternative* TV talk show, to

• See **San Diego** page 4

■ Election 2006

Foreshadowing a Watershed Year in 2006

by **Kevin Takenaga**
Campaigns Chair, LP of Santa Clara County

In 2006, California could be facing another watershed year for taxes and bonds.

Already on the statewide ballots are the \$10 billion (with a "B") rail bond in Nov. '06, and the \$900 million library bond in March '06.



In Silicon Valley the Joe Simitian/Steve Poizner/Reed Hastings movement is picking up steam. As reported in the *L.A. Times*, "The Silicon Valley-based Taxpayers for School Improvement is building support for an initiative that would reduce the percentage of voters needed to approve local parcel taxes—from two-thirds...to 55%." ("Group Seeks Easier OK for Tax Measures." *Los Angeles Times*; 1/13/05)

Howard Jarvis Taxpayers Association reports that the members of Taxpayers for School Improvement "are many of the same players who spent millions to pass Proposition 39 in 2000, [which] lowered the

If everything passes, we're all going to have to pay sharply higher taxes.

two-thirds vote to 55 percent to pass school bonds that only property owners must repay. In just four years, Prop. 39 has cost homeowners billions of dollars.... Unlike bonds, the proceeds of which must be directed to capital improvements, the revenue raised from parcel taxes can be used for so-called "soft" expenses, including salary increases for administrators." ("Silicon Valley tax raisers would dismantle taxpayer protections." *Taxing Times*; Winter 2004-2005.)

If Simitian et al. are able to qualify this initiative, just watch them put it on the ballot both in March and in November. On August 24, the

San Francisco Examiner reported that Simitian's group "will be prepared to take it back to voters the following November if the measure fails."

Add to this the VTA sales tax increase for BART, the various and sundry parcel taxes that will be asked for—especially by the districts that failed to pass it last November—perhaps even the countywide parcel tax, and throw in Arnold's "austere" budget this year, and we're going to have to become a much more active voice for the taxpayer, because if everything passes, we're all going to have to pay sharply higher taxes.

We must mobilize our forces with far greater intensity than in the past, if we are to defeat these initiatives and measures. Fortunately, we have a little more warning than usual to make this happen, but still, we do not have the luxury of extensive time and resources to sit back and hope.

The challenge for all of the

LPC's regional parties will be to continue to reach out and form alliances, increase Libertarian registrations, start media campaigns, raise money, and mobilize our base to vote in March and November '06.

We can do it—if we can set our goals high, and work together, as a team. Last year we proved that we can work together. The next two years, let's prove we can be effective in the larger political realm. ●

Kevin Takenaga is a small business owner in Silicon Valley. In January, LP of Santa Clara County presented him with their highest award for activism for 2004. This year he continues his local activism as Campaigns Committee Chair, and serves at the state level as Executive Committee representative from Region 43.



• **Kevin Takenaga**

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Convention Momentum for 2005 and Beyond



FROM THE EXECUTIVE DIRECTOR

As you read this, our exciting State Convention will have come and gone.

I know all those committed Libertarians who attended are still, like me, really jazzed about the event. The line-up of speakers was stellar, and the break-out sessions gave everyone a veritable smorgasbord of terrific topics and issues from which to choose.

Did I mention fun? Of course, there was a lot of serious Party business to debate and to vote on; but when Libertarians get together, there *will* be laughs. Often at the expense of the "old" political parties, and sometimes at ourselves, but laughs nonetheless.

I know that everyone who attended has been sharing their great convention experiences with non-LP friends...as

well as with those Libertarians who were unable to make it to the celebration.

So, while many of you are reinvigorated with enthusiasm for our important Libertarian goals, I want to provide you some outlets for all that energy.

I am very excited about the upcoming 2006 campaign. The 2004 election has people clamoring for the alternative to the Republicrats...and, my friends, we are that alternative!

With a new pledge option, you help only in direct proportion to our success in growing the Party.

So we're starting now to build both our membership base and our campaign war chest for next year. We need more dues-paying Libertarians in California.

And what is vital to remember is that everyone who joins us is a potential candidate—a potential campaign volunteer—and a potential supporter.

We need strong, viable, electable candidates to run in 2006. Among others, we are targeting small business owners—those who have experienced firsthand the meddlesome bureaucracy of Big Government—people who know how to manage an enterprise and motivate others.

However, harvesting those electable candidates as committed new members requires your help. Mailings, phone calls, and research all come at a price. In this issue you will find a new pledge form with two options for you. The first is a standard monthly pledge where you agree to contribute a certain amount every month. These pledges are so helpful, because



we will know exactly what your level of support will be every month, and we can budget resources accordingly. With the other option, we'll receive your help only in direct proportion to our success in growing the Party. (See page 6.) Your fellow Libertarians have pledged everything between 25 cents and 10 dollars for every new member we bring to the Party. Again, with this option, you reward us only for our successes. By the way, if you're worried that we'll be *too* good at our new membership drive—what a problem to have!—you may cap the amount of new members you're willing to support.

I am so excited about our opportunities this year and in 2006. But the Executive Committee and I cannot do it alone—we need your support! Please mail in your pledge today...and fasten your seatbelts, it's going to be a thrilling ride!

Dave



FROM THE EDITOR

The second day of the second month of this year marked the centennial of the birth of one of America's and the world's most influential thinkers—one who was especially important to those who founded the Libertarian Party. Ayn Rand, born in Russia as Alisa Rosenbaum in 1905, would have celebrated her 100th birthday on February 2.

When I was toying with career choices at the formative age of 12, my conservative mother (bless her!) declared, "Elizabeth, if you want to be an architect, you ought to read *The Fountainhead!*"

Being an obedient lass, I did as Mom suggested, taking immediately to Rand's clever plotting, vivid imagery, and unadulterated characterizations of heroes and villains. I was hooked. Soon I'd devoured the rest of Rand's fiction; I talked incessantly to those who also admired her work and agreed with her principles; and along the way—before I'd reached voting age—someone men-

tioned the Libertarian Party. I felt lucky to get to vote for the principles I'd come to espouse.

This year, groups of Objectivists—followers of the philosophy developed by Rand—are honoring her with celebrations across the country.

A passage of *The Fountainhead* that resonated especially well with me has architecture student Howard Roark, a rugged individualist, being called into the Dean's office at the Stanton Institute of Technology. The Dean questions Roark's dismissal of the classic designs of the past, which are revered by the architectural school there.

Roark explains to the Dean, "Look. The famous flutings on the famous columns—what are they there for? To hide the joints in wood—when columns were made of wood, only these aren't; they're marble. The triglyphs, what are they? *Wood*. Wooden beams, the way they had to be laid when people began to build wooden shacks. Your Greeks took mar-

ble and they made copies of their wooden structures out of it, because others had done it that way. Then your masters of the Renaissance came along and made copies in plaster of copies in marble of copies in wood. Now here we are, making copies in steel and concrete of copies in plaster of copies in marble of copies in wood. Why?"

Most sensible, Mr. Roark—that is, Miss Rand! I thought about other things that are fake—with their form trumping function instead of being derived from it—from tangible fakes such as miniature "balconies" only six inches wide, affixed outside windows of houses and not suitable for humans, to nebulous and quite possibly more dangerous fakes such as "man in the street" opinions being presented by newscasters as substantive news.

Where Howard Roark was an architect of principle, and Ayn Rand was a thinker and writer of principle, the Libertarian Party is, of course, "the Party of Principle." We are about encouraging government to stick to its legitimate function—and just its function. Stop, we

plead—stop adding frilly extras beyond what's specified in our Constitution.

So, who is Alisa Rosenbaum? She's our birthday girl. Happy birthday, Miss Rand. We are grateful for your existence and for all that you created for us, while you lived your passion and fulfilled your own greatest ideal.

* * *

Although Libertarians are individualists in the tradition of Ayn Rand, as a party we have gathered together to make more possible our shared goals. This month we are inspired to work together and learn from each other. We see an example from San Diego of what local regions can do, and we learn of cooperation among both the State Party Chairs nationwide and the Membership chairs throughout California. I hope these articles and announcements will engender even more ideas for successful synergy within the LPC!

Toward greater liberty!

Elizabeth C. Brierly

Letter to the Editor



9/11 was no Pearl Harbor Day

The most polidiotical and egregious violation of not only Libertarian, but also American principles, is the USA PATRIOT Act.

It is an omnibus bill of unlimited police powers—a declaration of war against the Bill of Rights. It's as if Congress asked Stalin to propose a few measures to improve security. Of course, they didn't ask Stalin; actually, they didn't ask anyone. Ashcroft and Bush came to them with a prosecutor's Christmas list of things [that

would] make the prosecution of anyone, anytime, for anything, a breeze. Then they backed it up with a list of bogeymen just as heavy, none of whom could actually be identified. They offer the oral promise: "Trust us; no one will abuse this absolute power."

Congress, being mostly good little Republicrats, followed orders and passed Dubya's wish list, without even attempting to read it! What's a Libertarian to do?

Well, 9/11/01 was not 12/7/41; there was no imminent war. The first thing to do would be read the damn thing. OK—, 30,000 words is a lot of

reading, but then, 535 legislators with a dozen staffers each is a lot of eyeballs. Maybe they could break it down into pieces; take a day off from schmoozing the lobbyists; and do some research. Next would be to ask questions. Isn't that what we pay them to do? Why did it have to be voted on en bloc? It was slammed together from prior proposals that could not pass on their own. My mother taught me that two wrongs don't make a right. Why should 30 wrong bills hastily stapled together make one right one?

A rational Congress, thinking libertarian, would just say, "We were hasty; let's look under the hood, and see what's wrong and what's right." But that is not how polidiotics works. No, if something does not work the polidiotic answer is more of the same. So Congress will stall and drawl, and wait for us to be distracted by some really important news, such as the Olympics, and then while nobody is looking, in the middle of the night, just before adjourning to run for re-election, they will pass the damn thing again. We must write and tell 'em, "Just say 'no.'"

—Ken Obenski
San Diego

Web Watch Earthblog www.EarthBlog.net



Everyone complains about the Presidential "debate" having been a two-party press conference, but no one does anything about it. Until now, that is.

Just last month, Earthblog was launched, "dedicated to the distribution of news stories which appear in alternative media sources and go unreported in the dominant media." Such as 2004 Presidential candidates Michael Badnarik (Libertarian) and David Cobb (Green) having crossed the police line at the final major-party presidential debate, and being carted off to jail, while the dominant media chose not to report the incident.

"This occurrence, which could remind someone of the tactics of the Stasi of former East Germany, happened in the heartland of America," the site explains. "This absence of news coverage of the arrest of two legitimate American Presidential candidates was the catalyst to inspire the creation of Earthblog.net. If this action which occurred in the presence of the camera and reporters from the dominant media can go unpublished, then news reporters can ignore anything. Earthblog will post outstanding alternative media coverage of events such as this."

"Fortunately, there is an active alternative media throughout the world whose dedicated

reporters and photographers do cover the sorts of things which dominant media refuse to cover. Most people don't realize that these alternative news sources exist of how to find them. Earthblog.net has been created as the answer to this problem."

With its comfortable-to-view three-column home page, Earthblog's content is directed at bringing visitors information not just from the political or economic realms; each issue has a feature story or two and a news section, plus quick links to articles in science, technology, books, music, film, art, and travel. "Anyone who regularly reads the content found on Earthblog.net will find themselves becoming far better informed than those who rely only upon the dominant media's filtered selection of what's important."

"Here is a recent sampling of this variety in coverage: The Dawn of Electrical Eye Implants; The Pentagon's Dream—a Robot Soldier; Showdown: Confronting Bias, Lies, and the Special Interests that Divide America; Reggae Cowboys—Unique 21st Century Reggae; Salvador Dali—Mixing Atom-Age Physics and Catholic Doctrine; No Child Left Un-Drugged; Mohawk Tribe Agrees to Settle Land Claim.

California Freedom wishes Earthblog success in its endeavor to educate. ●



Welcome Aboard!

The LPC is pleased to welcome 22 individuals who in January joined the ranks of our Party of Principle. They include Engineer Matthew Barnes, machinist John Mardakis, Kevin Sweet of the U.S. Navy, restaurant server Jose Soto, David Peterson, an investor, and warehouse worker Nolan Wienholt. We hope to see you soon at a local LP meeting or event, introducing yourselves to all of us like-minded folks!

- Kelly Barnes Ontario
- Matthew Barnes Ontario
- John Feely San Juan Capistrano
- Dan Fumai San Diego
- Timothy Gaines Berkeley
- Duane Healing Colfax
- Craig Kakuda Torrance
- Todd Long Los Angeles
- John Mardakis Modesto
- Christine Moreno Upland
- Dorothy Mulkern Redlands
- David Peterson Pacific Palisades
- Dennis Phelps San Francisco
- Stephen Ramm San Rafael
- John Rock El Cajon
- Christopher Scott Citrus Heights
- Skaidra Smith-Heisters Windsor
- Jose Soto Santa Ana
- Kevin Sweet Monterey
- Tracy Vevia San Diego
- David White Oroville
- Nolan Wienholt Santa Rosa

New Membership— How have we been doing?

The LPC's monthly tally for new member recruitment since March 2003, including during 2004 (an election year):

- Monthly average 30 new members
- Highest tally 46 new members, in Nov. 2004
- Lowest tally 18 new members, in Dec. 2003

Let's see what we can do in 2005!

Great men can't be ruled.

— Ayn Rand
The Fountainhead
(1943)

Do You Have Comments? Photos?

See YOUR viewpoint in print right here at California Freedom. Send us your letters, photos, reports on local libertarian events, or tell us about how government policies affect you or your line of business.

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San Diego Convention

continued from page 1

capture interviews of several notable attendees.

LPSD had launched an aggressive e-mail campaign, including invitations to libertarian e-addresses Benoit had accumulated over five years, and to 500 registered Libertarians' e-addresses obtained from the Registrar of Voters. About 5,000 paper invitations extended outside the region, to Libertarians in Orange County. Another 5,000 flyers were distributed throughout the community.



wound up with about a 20% profit margin, derived of course from event ticket sales, but also from sales of autographed books, photographs printed out



• **Exhibitor Leo Hamel (above), West Coast Development Director of Americans for Fair Taxation, whose slogan is "U.S.A. April 15—Make it Just Another Day," directs convention attendees to their website, www.FairTax.org.**

• **Kristi Stone (left), LPSD's Candidate Coordinator, gives an update on candidate recruitment efforts and campaign results.**

on site of attendees with Harry Browne, and other Party materials, signs, and souvenirs.

With good-natured emcee Richard Rider, Chair of San Diego Tax Fighters and the LPC's candidate for governor in 1998, the atmosphere was lighthearted, even when the subject matter was serious. His opening remarks, infused with his usual panache, included the observation, "We're fortunate that

Republicans won after Clinton, because now we have fiscal conservatives running things." *Not!* He went on to regale us with the fiscal atrocities perpetrated on San Diego citizens, especially the government employees' pension plans. In the old days, he said, a government employee sacrificed salary for security. Today they get both—in spades. So Rider, ever looking out for his friends, encouraged every one in the room to seek government employment. Really, it makes sense that he would like Libertarians to be flush with cash during their retirement to donate to the Party. Rider is widely known as a "tax fighter extraordinaire," having actively supported a variety of tax-cutting ballot initiatives, including Prop. 13.

Harry Browne was inspiring as always, displaying his passion about the cause of individual liberty and much smaller government. Having written 11 books and published thousands of articles, Browne is well-equipped to present the case for individual liberty. He offered a multitude of solutions to the five things he says are thrown in our way which entrench the two-party system: Campaign finance laws, campaign reporting laws, campaign subsidies (since no Libertarian will take these stolen funds), debate commission, and ballot access laws. He explained that it is not because of a *decision* that this is a two-party country, but that it was imposed by *legal fiat*—by Democrats and Republicans.

Since the organizers wanted to have a speaker to represent and share property rights

issues, they invited Professor Bernard H. Siegan, who practiced law in Chicago for more than 20 years before joining the faculty at University of Chicago in 1973. One of the preeminent defenders in the U.S. of strong constitutional protection for property rights and economic liberty, Professor Siegan is the author of many well-known books and articles, including the widely discussed *Economics Liberties and the Constitution* (University of Chicago Press).

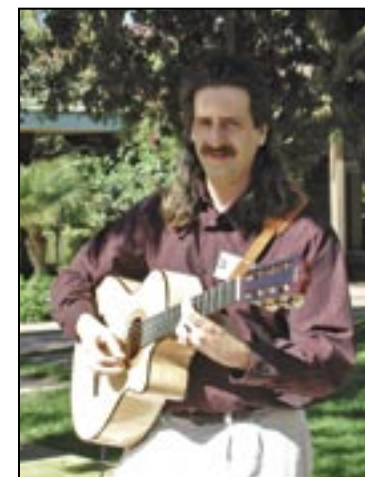


• **Speaker Bernard Siegan (below), author and defender of private property rights, shares how property rights are eroded by politicians who assert that without zoning laws, our communities will be in chaos.**



• **Representatives from the Free State Project (above), whose slogan is "Liberty in Our Lifetime," invite attendees to join fellow libertarians in New Hampshire, to "Live what you Believe."**

• **Dan Litwin (right) entertains fellow LPSD members with his guitar stylings, outside the conference room at the beautiful Marina Village Conference Center.**



He has counseled government officials and private groups drafting new constitutions or constitutional amendments in Eastern Europe and elsewhere. His book *Land Use without Zoning* was published in Spanish in Argentina. His most recent publications include *Property Rights: From Magna Carta to the Fourteenth Amendment*, and *Property and Freedom: The Constitution, the Courts, and Land Use Regulation*.

The county of course had their officer election and other party business to conduct, which they did in a break-out session. That gave the non-members and visitors from other regions a chance to chat with the exhibitors, which included Free State Project, Constitutional Taxation by Dann, the *Libertarian Alternative* TV talk program, Freedom Force International, and Americans for Fair Taxation.

Post-convention, Benoit estimated an unofficial satisfaction rating of 95%. The only things he felt could have been a bit better organized were registration and fund tracking. Otherwise, the food, the speakers, and everybody's perception of the event were commendable. And Metti reported, "We made about a 20% profit on the event, and we're already planning for next year's convention."

With a winning formula for a fun, educational, and profitable convention, and with the big thinking they've already embraced, the LP of San Diego will likely be even more successful in 2006—an election year. ●

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■ Drug Policy

It's Time To Surrender and Claim Victory

by **David White**
Internet Radio Host

As the nation's attention focuses on the war in Iraq, another so-called "war," the war on drugs, hurtles onward as if self-perpetuated. Proving the axiom "nothing succeeds like failure," our law enforcement leaders pledge to continue the fight against this menace, down to our last dollar.

Although this war on drugs has been an abject failure, it has been highly successful in elevating their prices into the stratosphere.

Long ago, when I was young, I was not acquainted with a single individual who used, possessed, or even knew how to obtain so much as a marijuana cigarette. Today, after decades of ever-increasing penalties, voluminous legislation, zealous

law enforcement, and Herculean eradication efforts, anyone so inclined can go to any community and have no difficulty obtaining virtually any illegal narcotic of their desire. These facts are indisputable, so how can a blunder of such monumental proportions as this "war" continue unabated?

We have many to thank for this fiasco: arrogant moralists who carry on an incessant campaign to impose their views of what constitutes proper behavior in lieu of individual freedom; phony politicians more interested in what makes good politics rather than good policy; sheriffs and district attorneys concerned with television face time and newspaper photo ops, rather than constituent service; law enforcement personnel insistent on proving their mental superiority over drug addicts and dope peddlers; a prison guards' union which watches its membership, wealth, and influence expand, as we continue to incarcerate our way into becoming a better society; and most of all, those selling these illicit drugs and reaping profits of astronomical proportions, as a direct result of the efforts of those others. For although this noble "war on drugs" has been an abject failure, both at imped-



ing the flow and at diminishing the consumption of these substances, it has been highly successful in elevating their price into the stratosphere.

Consider, for a moment, the situation should these outlawed substances be decriminalized. Methamphetamine could be produced in a proper factory, safely, rather than in a dangerous, so-called "meth lab." The resulting product would be sold (legally) for an affordable price. Since anyone desirous of using this substance would be able to obtain it now, there should be no increase in usage; however, the illegal activities connected with it would disappear instantly.

Gone would be the dangerous production facilities, the guns, the gangs, the illegal activities financed by these profits. Gone would be the impetus for those addicted to commit the robberies, burglaries, muggings, forgeries, and so on, necessary to procure the large sums needed to finance their habit.

With marijuana legal to grow and possess, we could once again use our national forests and public lands without fear of encountering armed men guarding someone's illicit pot patch. With these, and other substances, available at legal dispensaries, the drug peddlers now loitering on our streets would vanish for lack of customers. With our prisons depleted of inmates whose sole crime is to have gotten themselves addicted to one or more of these substances, we would have ample accommodations for the violent and dangerous villains deserving of being imprisoned. Possibly of most importance, we would have the resources to actually assist those addicted, something which is notably lacking from a policy of incarceration.

But before any of these circumstances can become reality,

we must end the practice of demonizing our fellow citizens who have proven too weak to resist the lure of these forbidden drugs. These individuals are more deserving of our compassion than our contempt. Our contempt should be reserved for the public officials who shamelessly promote and encourage this disgraceful policy for the purpose of advancing their own careers. Polishing their resumes with the cloth of another's soul, these charlatans bask in the hollow admiration of feulent cronies, pumping hands at the

local pancake breakfast while mocking the misery they impose upon others.

How much longer will the public be duped by these unscrupulous political hacks, promising victory in this ridiculous "war," if only we will permit ourselves to be shorn of our money, our privacy, our dignity, and our freedom? How much longer will the front pages of our newspapers be festooned by the smug and superior visages of police officials displaying the booty of their most recent trampling of individual choice? Asset forfeiture, drug tests for every school child, cold medicines under lock and key—is there no proposal too onerous, no suggestion too outrageous, no half-baked scheme too asinine that these mendacious morons will not seek to impose it upon us?

We must put an end to this folly before this folly puts an end to us. ●

David White hosts a talk program on Internet radio station KSAV (www.KSAV.org). He can be reached at Talk@KSAV.org.

Photos: Elizabeth C. Brierly



• **Batton Lash (far left), of Exhibit A Press, artist of this page's editorial cartoon, poses with his wife, Jackie Estrada at the San Diego LP's convention on January 29. Jackie holds guest speaker Harry Browne's book, *How I Found Freedom in an Unfree World*.**

Need More Members?

Nicholas Gerber, Membership Chair of the East Bay LP, has an invitation for his fellow Membership Chairs.

Gerber and several of his counterparts have founded an e-group on Yahoo called "California Libertarian Membership," to help spread the word about various membership and registration drives they are planning and executing. They hope to share among all of the LPC's re-

gional membership committees what's working and what's not, so that everyone can learn, follow suit where appropriate, and grow the party.

To get on board:
Visit: Groups.Yahoo.com/group/ca_lp_membership/
Click on "Join This Group!"

For additional information, you may reach Nicholas Gerber at (925) 376-3490, or at NGerber@edo.com. ●

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Leadership Alliance: State Party Chairs Share What Works

by **David Ruprecht**
Executive Director, LPC

In January, I joined LPC Chair Aaron Starr and National Executive Committee member M Carling at the annual conference for State Chairs and Executive Directors. Held in St. Louis this year, the conference was the most inspiring and educational three days I have ever experienced.



• **The California contingent (L to R): Dave Ruprecht, Executive Director; Aaron Starr, Chair; and M Carling, Executive Committee member**

Networking with my fellow Executive Directors, and learning of all the unique innovations each has successfully implemented, was invaluable. They are a dynamic, creative group. We got along so well that we started a Yahoo group just for our "club." But enough about what happened in the bar after hours.

The main thrust of the conference was to hear from the women and men who drive each state's Libertarian agenda. We also heard from National Chair, Michael Dixon, who explained how the new database system, "Raiser's Edge," will help us grow our Party both nationally and locally. Yes, there have been bumps along the road putting it into operation, but the enduring advantages are huge.

The presentations that excited me the most were from Indiana and Oregon. Indiana, whose Writers' Bureau we are using as a model for ours, definitely has one of the most vibrant state parties. They have branded themselves as

the Defender of Small Business, and have produced many successful candidates from those ranks. Their media relations are so good that their Executive Director, Brad Klopfenstein, is President of the Indianapolis Press Club.

Oregon's Chair, Adam Mayer, spoke of the four kinds of Libertarians: Activist, Politician, Intellectual, and Administrator. He stressed how vital it is to recognize the specific talents that each member has and to



Photos: Dave Ruprecht



• **State party executive directors develop camaraderie over Mexican food one evening during the conference.**

• **LP's new National Chair Michael Dixon (left) listens as well as leads at this year's conference for State Chairs & Executive Directors**

utilize them accordingly. By not trying to fit a round peg into a square hole, they have maximized the effectiveness of their troops. Oregon has also been very successful getting candidates elected and attracting media attention. Adam shared many of his successful tactics.

There were presentations on web sites (most state parties' storefronts), press releases, fund raising, and candidate training. We had a great round-robin with elected Libertarians on how best to run successful campaigns.

By the end of the weekend, my mind was chock-full of great new ideas, and I had a reinvigorated enthusiasm for making the Libertarian Party of California sparkle like Lady Liberty's torch. ●



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■ Opinion

Defanging Regulatory Bullies

by **Thomas M. Sipos**
LPC Platform Committee

Americans should demand the government pay the legal fees—in advance!—of innocent citizens or businesses who fight City Hall.

Every day, individuals and businesses are harassed, fined, or suffering civil asset forfeiture by government regulatory agencies such as the I.R.S., E.P.A., E.E.O.C., OSHA, F.D.A., A.T.F., S.E.C., Fish & Wildlife, Forest Service, and others too numerous to list. People say, "You can't fight City Hall," but that's largely because of City Hall's deep pockets. Government prosecutors and regulatory agencies enjoy huge war chests, replenished annually with tax dollars, whereas even large businesses must spend their resources wisely. Assessed a fine, or hit with a ruling by some bureaucratic busybody, Joe Average, however innocent, often can't afford a courtroom defense. Or he may decide it's less costly to pay the fine. If he does defend himself, the state may draw out legal proceedings, bankrupting Joe Average into surrender.

In the name of justice, let us level the playing field with mandatory prosecutorial budget-sharing (*i.e.*, require the state to pay for defendants' legal fees in all criminal and civil trials, and in all administrative proceedings). There's even philosophical precedent for this. In 1963, in *Gideon vs. Wainwright*, the Supreme Court ruled that if, in a criminal trial, an accused cannot afford an attorney, one would be provided by the state free of charge. The



• **Thomas M. Sipos**

Constitution has not been interpreted to extend this right to civil trials or administrative proceedings, but there's no reason we can't do so by statute.

Here's what I propose: Whenever a governmental entity fines, or attempts to expropriate money or other property (as in civil asset forfeiture), or demands compliance to a law or regulation that a defendant feels has been misapplied or misinterpreted, then not only must there first be a jury trial, but the prosecutor shall also be

required to estimate his budget at the start of court or administrative proceedings, and turn over to the defendant an equal amount, to be used for his legal defense in whatever manner he sees fit. If the prosecutor exceeds the budget, he shall simultaneously pay an equal amount to the defendant. Only if the defendant is found guilty, after having expended all appeals, shall the defendant be required to refund said funds. This budget-sharing shall be required in all governmental prosecutions and administrative proceedings on a nondiscriminatory basis (*i.e.*, irrespective of the defendant's wealth). If the S.E.C. wants to spend \$10 million to prosecute Bill Gates, it must fork over \$10 million for Mr. Gates's defense. Don't want to? Fine. Then obviously the S.E.C. has a weak case, and shouldn't be prosecuting Mr. Gates to begin with.

I hear objections from across the political spectrum:

Won't halving the government's legal enforcement budget eviscerate valuable regulations by discouraging necessary prosecutions?

No. It will discourage the government pursuing weak cases in which it believes it can scare or bully a defendant of modest means into some kind of "deal."

Budget-sharing will encourage prosecutors and regulators to target only those against whom they have ample evidence.

Instead, it will encourage the government to fine or prosecute only those defendants against whom it has ample evidence of wrongdoing. Is this not a good thing?

But shouldn't this right be limited to poor defendants only?

Not if you believe in the presumption of "innocent until proven guilty." Why should any innocent person emerge poorer despite having won? And yes, a court may grant costs at the end of a trial. But since a man

is innocent until proven guilty, why must he wait for the money until he has proven his innocence? Especially since he needs the money now for his defense (not all lawyers work on contingency), and the government might draw out proceedings for years on end, "bleeding" a defendant to pressure him into a "deal."

But won't it be expensive to pay for the legal defenses of all these "fat cats"?

It doesn't have to be. First, I doubt most defendants are "fat cats." Secondly, as budget-sharing will encourage prosecutors and regulators to target only those against whom they have ample evidence (which they should be doing anyway), they will avoid squandering their enforcement budgets on innocent but weak targets. They will target only those defendants likely to be found guilty or liable—that is, those from whom they can expect a refund of legal fees. Likewise, guilty defendants will be discouraged from taking advantage of budget-sharing, as they must refund such legal fees. (We could even require them to refund it with interest.)

See, apart from arming innocent defendants, budget-sharing will also encourage prosecutorial good conduct. A good thing, no?

What if a defendant is found guilty, but has no money to refund?

Better to lose money on a hundred guilty men, than force one innocent man to pay a fine or lose a regulatory battle merely because he could not pay for his defense.

I prefer we instead abolish civil asset forfeiture, and most taxes and government regulations.

All well and good, but those are difficult and distant goals. Until then, let's level the playing field so citizens can defend the rights they still possess. Think of prosecutorial budget-sharing as an interim goal toward still greater freedom. There's no reason you can't work toward both goals.

But I don't want to pay for someone else's defense.

Neither do I. But still less do I want the government to cherry-pick and bully easy targets. The government already takes our money to enforce its regulations; let's at least require

it to use some of that money for our defense. By increasing everyone's legal defense against the state, you increase everyone's liberty.

I've been elected to the LPC's Platform Committee, and at the time of this writing, I'm planning to suggest at the annual convention a new platform plank that would advocate legislation to mandate prosecutorial budget-sharing by state agencies in California. If this plank is proven popular, perhaps it will be adopted by other state LP's, and maybe even by the national LP at its 2006 convention.



Photo: Elizabeth C. Brierly

- To protest excessive regulation by government, East Bay Chair Curt Cornell wrapped red tape around a cut-out of Lady Liberty for his region's hospitality suite at the 2003 LPC convention.

By increasing everyone's legal defense against the state, you increase everyone's liberty.

Meanwhile, there's no reason that liberty-lovers in other parties, or in no party, cannot lobby their legislators to mandate prosecutorial budget-sharing, or achieve it through initiative and referendum, so as to level the playing field against City Hall. ●

Thomas M. Sipos was elected this January as Vice Chair of the LP of Los Angeles–Westside. He earned a BFA from NYU in Film & Television and is an accomplished author. He has taught book promotion to fellow writers at UCLA Extension. He also serves as moderator for an on-line writers' bulletin board. You may visit his web site at: www.CommunistVampires.com.

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101 Actions a Volunteer Can Take

Fourth Installment—10 more ideas

101 ACTIONS



by **Mark Selzer**

Host, *Libertarian Alternative*
TV Talk Show

Volunteers are the lifeblood of the Libertarian Party. But they can become burned out or bored with a task that does not challenge them or fit their interests. This series of articles identifies some of the actions that need to be taken to keep the post-election or -convention momentum going, and provide volunteers ideas of tasks that they might enjoy, or something new to work on to shake up their activism a bit.

1 Display Libertarian literature. If you have a business or other retail-like venue where people wait or pass through, set out Libertarian literature and magazines. Ask your friends and family to do so also, if they are sympathetic. Affix a Libertarian bumper sticker to your car, too.



Photo: Elizabeth C. Brierly

• **Selzer's *Libertarian Alternative* talk show's 2005 season is currently under production.**

2 Design and print Libertarian T-shirts.

We Libertarians need nice, friendly-looking shirts to wear when we're out and about. If you like being creative, start making T-shirts, and either sell them or give them away to Libertarians. (They can also be sold on the web; as an example, see www.RachelMills.com, where North Carolina's Rachel Mills offers LP calendars, golf shirts, etc.) I like the idea of showing children holding hands under

• **David Graham's novel way to promote the LP was to buy a used limo, mount an LP sign on the side, and chauffeur visitors to the San Diego LP convention.**

the Statue of Liberty. Keep the message upbeat and positive.

3 Attend conventions and meetings of other political parties. This may be a good place just to socialize, or to talk to people and practice being a charming and persuasive Libertarian. You may also hand out flyers about a specific issue. This will give you first-hand insight into what the real world of politics is about.

4 Help organize your regional database. Data constantly need to be

organized, maintained, and distributed. Lists of members, registrants, and inquiries all need to be mailed or e-mailed to those in your area who've volunteered to make calls.

5 Author or promote ballot initiatives. These can be challenging, if you can pull it off, but very rewarding. It could be to reduce, restrict, or sunset a certain city, county, or statewide tax. In many Calif. cities, it takes only a few hundred valid signatures to qualify a tax reduction initiative for the ballot (see www.CA.LP.org/lpc-tax-freeze.html). Initiatives



Photo: Elizabeth C. Brierly

have been put on the ballot in some cities to legalize medicinal marijuana. The possibilities are endless. The more local the level at which you apply a ballot initiative, the easier it will be.

6 Donate office space or meeting rooms. Libertarians need space to meet, to plan and conduct campaigns, and to store signs and materials. It's helpful if the office has plenty of telephones.

7 Link charity groups to your local LP web site. Identify charities who do not accept government (a.k.a. taxpayers') money, and ask them whether you may place their link on your region's LP web site.

8 Debate members of the Green Party. This can be at a local or national level. It can help the LP get publicity, especially since the press seems eager to cover the Green Party. This is a great option if and when the older parties' candidates do not include us in the debates.

9 Volunteer to help a party officer. Officers and officials in this party are often overworked. Try to relieve some of the pressure by enabling them to delegate.

10 Write press releases. If you have experience in advertising or publicity you can really help make a difference. Make sure that the press releases are not left- or right-leaning, but work right down the middle, so as not to alienate or misrepresent one side of the LP or another. ●

California Politics

End of Gerrymandering a Bad Idea?

by **Richard Rider**

Chair, San Diego Tax Fighters

One very popular reform that Governor Schwarzenegger is pushing is to end the gerrymandering of California state and federal legislative districts. As he pointed out on Jan. 5 in his "state of the state" address, with 153 such elections last year, not one district changed its representative from Democrat to Republican, or vice versa. In November, only a handful of districts were mildly interesting, from

Competitive districts result in the election of more centrists. And centrists want more government.

a horse race standpoint.

While the incumbent legislators from both parties are, shall we say, uneasy about the reform, the measure to have retired judges draw more sensible, competitive districts may very well pass in this special session, and become law. If it does not, it is sure to be on the ballot as an initiative, and will pass easily.

We Libertarians are sure to support such a reform. I will. Indeed, anyone who pays lip service to democracy will back this effort.

But democracy is best described as two wolves and a lamb voting on what to have for lunch. There is a practical downside that isn't being discussed. As bad as the current system is, from the standpoint of limited government, it might be better than the new, more democratic system.

Consider. Competitive districts result in the electing of more centrists. Centrists tend

to agree, and pass legislation by large majorities. And centrists want more government—they just want its growth to be at an orderly pace (whatever that is!). There would be little support for stopping this growth, let alone actually *reducing* government.

Also, this is a Democrat majority state. If every district were redrawn to make it more competitive, more Democrats would probably win.

The one saving aspect of our state legislature is the two-thirds majority required to pass a budget. The minority California state Republican legislators, unlike our Congressional Republicans, are a united front in their fight against the Democrats. Led by strong fiscal conservatives—tightwads who in balanced districts would have difficulty winning office—the G.O.P. folks have done a decent job of gridlocking the budget process each year.

After redistricting, fewer such "extremists" would win office. Furthermore, with races reflecting the state's party af-

filiation ratio, the Democrats should be able to win enough seats to get a Republican-proof supermajority. And that would allow them to pass legislation and taxes regardless of whatever tepid Republican opposition were to remain.

The bottom line is that, while we advocates of limited government will probably support the redistricting reform, it is not going to do us much good, and may well do substantial harm to our efforts. There are other, more meaningful reforms being put forth by Schwarzenegger that, while weak from our viewpoint, merit more support than this redistricting effort. ●

Richard Rider is Chairman of San Diego Tax Fighters, and a long-time Libertarian activist. He was the LPC's 1994 candidate for Governor, and in 1998 garnered 16% of the vote in his race for San Diego Tax Collector. He can be reached at RRider@san.rr.com.



Photo: Elizabeth C. Brierly

I bid him look
into the lives of man
as though into a mirror,
and
from others to take an
example for himself.
—Terence