

The 1998 Platform of the Libertarian Party of California

As adopted in Convention, February, 1998

STATEMENT OF PRINCIPLES

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual.

We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal rights of others to live in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle; that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant the government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that, where governments exist, their sole function is to protect the rights of any individual; namely (1) the right to life -- accordingly, we support the prohibition of the initiation of physical force against others; (2) the right to liberty of speech and action -- accordingly, we oppose all attempts by governments to abridge the freedoms of speech and press, as well as government censorship in any form; and (3) the right to property -- accordingly, we oppose all government interferences with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass and fraud.

Since governments, where they exist, must not violate individual rights, we oppose all interference by government in areas of voluntary and contractual relations among individuals. Individuals should be left free by government to deal with one another as free traders on a free market; and the resultant economic system, the only one compatible with the protection of human rights, is laissez-faire capitalism.

INDIVIDUAL RIGHTS

Rights define the boundaries of legitimate human conduct. Such boundaries are necessary to clearly distinguish actions which may properly be opposed by force from actions which may properly be defended by force. Only to the extent that such boundaries are recognized and respected can conflict between people be avoided and a just civilization achieved.

Only individuals have rights. There are no group rights, community rights, or rights accruing to any government body. Individuals, whether acting alone or as part of a group or government, must not interfere with the exercise of rights by others. Currently some people define "rights" as a requirement that they receive whatever they desire, no matter at whose expense. We hold that no one has an inherent right to anything which requires access to the life, property or labor of another person. Thus, there can be no right to health care, jobs, housing or other benefits. The recognition, respect, and protection by law of individual rights is necessary for the existence of a free society.

We recognize the following rights:

* RIGHT TO LIFE: People have the right to be free from those who would physically injure or kill them. No one has the right to take the life of an innocent person. The right to life does not preclude the right to self-defense or the defense of another under imminent attack.

* RIGHT TO LIBERTY: People have the right to exercise sole dominion over their own lives, to pursue any lifestyle or course of action they wish, while taking responsibility for their actions and not violating the rights of others in the process.

* RIGHT TO PROPERTY: "Property Rights" are inseparable from "Human Rights." To lose property is to lose that portion of life spent for that property. Property is an extension of self-ownership and is those goods, services, materials, products of labor, or real property which are acquired without the use of coercion, trespass or fraud. One has the right to use, maintain, improve, control, protect, consume, destroy, or dispose of one's own property as one sees fit, recognizing that one may not violate the rights of others. The defense of property is a form of self-defense.

Members of the Libertarian Party do not necessarily advocate or condone any of the practices which our policies would make legal. Our exclusion of moral approval or disapproval is deliberate: peoples rights must be recognized; the wisdom of any course of peaceful action is a matter for the acting individual(s) to decide. Personal responsibility is discouraged by society's routinely denying people the opportunity to exercise it. Libertarian policies will create a society where people are free to make and learn from their own decisions.

IMPLEMENTATION

While recognizing that our society, shaped by government interventions, is complex and resistant to change, unless otherwise stated, the actions called for in the planks that follow are to be taken as quickly and efficiently as possible without interruption or delay.

INDIVIDUAL RIGHTS AND CIVIL ORDER

No conflict exists between civil order and individual rights. Both concepts are based on the same fundamental principle; that no individual, group, or government may initiate force against any other individual, group or government. Where governments exist, they must be unconditionally limited to prevent the infringement of individual rights.

1. VICTIMLESS "CRIMES"

To commit a crime, one must infringe upon the rights of another. Victimless "crime" laws are a legislative attempt to forcibly limit the lifestyle choices of individuals.

We therefore support the following:

A. The repeal of all laws restricting the voluntary exchange of goods or services.

B. The repeal of all laws restricting or controlling any form of gambling.

C. The repeal of all laws which control or prohibit any consensual sexual activity, or soliciting such activity, including homosexuality and prostitution, among consenting adults.

D. The repeal of all laws restricting or controlling the production, transportation, sale, possession, or use of any food, food supplement, or drug.

E. The repeal of laws that create so-called crimes of intent, such as standing on a corner, driving by a location more than once, or other activities deemed "suspicious".

F. The end of court injunctions that criminalize otherwise legal acts such as wearing certain colors, carrying pagers, or using cellular

phones.

G. The immediate pardon and release, if incarcerated, of all persons convicted of any victimless "crime" not involving a violation of another's rights. The expunging of all arrest and conviction records related to such "victimless crimes," in addition to the nullification of the laws defining such "crimes."

2. FREEDOM OF EXPRESSION

While we do not advocate the desecration of the national or state flag, we oppose any laws prohibiting the desecration of any flag and we oppose any constitutional amendment giving federal, state or local government the power to enact such laws. However we do support the property rights of flag owners.

The United States Supreme Court has held that each community has the power to censor distribution of materials considered to be obscene according to "community standards." We hold that obscenity is a matter of individual taste and that government should not prohibit anything merely because some people are offended by it.

We support the repeal of all laws restricting or controlling the rights of adults to make, distribute, possess or view sexually explicit motion pictures, publications or other materials. We also support the repeal of all laws prohibiting the electronic receipt of such materials.

We deplore the practice of government invasion of newsrooms, or the premises of any other non-suspect third parties, such as lawyers, doctors and psychiatrists, in the name of law enforcement.

We condemn court orders prohibiting press and electronic media coverage of criminal proceedings. In addition, the media should not be prohibited from communicating with prisoners, without due process.

We support the complete deregulation of television, radio, cable, the Internet and all other forms of communication.

Since we favor application of the First Amendment to public entities, while upholding the right of private enterprises to make their own rules governing their own property, we oppose the enactment -- at colleges and universities that are primarily tax-funded -- of speech codes that ban language that is deemed offensive.

Government proposals to finance and control political campaigns are an encroachment upon freedom of expression. These proposals limit financial support of campaigns for candidates or issues, and thus restrict the individual's ability to disseminate his or her views.

We oppose any government action that permits political activities in violation of private property rights, such as the circulation of petitions in private shopping malls against the wishes of the owners.

3. PROTECTION OF PRIVACY

We oppose any government restriction, regulation, or censorship of speech, literature, or any other medium of expression. It is especially important in a free society that government be prevented from restricting what may be said about government itself. Specifically, we oppose any use of governmental law enforcement agencies to violate the privacy of or interference with those engaged in peaceful political activities. We oppose government violation of the privacy of client/professional relationships.

The individual's privacy, property, and right to speak or not to speak should not be infringed by the government. No congressional committee, government agency, or grand jury shall have the power to compel any person to appear or testify. Government-mandated record-keeping by private parties is not only a violation of privacy but also a form of involuntary servitude and should be abolished. Correspondence, bank, and other financial transactions and records, doctors' and lawyers'

and other financial transactions and records, doctors and lawyers communications, employment and other voluntarily kept records should not be open to review by government without the consent of all parties involved in these records, except through due process in criminal cases involving violations of the rights of others.

We support policies that will leave the electronic transmission of data and information in the hands of the people. Therefore, we oppose government policies on encryption, such as the Clipper Chip proposal, which would guarantee that the government could conduct surveillance of electronic transmissions by mandating or encouraging government-readable methods of encryption. Such government-imposed standards will foster routine and regular surveillance of private communications by agents of the government.

We also favor repeal of the U.S. ban on export of Clipper-free encryption devices produced by American companies. Government-imposed encryption standards together with an export embargo on devices not containing Clipper chips will inhibit commercial development of new privacy-enhancing products.

We also oppose any government policy on digital transmission of telephone messages that requires the installation of surveillance-facilitating software in telephone switching equipment in order to expose personal telephone-calling patterns and credit card purchases to the view of the government. Such information should be private.

So long as the national census and all federal, state, and other government agency compilations of data on an individual continue to exist, they should be compiled only with the consent of the persons from whom the data are sought.

We call for the repeal of the law requiring the Department of Motor Vehicles to collect an individual's social security number or thumb print for the purposes of obtaining a driver license and registering a vehicle or vessel.

We oppose laws requiring parents to register the births of their children.

4. DISCRIMINATION

No individual's rights should be denied or abridged by the laws of the United States or any state or locality on account of sex, race, color, creed, age, national origin, marital status, sexual preference, physical handicap or learning disability. We affirm that government should not use quota systems based on any of the above criteria.

We oppose any governmental attempts to regulate private choice in association, including discrimination in employment, housing, and the use of privately-owned "public" accommodations. The right to trade includes the right not to trade -- for any reason whatsoever. We also call for the repeal of the so-called Civil Rights Act of 1991 whose self-contradictory provisions forces employers to use hiring quotas on the basis of race and sex in order to avoid "disparate impact" lawsuits, but whose provisions make it illegal to use such hiring quotas.

We call for repeal of the Americans With Disabilities Act, which mandates costly expenditures of taxpayers' money for new equipment for and jobs for the physically and mentally handicapped (including those who are drug or alcohol dependent). Indeed, requiring employers to provide benefits discourages employers from hiring low-skilled or disabled people.

5. ALIENS

We hold that all human beings have rights, not merely the citizens of a particular country. Although private owners have the right to restrict others from trespassing on their property, government restrictions on the liberty of travel, residence, and employment, such

as immigration and emigration laws, mandatory identification papers, and work permits, are violations of human rights, and we call for their abolition.

We therefore:

A. oppose mandatory reporting by employers of their employees' nationalities.

B. oppose fining employers who hire illegal aliens.

C. oppose wholesale dragnets that round up immigrants and other people from their homes or workplaces.

D. oppose any requirement that a first-time applicant for a driver's license must show proof of legal residency.

E. oppose any requirement that employers who hire illegal aliens forfeit their assets to the government.

F. oppose any requirement that all employees in California must carry an identification card.

G. oppose the use of the California National Guard or the U.S. military to control California's border with Mexico.

We defend the rights of so-called illegal aliens to seek work, trade, and live within this country, just as we defend current citizens when they wish to exercise these same rights. We oppose attempts to violate the rights of so-called illegal aliens because they receive the benefit of certain government programs. In any conflict between rights and programs, we support abolition of the government program and affirmation of individual rights. Most aliens come to this country to work, not to collect welfare; nevertheless, we oppose welfare payments to aliens just as we oppose welfare payments to all other persons.

We uphold the right of private property owners to provide sanctuary to persons who face arrest and deportation as aliens, and we applaud those who offer such sanctuary.

6. OFFICIAL LANGUAGE

We oppose the forced imposition or designation by any level of government of any particular language or languages as the official language of the society.

Where governments exist, we expect them to make use of the lingua (any of various languages used as common or commercial tongues among people of diverse speech) in a pluralistic society. When persons wish translations of government documents, they should pay the full cost.

7. JUDICIAL

There are no crimes against society, the State, or the people. There are only crimes against individuals, and these are crimes of violence or threat of violence, property loss, and fraud.

We believe that the so-called legislative police power, which was incorporated into the American justice system upon its formation, should be completely eliminated from American jurisprudence. The state should not have the power to define public necessity, public policy, the public interest or to make legislation related thereto.

The judicial process should be an earnest attempt -- by due process of law -- to extract reasonable restitution from a person convicted of a crime and to convey that restitution to the victim, to imprison or exclude criminals from society when necessary, to hold persons liable for damage they do, and to fairly settle contract disputes.

The failure of the government judicial system to apply these principles has led to the inability of its courts to administer

justice and to the near collapse of public confidence in the American judicial system.

We support the concept that law should impose penalties proportional to the gravity of the violation of others' rights, and prison sentences should be served in their entirety, unless the victim pardons the perpetrator. Unfortunately, the existing 3-Strikes-And-You're-Out law fails to focus on the truly violent career criminals who are the greatest threat to their victims. Extended prison sentences and life imprisonment for multiple criminal acts should be reserved for first and second degree murder and attempted murder; kidnaping and attempted kidnaping; forcible rape and attempted forcible rape; armed robbery and attempted armed robbery; mayhem and attempted mayhem; and aggravated assault. Prison space for these enhanced sentences should come from pardoning those prisoners who were incarcerated for victimless crimes

All persons should be equal before the law and entitled to due process of law. Due process should determine innocence or guilt in a manner designed to protect the individual rights of all persons concerned, both the accused and the accuser. We hold that individuals may settle their differences outside the court, if both so agree.

Until such time as persons are proven guilty of crimes, their individual rights shall be accorded full respect. We support the repeal of all civil asset forfeiture laws, which assume that property has committed an offense and thus can be seized by government agents without due process of law. We believe that no one should be denied their property as punishment for a criminal act unless convicted of a crime and then having a specific fine levied by the court. We therefore advocate the following judicial reforms:

A. Full protection of the rights of the accused, including complete access to all available records, information, or evidence (held by the courts or voluntarily submitted) to be used in the prosecution of the case.

B. Full restitution of loss incurred by persons arrested, indicted, tried, imprisoned, or otherwise injured in the course of criminal proceedings against them which do not result in their conviction by the accuser, be it a law enforcement agency or private individual.

C. The termination of all "preventive detention" procedures. No individual shall be detained or otherwise denied freedom of movement without formal charges being filed immediately following arrest.

D. Where governments exist, the right to trial by jury regardless of the classification of the judicial procedure, including a finding of contempt of court, shall not be abridged.

E. All jury trial findings shall be by unanimous decision, except that the parties to an action or proceeding may consent to a verdict by a majority of the panel.

F. The abolition of the current practice of forced jury duty; we favor all-volunteer juries. In addition, we advocate that all juries in actions to which the government is a party, shall be instructed that they have the right to judge not only the facts of the case, but also the justice of the law. Juries may hold all laws invalid that are, according to their conscience, unjust, and find no violation of such laws. Jurors, rather than the judge, should set the sentence for a guilty offender up to the maximum allowed by law.

G. That no persons, other than government employees whose actions as an agent of the government have a direct bearing on the case at hand, be compelled to appear or testify before a grand jury; nor be denied independent legal counsel within the chambers of a grand jury proceeding. The issuance of "immunity from prosecution" by the court must not be used as an excuse to deny a person his constitutional rights.

H. Recognition of the right of private parties to conduct, at their own expense, prosecutions against those they allege have victimized them. Public prosecutors should not have the authority to grant immunity from private prosecution to alleged victimizers; thus we advocate an end to the practice of plea-bargaining without the consent of the victim.

I. The repeal of all laws extending criminal or civil liability to producers or vendors whose products may be used by others in the commission of a crime or tort.

J. The repeal of all laws establishing any category of crime applicable to a particular age group, including laws setting drinking ages and curfews, and an end to the practice of incarcerating children accused of no crime.

K. The trying of juveniles under the same procedures as adults. However, those convicted of violent crimes would be held by the California Youth Authority until age 18, then transferred to state prison for the remainder of their sentences.

L. Child abuse cases should be considered criminal cases rather than administrative proceedings. Hence, in such cases, the accused is entitled to the presumption of innocence and protection against arbitrary governmental searches and seizures.

M. The serious crime of forcible rape should not be confused with cases of psychological pressure or persuasion. Nor should it be confused in which an alleged victim was voluntarily under the influence of alcohol or other drugs, but was not incapacitated. "Psychological pressure or persuasion" shall not include threats of violence.

N. The right of any person convicted of a crime to seek restitution, in a separate legal action, for any violation of his or her rights.

O. An end to the defenses of insanity or diminished capacity and to the practice of pre-trial insanity hearings to determine capacity to stand trial.

P. The right of defendants and their counsel to inform jurors of the jury's power to nullify any law, and of the possible sentences for each offense charged.

Q. In private lawsuits, the loser should pay the costs and litigation expenses of the prevailing party at the discretion of the judge.

R. The abolition of the current practice of courts receiving a percentage of fines imposed.

8. POLICE

No person has any special right to make arrest greater than that of any other person. The government monopoly on police protection puts the power of violence in the hands of society's dominant groups, a practice which inevitably harms minority groups. We note with alarm the increasing numbers of individuals shot by police, as well as growing police harassment and brutality. We therefore call for decentralization of police protection to the neighborhood level whenever full privatization is not possible. We oppose the expansion of federal police forces anywhere, and particularly into California.

We oppose government police officers using unnecessary force on the disorderly or the criminally accused or handing out what they may consider to be instant punishments on the streets. We further deny that police have such inherent authority. Instant-punishment policies deprive the accused of important checks on government power -- juries and the judicial process.

9. SOVEREIGN IMMUNITY

We oppose the repeal of the doctrine of "sovereign immunity" which is the

We favor an end to the doctrine of "Sovereign Immunity" which implies that the State, and its agents, can do no wrong, and holds that the State, contrary to the tradition of redress of grievances, may not be sued without its permission nor be held accountable for its actions under civil law.

In judicial proceedings, all government agents must accept liability, both civil and criminal, for their actions, negating the cloak of "official duty" as an excuse.

We oppose payment of government (tax) dollars to satisfy judgments against agents of the State.

10. HEALTH AND MEDICINE

The health and physical well-being of individuals are not proper concerns of government. These should be matters of personal choice and responsibility. The State should not be involved in the regulation of the profession of medicine or in the delivery of health care.

Therefore we advocate the following reforms:

A. The repeal of those laws and regulations which restrict and inhibit the practice of lay midwifery and planned out-of-hospital births and which permit harassment of lay midwives and home birth practitioners.

B. The repeal of laws and regulations which discourage the development of privately funded medical facilities such as women's health clinics and free-standing birth centers.

C. The repeal of laws and regulations which prohibit and otherwise curtail the selection and practice of unorthodox medical procedures.

D. An end to all mandatory licensing and certification requirements for the practice of medicine.

E. In order to revive price competition and consumer cost-consciousness in the medical industry, we would provide tax breaks not only for employer-provided health plans (whose value is not currently taxed as income), but also individual tax credits so that families and individuals can choose their own health plans.

F. An end to government subsidies to and regulation of all schools of medicine, nursing, and the allied health care professions. An individual should have the right to choose among available health practices. Similarly, he or she has the right to refuse or reject treatment or other care. Therefore, we oppose any form of forced or mandated medication such as fluoridation of water, compulsory vaccination, and involuntary sterilization. We further oppose any attempts to impose compulsory hospitalization. We support the right of an individual to determine his or her own medical treatment whenever he or she wishes. In particular, we call for the immediate end of all restrictions by the U.S. Food and Drug Administration as well as state and local agencies. As financing of medical and health care is the responsibility of the individual, tax monies should not be used to fund it. We therefore oppose: tax supported medical care, abortion services, and research facilities; grants and subsidies to members of the medical profession; and all government-funded medical programs such as Medi-Cal and neo-natal care for infants. We oppose measures that would extend health insurance to uncovered persons by having taxpayers pay for the uninsured; by requiring businesses to provide insurance; or by requiring insurance companies to insure persons or illnesses they choose not to insure.

G. Inasmuch as medical evidence has not established that AIDS is casually transmitted, we oppose all attempts to abridge the individual rights of persons with AIDS.

H. Since laws making sterile needles unavailable have contributed to the spread of AIDS and other diseases, we call for the repeal of those laws.

11. REPRODUCTIVE RIGHTS

We defend the right of all persons to privacy in and control over every aspect of their biological nature, such as contraception, abortion, or other termination of pregnancy, and free choice in all consensual sexual relations. No laws regulating these areas can be justified.

We specifically oppose laws which mandate giving information to or receiving information from a woman seeking abortion, or other termination of pregnancy, or mandating the consent of any other party. In addition, we oppose all restrictions on the sale of medications which terminate pregnancy, such as RU486.

12. DRAFT

We oppose the draft, registration for the draft, and any form of compulsory service as slavery, the most fundamental violation of individual rights and also unnecessary for the maintenance of a strong national defense.

13. MARRIAGE

We support the rights of individuals to form private relationships as they see fit, either by contract or by mutual agreement. We regard marriage as one such private relationship. The State of California should neither dictate, prohibit, control, nor encourage any such private relationship. To implement this principle, we advocate:

A. The repeal of all marriage and marriage dissolution laws and their replacement by contracts where desired by the parties.

B. Property not specified as "community property" not being presumed as such.

C. The repeal of all alimony laws.

D. The recognition in law of marriage contracts as an addition to, or replacement for, marriage and marriage dissolution laws.

E. The right of all consenting adult persons to form marriage contracts without regard to gender, sexual preference, degree of consanguinity, or number of parties to said contracts.

14. FAMILY LIFE

Governments at all levels are intruding on the integrity of families and households. We support the rights of families and households as contractual institutions to be free of government interference. Such governmental interference has undermined the value of families and households as cultural institutions of love, nurture, companionship, kinship, and personal development by forcing families and households to conform to rigid, inflexible design. Moreover, we condemn the usurpation by government of activities long carried on by families and households. This usurpation is accomplished through "morals laws," youth curfews, government welfare programs, child protection services, and public schools. We further accuse government of designing educational programs that place civic and moral education under the control of politicians, and of designing welfare laws that destroy families and households.

We call for the repeal of all family leave laws, which impose the cost of mandatory benefits on business and industry.

15. THE RIGHT TO KEEP AND BEAR ARMS

Because the right to life, liberty, and property implies a right of defense of self and property, and a right to acquire and maintain the tools to exercise such self defense, and because an armed citizenry is the final defense against government tyranny, we support:

- A. The repeal of laws regulating the ownership and bearing of arms, including automatic or so-called assault weapons.
- B. The elimination of registration and all other government records pertaining to ownership of arms.
- C. The repeal of laws requiring permission from any government agency for any purpose relating to arms and ammunition.

Further, we oppose extension of liability to the manufacturers or vendors of arms for crimes committed by the users of such arms.

16. FREEDOM OF RELIGION

We defend the rights of individuals to engage or not engage in any religious activities which do not violate the rights of others. In order to defend religious freedoms, we advocate a strict separation of church and state. We oppose government actions which either aid or attack any religion. We oppose taxation of church property for the same reason we oppose all taxation.

17. INVOLUNTARY COMMITMENT

We oppose the involuntary commitment of any person to a mental institution. The power of the State of California to institutionalize an individual who has not been convicted of a crime is a violation of the individual's rights.

We further advocate:

- A. The repeal of all laws permitting involuntary psychiatric treatment, or forbidding voluntary termination of treatment.
- B. The discontinuation of all government or government-sponsored programs for observational study, experimentation, or treatment.
- C. An end to all involuntary treatment by such means as electro-shock, psycho-surgery, drug therapy, and aversion therapy.
- D. The privatization of all state-financed mental institutions.

18. ALCOHOL

We oppose the regulation of alcoholic beverages by the State of California. Specifically, we oppose setting a drinking age or using zoning or land use laws to restrict the placement of bars or liquor stores. We also oppose road blocks that stop and detain sober motorists on public roads. Private road owners should be free to exclude alcohol abusers or others from their roads for safety or any other reasons.

19. ELECTION REFORM

The selection of a candidate by a political party is a matter in which the State has no legitimate interest.

We therefore oppose the system of tax-financed primary elections and call for the nomination of all candidates without governmental supervision or intervention, as a private matter involving only the members of the party concerned.

We also oppose laws which forbid partisan political designations in local elections and, at the state level, for the office of Superintendent of Public Instruction.

We further oppose all proposals to regulate the broadcasting of election results. and all laws governing the broadcast coverage of campaigns, including the fairness doctrine, the equal time rule, and the reasonable access provision.

We oppose any limitation on the amount of money an individual or

corporation can spend supporting any candidate or ballot issue on the federal, state, or local level. We also oppose the public financing of election campaigns and the mandatory reporting of campaign donations and expenditures.

The ballot choice in California elections does not always represent a true choice of philosophy among candidates. The electorate often has no positive feelings toward any candidate, but, on the contrary, often has distinctly negative feelings toward all candidates. Therefore the Libertarian Party of California endorses:

A. Placing on all election ballots, beneath each election office, the option "none of the above is acceptable."

B. The provision that any elective office remain vacant if the category "none of the above is acceptable" receives a plurality of votes, until a subsequent election to fill the office is held.

We call for the abolition of the State Constitutional Office of Lieutenant Governor, which has no real purpose.

20. LEGISLATURE

We oppose a full-time legislature in California and support efforts to make the job of legislator at most a part-time one with drastically reduced salaries, staff, and expenses.

21. SECESSION

We recognize the right to political secession. Those who wish to secede should not have to obtain permission of those from whom they wish to secede. This includes the right of secession by political entities, private groups, or individuals. Exercise of this right, like the exercise of all rights, does not remove legal and moral obligations not to violate the rights of others. Those who wish to secede should not have to obtain permission of those from whom they wish to secede.

INDIVIDUAL RIGHTS AND THE ECONOMY

Each person has the right to offer goods and services to others. Government interference can only harm such free activity. Thus we oppose all intervention by government in the economy. Any law enforcement in economic matters must be limited to protecting property rights, adjudicating disputes, enforcing voluntary contracts, and providing a framework in which voluntary trade is protected. All efforts by the State of California to redistribute wealth or to control or manage trade are inconsistent with a free society.

1. TAXATION

Taxation is confiscation by government of property of its citizens and, because of its non-voluntary nature, cannot be justified, regardless of the purpose for which the proceeds are to be used. Therefore, we oppose taxation of any kind.

To that end, we support any and all initiatives to cut or abolish any tax. We call for:

A. The repeal of all income taxes.

B. The repeal of all sales and use taxes, including special taxes on so-called sinful activities.

C. The repeal of all corporate and business taxes and fees, including special burdens on business inventories and out-of-state business firms.

D. The repeal of all gift and inheritance taxes.

E. The repeal of all property taxes.

F. The abolition of all tax collecting agencies, including the Franchise Tax Board and Board of Equalization.

We oppose all suggestions to split the owners' property tax rolls in order to increase the burden on business property, and to increase revenues.

We also oppose all efforts to repeal or undermine existing laws requiring greater than simple majority vote to raise taxes.

We further oppose any compulsory withholding of any taxes or fees from the paychecks of California workers.

We advocate that so-called "public services" be funded in the same manner as private organizations -- through voluntary contributions and charges for services which have been voluntarily contracted for by the user.

2. LAND USE AND PUBLIC PROPERTY

We recognize the right of property owners to control, use, transfer or dispose of their property in any manner that does not violate the rights of others. We believe that rights to land and any related water, oil or mineral rights are entitled to the same respect and protection. We reject any governmental assertion of "police powers" to regulate private property under the guise of "furthering the public health, safety, morals, or general welfare."

Therefore, we advocate -- on a statewide basis wherever possible -- the following:

A. The abolition of zoning laws and building codes, which may be replaced by restrictive covenants, among other voluntary means.

B. The abolition of all rent control laws, regulations, boards, mandatory low-income housing quotas in new developments, and all condominium conversion restrictions.

C. The abolition of the Department of Real Estate whose regulations restrict and delay urban condominium developments and rural residential subdivisions and commercial land developments and whose licensing procedures for real estate brokers limit occupational mobility and competition in the market for the sale of real property.

D. The repeal of eminent domain and all forms of condemnation of property.

E. The privatization of government-held lands, including parks and beaches, and the abolition of the California Coastal Commission and all other regional land use agencies.

F. The adoption of private remedies, including civil legal action, for redress of property rights violations.

G. The abolition of any restrictions on a landlord's right to maintain "adults only" rental units.

H. The end to government mandated privileges for the handicapped, such as reserved parking spaces, special access ramps and special rest rooms on private property. We are confident that private property owners, either through their search for a broader market for their services, or out of admirable charitable inclinations, will provide for an ample supply of such facilities.

3. EDUCATION

We reject the idea that the financing and control of education is a proper function of government, and call for the privatization of public education in California.

Therefore, we advocate the following:

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A. An end to compulsory busing.

B. An end to compulsory school attendance.

C. An end to interference with home schooling, in particular an end to the policy in some counties of not allowing home schooling parents to file private school affidavits and an end to the effort by local truant officers and social workers to control who can teach and what they can teach.

D. Repeal of the Proposition 98 funding guarantee for K-14 public education.

E. Unlimited tax credit, equal to the amount of the assistance, for any individual or business sponsoring a person in an educational institution.

F. An end to licensing and regulation of private and parochial schools.

G. Allowing students to attend any school regardless of district boundaries.

H. Resisting the introduction of federally mandated or encouraged national education standards.

I. An end to government or tax-funded pre-school programs.

J. A replacement of tax funding of government schools, at all levels, by the use of tuition and other voluntary means.

K. An end to government subsidy of private education and an end to all government subsidies to students, such as Pell Grants and the federal student loan program.

L. An end to tax-financed research (such as research in military hardware and techniques, farming techniques and applications of high technology) in California educational institutions. m. Retention of tax-exempt status for all private schools, including religiously-affiliated schools.

M. Abolition of California's monopoly lottery system for finance of education.

4. ARTS AND SOCIETY

Artistic expression and its development should not be a concern of the State. Such a concern is an attempt to mandate aesthetic judgment and taste.

There should be no involvement of the State in the arts, neither a supportive or negative role. As we oppose censorship, so we oppose government subsidies, grants and commissions to both individual artists and organizations such as tax-supported museums.

Taxation of any individual to support another -- whether an artist or not -- is a form of theft. Taxation of an artist to support another artist is a form of censorship.

Therefore we oppose all government programs concerning the arts, such as the California Arts Council, and urge their prompt dissolution.

5. WELFARE

Government welfare programs violate the individual rights of two groups: those who have their property coercively taken from them and given to others, and those who receive this stolen property and whose economic lives are, thus, extensively controlled by the State. The need of one person is not a claim on another, and we therefore urge an end to government welfare programs.

end to government welfare programs.

We believe that ending government interference in the economy will greatly decrease the need for welfare.

The current oppressive burden of taxation and government provision of welfare impair and stifle the ability of people to make donations to meet the needs of those who cannot support themselves.

We also recognize that there exists a large group of oppressed people whose very survival is currently dependent on welfare programs. This group was largely created by State action. Many groups in our society are subsidized with tax money, but only the poor are blamed for it, even though their potential jobs are destroyed by minimum wage and licensing laws and their homes are destroyed by Community Redevelopment Agencies.

We advocate the development of private voluntary programs to aid the dependent and oppressed to become truly independent, self-supporting, productive individuals.

We therefore call for:

A. An end to participation by the State of California in the Food Stamp, school lunch and Medi-Cal programs.

B. The end of California state aid to families with dependent children, state aid to the disabled, and general relief programs.

C. The repeal of the Americans with Disabilities Act.

D. The privatization of state, county, and district hospitals and other government-funded health services.

E. The privatization of government-funded job training, retraining, and employment development programs.

F. The privatization of state-supported child care.

G. The non-adoption by the State of California of welfare programs terminated by the federal government.

6. DISASTER RELIEF

When fires, floods, earthquakes and storms bring disaster, Californians should look to self-help, mutual aid, charity and voluntarily purchased private insurance for relief. To seek relief through government subsidies is to impose a further disaster on taxpayers and on the economy as a whole. Such government subsidies also encourage people to live and work in disaster-prone areas (at the expense of others who are more prudent). Those who choose to dwell in or start businesses in risky areas should, when disaster comes, assume the responsibility for their choices. They should not count on coercing others to bail them out.

When disaster strikes, imposing price controls or rationing is counterproductive. It deprives property owners of their right to dispose of goods at a voluntarily agreed-upon price, and it leads to artificial, government-imposed shortages of goods that are in great demand.

7. MONEY AND BANKING

We call for the repeal of all legal tender laws and reaffirm the right to private ownership of, and contracts for, gold. We favor abolition of government fiat money and compulsory government unit of account. We favor the use of a free-market commodity standard, such as gold coins denominated by units of weight.

We favor deregulation of financial institutions and other businesses by ending the following:

A. Requiring the chartering of banks.

B. State usury laws.

C. The limiting of branch banking.

D. The governmental definition of different classes of financial institutions.

E. The proscription of types of business which financial institutions are allowed to conduct including the underwriting and sale of insurance.

F. The prohibition of branches of out-of-state banks.

G. All laws or regulations controlling, regulating, or prohibiting the raising of funds or the sale of securities by an individual, partnership or corporation for any legal business purpose.

H. The Equal Credit Opportunity Act, the Community Reinvestment Act and other measures that force banks and mortgage companies to fulfill quotas in making mortgage loans, and the federally sponsored lending code drawn up by the U.S. Department of Housing and Urban Development that seeks to impose such quotas under the guise of voluntary social responsibility. Such measures enforce governmental group preferences and will artificially channel scarce capital into unproductive projects.

8. TORT LAW REFORM

Fundamental principles of justice require that persons be held accountable for the harm they cause others. We therefore call for individuals to be liable for damages intentionally or negligently (and proximately) caused by themselves or their property. Employers may be liable for injuries to their employees caused by the employer's property in the course of employment; but employees may voluntarily consent to assume the risk of any occupational hazards of which they have reasonable notice.

We hold that fault and causation should be the basis of liability in tort. We therefore oppose all governmental no-fault programs. We further oppose government-imposed rules that would base tort liability on any sort of cost-benefit analysis.

We oppose the legal doctrine that it is a tort to induce a party to breach a contract. Liability should attach only under the laws of contracts to the party who is in breach -- never to a third party for mere advice or persuasion.

We call for the abolition of strict liability in cases of manufacturers and distributors of products. There can be no liability in law where there has been no proof of fault. This is not intended to preclude any action where the consumer alleges breach of sales contract or warranty provision.

We call for applying joint-and-several liability solely to cases in which the defendants actually acted in concert or agreed by contract to be bound jointly and severally. We condemn the common practice of applying this doctrine to independent actors in an attempt to steal from "deep pockets."

We call for the abolition of "class action" suits by classes that are involuntarily created but we uphold the right of consenting plaintiffs to voluntarily join their suits together.

We oppose all government-imposed ceilings on damage awards as unjust denials of the principle of responsibility for one's deeds and as denials of just redress of harm. In addition, we oppose proposals to limit attorney's prices or fees, contingent or otherwise.

9. BANKRUPTCY

We hold that individuals and business firms that declare bankruptcy are not fulfilling their contractual obligations to their creditors. The government should cease providing an avenue through bankruptcy laws for violation of the rights of those creditors who have provided goods or performed services and are entitled to payment under the terms of the contract.

In the case of insolvency of a business enterprise, we recognize the need for legal means by which assets may be liquidated and debts discharged, especially where initiated by creditors. Though we believe that each individual should bear the risk and cost of failure, it is a legitimate function of the law to prescribe means to preserve assets and protect the security interests of claimants from fraudulent or preferential conveyances. The current state of the law, however, serves more to create excessive exemptions by which the bankrupt debtor may retain substantial assets while escaping responsibility for legitimate obligations.

Accordingly we call for reform of existing bankruptcy law to severely restrict the extent and nature of assets that may be exempted from distribution to creditors. We encourage and applaud the use of private mediators to assist debtors to work out solutions that are acceptable to both debtors and creditors.

10. TRANSPORTATION AND MASS TRANSIT

We recognize that transit service has become a major problem in many areas. This problem can be solved properly only through voluntary action in the free market. Governmental interference in transit services has been characterized by monopolistic restrictions and gross inefficiency.

We therefore advocate the following:

A. The repeal of all laws restricting transit competition, such as the granting of taxicab and bus monopolies and the prohibition of private jitney services.

B. We call for the repeal of Clean Air Act rules that require auto trip reduction. These rules fine employers who do not make their employees car pool, take mass transit, bicycle, walk, work four day weeks, or telecommute.

C. The privatization of all public roads, freeways, waterways, and publicly-owned transit systems. Until such time as the roadways are privatized, the contracting out to private enterprise of the functions of the Department of Motor Vehicles, CalTrans and other transportation agencies.

D. An end to government financing of mass transit projects.

E. An end to government regulation of private transit organizations and to government favors, including subsidies and access to powers of eminent domain.

F. The transfer to private ownership of airports and air traffic control.

G. Allowing foreign transportation service companies to offer commercial service in the United States.

H. The privatization of Amtrak and Conrail, and the return of America's railroad system to private ownership without government regulation or subsidies.

I. The abolition of state and local agencies such as the California Public Utilities Commission, the Metropolitan Transportation Commission, the California Department of Transportation, the Bay Area Rapid Transit District, the Metropolitan Transit Authority, and various other local and regional transit authorities.

J. We oppose laws mandating that manufacturers or vehicle owners install seat belts, air bags, or other restraints. We also oppose laws requiring the use of such devices.

K. We oppose laws mandating motorcycle, bicycle, or all-terrain-vehicle helmet use.

11. SUBSIDIES

In order to achieve a free economy in which government victimizes no one for the benefit of anyone else, we oppose all government subsidies. Relief from taxation is not a subsidy. The promotion and development of private business should be in the hands of marketplace entrepreneurs. We therefore call for the abolition of all agencies that hand out special privileges and subsidies to business and farming.

In particular, we call for the elimination of the state government's principle dispenser of welfare to business, the Department of Commerce, and with its demise, the elimination of the Office of Business Development, the Office of Small Business with its government loan programs, the Office of Local Development, the Office of Foreign Investment, the Office of Competitive Technology, the California Film Commission, and the Office of Tourism. We favor the free market in the electronics industry; therefore, we oppose bestowing cash subsidies, cut-rate government loans, loan guarantees or other assistance, on the electronics industry to develop high definition television. We also oppose the imposition of technical standards on the high-definition television industry by the government. Any such standards should evolve instead out of marketplace experience.

We oppose subsidies to military industries even when they are attempting to convert to civilian activities. Such subsidies prolong dependency on government funds and divert companies from seeking to discover what consumers (rather than politicians) want. We likewise oppose subsidies to communities adjacent to military bases that the U.S. Department of Defense has closed down, and we oppose their transformation into Project Areas under California Redevelopment laws. Only complete privatization of the sites can provide a sound and enduring basis for restoring economic prosperity to such communities.

12. LICENSING LAWS

We advocate the repeal of all licensing laws, whether for the purpose of raising revenue or for the purpose of controlling any profession, trade, or activity. No individual should be legally penalized for not possessing certification. No consumer should be legally restrained from hiring non-certified individuals.

Certification of competency can best, and should only, be provided by the free market. Examples of free market certification would be adherence to voluntary professional standards, or bonding by those organizations or individuals who would accept financial responsibility for the actions of the bonded party. In their own best interest, indemnitors would determine the competency of a particular professional before certification, bonding or insuring against malpractice.

13. CONSUMER PROTECTION

We advocate the use of private civil litigation, as opposed to regulation by government agencies, to combat product mislabeling, misrepresentation and default of contract. The right to produce and purchase products and services must not be restricted by law.

Regulations intended to protect consumers have often had the opposite effect, since government rarely knows as much about consumers' needs as they do. So-called consumer protection laws are often used by established businesses to stifle innovative rivals. In addition, such laws have caused considerable harm by lulling consumers into assuming that government would protect them from bad products and services. To

that government would protect them from bad products and services. In the free market, consumers would be protected because:

A. A good name is an asset to a business and it can best be maintained by fair and honest dealing.

B. The use of certificates, guarantees, and warranties issued by manufacturers and suppliers of goods and services is a protection to the consumer.

C. Both professional and non-professional people can voluntarily form associations for the specific purpose of maintaining high standards both in work and behavior.

D. Privately-owned consumer protection organizations producing journals and magazines would proliferate in a free market.

We therefore endorse and advocate the following:

A. The elimination of all government consumer affairs bureaus or departments.

B. The repeal of all laws regulating the production, transportation, sale, possession, advertising, quality, safety, or use of any product or service.

14. LABOR RELATIONS

As we support the right of all individuals to enter into contracts, so we oppose all government interference in employer-employee relationships. Therefore, we oppose government-mandated "right of access" to private property for purposes of union organizing, government-sponsored elections on establishing unions, and government-defined collective bargaining units. We support an employer's and labor union's unrestricted right to exercise freedom of speech, consistent with private property rights, during a labor organizing campaign.

We support the right of persons to voluntarily establish, associate with, or not associate with labor unions. An employer has the right to recognize, or refuse to recognize a union as the collective bargaining agent of some or all employees. Therefore, we oppose "right to work" laws because they prohibit employers from making voluntary contracts with unions. Likewise, unions have the right to organize secondary boycotts, if in so doing they do not violate individual rights or existing contractual agreements. We do not countenance individuals or associations, whether management or labor, making efforts to coerce collective bargaining agreements.

We oppose government interference in contract negotiations, such as compulsory arbitration or imposing an obligation to negotiate. We call for the repeal of all government laws and regulations interfering with employer-employee relationships such as the wage and hour laws, the Wagner Act, the Taft-Hartley Act, the California Occupational Safety and Health Act, and the California Farm Labor Act.

We favor replacement of the current workers compensation system with a system of strict liability of employers for on-the-job physical injuries -- a liability that can be modified or waived in contractual negotiations.

We repudiate the notion that the government should decree wages in accordance with its arbitrary political notions of comparable worth, and oppose all laws based on this concept.

15. CONSERVATION

We support the right of private citizens and organizations to rightfully acquire natural resources for the purpose of conservation. However the desire to conserve natural resources is not a valid excuse for the violation of individual rights, and we therefore oppose such violations.

violations.
We oppose government-mandated conservation. Conservation should be the choice of the owners of private property. We therefore advocate:

A. That methods be devised for the transference to private ownership of all currently unowned and government-held property, including waterways and airspace.

B. That conservationists buy areas or resources they wish to conserve.

C. That laws mandating the recycling of waste products and laws offering government loans to finance recycling plants be repealed.

D. That laws providing for governmental protection of endangered species be repealed, allowing private wildlife groups and private conservancy funds to take on the responsibility for such efforts.

E. That all conservation laws controlling or regulating the use, development, sale, or production of resources -- e.g., land, minerals and woodlands -- be repealed.

F. That private deed restrictions be the method of choice to conserve natural resources for future generations.

16. WATER

The history of government water projects in the State of California has been one of increased taxes to finance dams, canals, and pipelines. The state government has supplied subsidized water to growers who in turn produce federally subsidized crops, especially rice and cotton. Government-run water rationing has channeled water to political favorites and burdened the public with arbitrary cutbacks. Government-aided insurance programs have subsidized those living or doing business in flood-prone areas, and created regional antagonism between beneficiaries and victims of water policy.

We advocate basing water rights on principles of appropriation and transferability.

We also advocate the transfer of all water works to private ownership. We oppose the tax financing and eminent domain land acquisitions for all projects and facilities in the state water plan, including the Peripheral Canal. We favor repeal of all government drought and flood emergency powers and all government ability to impose water rationing. We propose elimination of all government flood insurance programs. We favor an end to all government weather-modification programs, and we favor holding private weather-modifying firms liable for damages they may cause. We call for the elimination of the current doctrine of "use it or lose it" that automatically transfers unused privately-owned water to governments or other claimants. Under the current doctrine of prior appropriation, recreational use is not considered a beneficial use. We hold that owners of land adjacent to bodies of water should be able to establish riparian property rights through "first regular use" of the water for recreational purposes.

17. AGRICULTURE

California's farmers, the people who feed much of America and the world, have been plowed under by government intervention. Federal government subsidies to producers, state and federal regulation, and state and federal taxes have distorted the market in the agricultural business. Federal government export policies hold California's farmers hostage to the political whims of both Republican and Democratic administrations. Federal government embargoes on grain sales and other obstacles to free trade have frustrated the development of free and stable trade relationships between California farmers and peoples elsewhere in the world.

The agricultural problems facing Californians today are not insoluble, however. Government policies can and must be reversed. Farmers and consumers alike should be free from the meddling and

counter-productive measures of the state and federal governments -- free to grow, sell, and buy what they want, in the quantity they want, when they want. Five steps can be taken immediately at the state level:

A. Abolition of the state Department of Agriculture;

B. Repeal of all state marketing orders so that a producer who wants to may voluntarily establish their own promotion programs;

C. Repeal of all state programs that promote exports and subsidize the marketing of exports;

D. Privatization of agricultural research and the ending of agricultural research programs of state colleges and universities and state agencies; and

E. Ending of governmental involvement in agricultural pest control. A policy of pest control should be implemented whereby private individuals or corporations bear full responsibility for damages they inflict on their neighbors.

18. POLLUTION

Pollution of air, water and land violates the rights of individuals to their lives and property. Physical harm to health or property by pollution is as real as harm due to assault or theft and must be dealt with through objective legal procedures. In order to handle the problems of air, water, soil, radiation, and noise pollution, we call for an extension of the laws governing such torts as trespass and nuisance to cover persons who cause substantial damage by intruding on the persons or property of others. Current government measures concerned with pollution often bypass court proceedings without concern for restitution to the victims of pollution or the rights of the accused. Governments, being major contributors to pollution, must be held legally responsible for their waste products. We oppose all anti-litter tax laws and all mandatory bottle-deposit laws. We call for the repeal of the Clean Air Act and call for the abolition of the federal and state Environmental Protection Agencies and the return, to the jurisdiction of the courts, of all questions of violations of rights to life and property. We support holding property owners fully liable for damages done by their toxic waste. We oppose the creation of governmental funds, backed by the taxing power, to finance toxic waste clean-up.

19. ENERGY

Energy shortages are caused by government interference with the interaction of supply and demand, such as setting artificially low prices for fuels. Such policies have discouraged production and encouraged waste. These policies must be ended.

We support:

A. The creation of a free market in oil by instituting full property rights in underground oil and by the repeal of all government controls over output in the petroleum industry. The right of persons to build, own, or use refineries, pipelines, power-generation units, or any other unproductive asset, so long as they do not violate the rights of others. We support abolition of the Department of Energy and the abolition of its component agencies, without the transfer of their powers elsewhere in the government.

B. The right of sellers and buyers to trade voluntarily among themselves without government restrictions.

C. The repeal of the federal Price-Anderson Act, which limits the accident liability of nuclear plant owners.

D. Subjecting the utility industry to free competition without grants of monopoly or price regulation.

E. A free market of natural gas pricing.

F. Privatizing all government-owned energy assets such as the Strategic Petroleum Reserve, the power marketing agencies, and mineral bearing on-shore and off-shore lands.

We oppose:

A. The refusal of government agencies to permit the development of energy sources located on government-held land.

B. Government-imposed rationing of energy products.

C. Speed limits imposed for the purpose of conserving fuel, government fuel efficiency standards for motor vehicles and any government requirements that manufacturers build and sell 'zero emissions' motor vehicles or ones that run on fuels other than gasoline, such as methanol and ethanol.

D. Implementation by California of federal programs for coercive control of energy production or use.

E. State requirements that methanol be used in electrical generation plants.

F. Restriction by the State of California of drilling for production and/or transportation of petroleum products.

G. Any taxes on energy producers.

H. Mandatory conversion from any energy source to any other source of energy.

I. Mandatory weatherization, insulation, and energy-oriented building and architectural codes.

J. The "strategic storage" program, any attempt to compel national self-sufficiency in oil, an extension of cargo preference law to imports, and any attempt to raise oil tariffs or impose oil import quotas. We oppose subsidies for alternative energy technologies, such as co-generation, small hydroelectric facilities, synthetic fuel production, wind power, solar power, and geothermal power. All forms of energy should be free to compete on the market without subsidies or artificial props or impediments.

20. GOVERNMENT MONOPOLIES

Government-operated or supported monopolies abridge individual rights to free trade and should be abolished. We call for the repeal of all laws which establish or support monopolies. Specifically, we call for privatization of water supply, garbage collection, transit systems, and telecommunications. Further, we support the right of any person or group to conduct a lottery.

We call for repeal of any law which prohibits competition with government monopolies. Therefore, we condemn the government-enforced monopolistic practices of the medical, legal, and other trade and professional associations.

21. INSURANCE

We oppose government-mandated insurance, including auto liability insurance. Failure to obtain insurance, however, does not relieve drivers from responsibility to pay restitution to the victims of their actions. We oppose no-fault auto insurance, which represents an attempt to relieve people of responsibility for their own actions.

We call for complete deregulation of the insurance industry, including abolition of the Department of Insurance and the office of Insurance Commissioner. Government has no right to set or approve insurance

rates, force insurance companies to write any particular lines of insurance, or regulate who may sell insurance or found an insurance company.

We oppose regulations that would force insurance companies to adopt 'community rating' and raise prices for low-risk customers in order to artificially subsidize high-risk customers.

We advocate the freedom of all individuals to engage in voluntary informed consent agreements which do not violate the rights of third parties. We therefore oppose any government imposed standards which require or restrict the right of insurance companies or employers who contract them to use genetic and other screening and/or testing methods.

We also oppose state unemployment insurance, workers' compensation insurance and state disability insurance, which are hidden taxes and grossly inequitable. If these benefits are part of an employment agreement, they must be voluntary between employer and employee, and be purchased through the free market.

Our silence about any other particular law, regulation, ordinance, directive, edict, control, agency, activity, condition, or machination of government should not be construed to imply our approval of such. Nor does our advocacy of the right to perform certain activities imply an endorsement of the activities themselves.

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