

California Freedom

July 2004

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

LPC Treks to Atlanta Helps Select Pres. Nominee

The 2004 convention of the Libertarian Party, held May 27-31, in Atlanta, Georgia, was one of the most exciting in recent years. The California delegates in attendance found ourselves being inspired by libertarian speakers and celebrities, learning new political tactics in myriad informative workshops, dancing to lively rock and blues music, and grudgingly but happily opening our wallets to support the Party and our hard-working candidates. And joined by about a thousand fellow Libertarians from all over the country, of course we debated by day on the convention floor, and by night waxed philosophical with the diehards among us.

We worked hard to carry out the business of the convention, voting for new Platform planks, new Party leadership, and most enthralling of all, electing the 2004 Presidential candidate of the Libertarian Party. We cheered for our eloquent and enthusiastic candidates, such as **Judge James Gray** and **Sheriff Richard Mack**, and we fed our brains browsing for

books and tapes in the vendor area.

The LPC once again had many spots left open in its delegation, so everyone is heartily encouraged to run for a delegate slot in 2006, and to absorb that year's convention and the joys of a long weekend immersed in like-minded philosophers, activists, friends, and teachers.

The national LP convention is the ideal occasion at which to renew our resolve, to share what's working in our state and what's not, collect great ideas and new ways of looking at our issues and goals, and to just plain have fun. ●



Photo: Elizabeth C. Briery

● On the convention floor, LPC delegates hold a quick vote to credential a fellow delegate, May 30.

California-Based Libertarian TV Talk Show Tapes Interviews at National Convention

In politics, if it does not happen on TV, it doesn't happen at all."

That is the conviction of **Mark Selzer**, an LPC officer, and producer and host of "The Libertarian Alternative," a libertarian talk show which is

shown on cable television throughout California.

The program features interviews with a wide variety of libertarian guests, from American Indian activist **Russell Means**, to gun rights advocate **Anna Z**, and has been broadcast in L.A.

for several years and recently has been expanding rapidly throughout California and even other states.

The show recently welcomed a windfall when a fellow California Libertarian made a large investment in a complete set of recording equipment, enabling Selzer to tape the show outside the constraints of the local cable studio he'd been using, where booking time and labor could prove challenging. At the LP's national convention in Atlanta in May he took great advantage of this investment, assembling a pseudo-studio defined by a semicircle of armchairs in the foyer of the main convention hall, and interviewed a raft of Libertarians, literally amidst the buzz of convention activities. Serving as director and camera operator was **Doug Scribner**, a professional videographer and former LPC Executive Committee member.

Selzer's many conventioneeer guests included **Harry Browne**,

the LP's 1996 and 2000 Presidential candidate, who has since cofounded American Liberty Foundation, where he is Director of Public Policy. Browne also served as a gracious M.C. for the convention's Sunday evening banquet. Browne commented on how big the government would become if we tried to make abortion illegal, and discussed his latest book, *Liberty A-Z: 872 Libertarian Soundbites You Can Use Right Now*, available through Advocates for Self Government, at www.Self-Gov.org. The book should be an invaluable tool for LP candidates who want to knowledgeably answer questions from reporters or talk show hosts.

When Selzer conducted this, his second interview of **Sheriff Richard Mack**, this quest was being lauded for his very serious gubernatorial race in Utah. When they met three or four years ago, says

● See **TV Talk Show** page 8



● Mark Selzer, host of *Libertarian Alternative*, interviews Rachel Mills (center), creator of the 2004 Ladies of Liberty fund raising calendar, and calendar model Kate O'Brien, an LPC member and elected public official from Simi Valley.

Photo: Elizabeth C. Briery

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All news stories, editorials, and announcements are due six weeks prior to the month of publication:

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FROM THE CHAIR

Okay, I admit it...I can be a bit cheap. Sometimes I stretch a dollar so far that George Washington actually grimaces. I find it hard to pass up a good deal. And I especially like the word FREE—even if Milton Friedman says it doesn't apply to lunch.

So here is your chance to indulge in a little frugality and frighten your local officials for...FREE.

Many local governments are placing bonds and other awful things on this November's ballot. And because few are paying attention, the proponents write their ballot arguments while potential opponents are napping.

When voters read their ballot pamphlets and see no opposing argument, they often assume that the proposal must be a good thing. We Libertarians should never let a

Some Freedom is Free

bigger government measure go unanswered.

A ballot argument is FREE advertising (there's that word again) to every registered voter in the area.

The instant you finish reading this, call your local city and county elections offices. Ask for the election calendar for measures going on the ballot in November.

Here are the deadlines, for instance, for Ventura County (they had to give me this information for FREE):

July 13 - Last day government can place a measure on the ballot

July 14 - Publication by County Clerk of date for submission of arguments

July 14 to July 21 - Analysis prepared by Legal/County Counsel

July 22 to July 29 - Period in which to submit arguments for and against the measure

July 30 to Aug. 6 - Period in which to submit rebuttal arguments

Some rules for writing arguments and rebuttals:

You're limited to 300 words for arguments, and 250 words for rebuttals. Up to five people can sign each. Ask for more details from the elections office. They have to provide those to you for FREE.



There are two schools of thought on how Libertarians should write the arguments. One says, "write purist positions" (e.g., "all tax increases are bad"). The other, "write whatever is going to persuade the most people" (e.g., "here's why this tax increase is a waste of money"). I prefer the latter approach. It's our best hope of protecting the 15-20% of the population who agree with us.

Whichever you choose, write clearly. Use short sentences. Use short paragraphs. Use bullet points, if they're allowed. That's more readable. Examine

ballot arguments in prior elections for style tips. Those too are FREE!

Here's a fun idea. Sometimes the government will pay for a poll, testing which arguments are most persuasive for and against proposed tax and bond measures. These are public documents. You are entitled to look at them for...yes, FREE. Use them to create effective ballot arguments opposing the measure.

And don't forget to include the 1-800-ELECT-US phone number so voters can get more information on the Party. That way they can call to be FREE.

And if you need some advice on a particular measure, e-mail me and the other members of the Executive Committee.

Did I mention that this was FREE?

Toward liberty!

Aaron Starr, Chairman

Gems from Jefferson for 4th of July



FROM THE EDITOR

"We hold these Truths to be self-evident: that all Men are created equal, that they are endowed by their Creator with certain unalienable rights, among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men. We...do...solemnly Publish and Declare, That these colonies are and of right ought to be, free and independent states...And for the support of this Declaration, with a firm Reliance on the protection of divine Providence, we mutually pledge our Lives, our Fortunes, and our sacred Honor."

-Thomas Jefferson:
Declaration of Independence;
July 4, 1776

In July, America commemorates and celebrates our birth as a nation—the nation which has more closely than any other aligned itself with natural law, human nature, and man's unalienable rights. Our founding fathers were brave and visionary men who risked much for their freedom and ours. One of those men was Thomas Jefferson, whom some of us have dubbed the original American libertarian, and whose thoughtful and eloquent words grace our nation's immortal *Declaration of Independence*.

Many are unaware that in crafting this underpinning of our country, Jefferson planned a different word in the phrase, "the pursuit of happiness," which was "property." The principle of private property rights is of course vital to our "democratic" and capitalist system which rewards individuals for productivity and innovation, which in turn can benefit many. We have seen devastating results when governments fail to secure these rights, such as local governments' eminent domain violations in the U.S., and on a far greater scale with

communist experiments such as the U.S.S.R. There was some collaboration among Jefferson and his peers and some negotiating, which led to the final version of the Declaration having "property" replaced by the rather poetic "happiness." Whether that was the best choice in the end is debatable.

Today we face a multitude of threats to the unalienable rights Jefferson affirmed—threats which it is Libertarians' mission to publicize and extinguish. I believe that a fitting birthday tribute to our country, the ideals of those who conceived it, and the commensurate goals of our Party is to share morsels of Jefferson's libertarian wisdom here and throughout these pages.

Happy birthday, America!

Toward greater liberty!

Elizabeth C. Brierty, Editor



"The last hope of human liberty in this world rests on us. We ought, for so dear a state to sacrifice every attachment and every enmity."

-Thomas Jefferson,
as conveyed to William Duane,
Mar. 28, 1811

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"Our attachment to no nation upon earth should supplant our attachment to liberty."

-Thomas Jefferson:
Declaration of the Causes and Necessity for Taking Up Arms,
June 26-July 6, 1775

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"We have spent the prime of our lives in procuring [young men] the precious blessing of liberty. Let them spend theirs in shewing that it is the great parent of science and of virtue; and that a nation will be great in both always in proportion as it is free."

-Thomas Jefferson,
as conveyed to Joseph Willard,
Mar. 24, 1789



Welcome Aboard!

The Libertarian Party of California is pleased to be joined in May by 25 new members. A hearty welcome goes out to students Kevin Barnese, Douglas Blinkhorn, and Gannon Joseph, insurance agent Sean Womack, Systems Administrator Daniel Cogswell, retired engineer Paul Beckett, and Chris Turner, an artist. We hope that in joining the Party, all of you will feel that politically, you've "come home."

- Kevin Barnese Los Angeles
- Paul Beckett Hermosa Beach
- Douglas Blinkhorn Santa Margarita
- Daniel Cogswell San Leandro
- Arolynn Francis Martinez
- Edward Galbavy Davis
- Rick Henderson Santa Rosa
- Arthur Hicken Upland
- Joshua Hicken Upland
- Gannon Joseph Grover Beach
- Carl Lewke Cathedral City
- Jim Mcmillan San Diego
- Heidi McWhorter Long Beach
- Erik Mekkelson Long Beach
- Steven Moses Santa Ana
- Alik Perakh Bonsall
- Jason Reeder San Diego
- Harry Rosensteel Galt
- Susan Slusher Dana Point
- Kenneth Truelock Redlands
- Chris Turner Los Angeles
- Jacob Wagner Orangevale
- Robert Weber Lake Forest
- Brett Williamson San Francisco
- Sean Womack Tustin



Letters to the Editor

Defending the Constitution from Activist Judges

In the defense of the U.S. Constitution, I think we need to take action and go after judges that ignore the Constitution when they make their rulings. Article VI of the Constitution says that all judges in all states [are] bound by oath or affirmation to support the Constitution....I suggest that we pursue criminal action against them, asking at least for their removal from the bench.

—Steven Moses
Santa Ana

A Fine Example of Democracy at Work

It was fascinating to watch the Libertarian Party National Convention on C-SPAN and see real democracy at work. The three-way split for the presidential nomination took surprising twists and produced a bit of chaos, but it was authentic and well managed by the poise of the Chair and by the adherence to the parliamentary rules. The California chair also did his delegation proud by speaking up to get clarification on how the additional voting would work. This helped maintain order.

The LP Convention was a refreshing change of pace from the major party conventions, which have been predictable in all of my voting lifetime.

—M. L. Brown
Los Gatos

For the latest activities of the Libertarian Party of California and to link to your local region's site visit:
www.LPC.org



LPC Mourns Reagan's Passing

California Libertarians mourn the passing of President Ronald Reagan, a great champion of individual liberty, personal responsibility, and, arguably, the most libertarian-leaning President in modern history.

Libertarians applauded Reagan for his attempts to control the size and power of government. As he said in his first inaugural address, "In this present crisis, government is not the solution to our problem."

Reagan knew the dangers of government run amok, quipping, "We don't have a \$1 trillion debt because we haven't taxed enough; we have a \$1 trillion debt because we spend too much." Libertarians pine for the days of "only" a \$1 trillion debt; today, the officially reported debt is well over \$7 trillion and climbing by over \$500 billion per year.

In a statement consistent with the Libertarian view, Reagan said, "You and I are told we must choose between a left or right, but I suggest there is no such thing as a left or right. There is only an up or down. Up to man's age-old dream—the maximum of individual freedom consistent with order—or down to the ant heap of totalitarianism, and regardless of their sincerity, their humanitarian motives, those who would trade our freedom for security have embarked on this downward course."

Reagan's ultimate victory against totalitarianism was exemplified by his famous 1987 speech in Berlin: "Mr. Gorbachev, open this gate! Mr. Gorbachev, tear down this wall!" By the end of the year Reagan left office (1989), the dream of millions came to fruition with the crumbling of



• Ronald Wilson Reagan
40th U.S. President

the Berlin wall.

LPC Chair Aaron Starr proclaimed, "On behalf of Libertarian Party members in California and liberty-loving people everywhere, I honor the memory of this great man, this great freedom fighter, and extend our deepest sympathies to Nancy Reagan and her family."

• This statement was issued on June 7, 2004.

Opinion

State Holiday Insults Reagan Ideals

by Richard Rider
Tax Fighter and LPC Member

In a final insult to the legacy of Ronald Reagan, public employees were given time off WITH PAY to honor his passing. That misuse of taxpayer money might have been appropriate for the funeral of Big Spender President Lyndon Baines Johnson, but is wholly inappropriate for the President who is supposed to have reined in government spending.

(The fact that in reality Reagan was a big spender who tripled the national debt in eight years is a separate matter. Perception is everything.)

This holiday policy is even more inappropriate, as govern-

ment officials hide the total cost. Jurisdictions are counting only overtime pay as an extra cost. Not included is the far larger expense of paying government employees for not working. Add to that cost the related pension contributions, vacation time, health care premiums, and other indirect costs of closing government offices, and you'll find that Reagan's funeral is costing us taxpayers far more than government bureaucrats and politicians are saying.

It's fine to honor President Reagan, but what's wrong with a moment of silence rather

than a paid day off for almost all government employees? If a person wants a day off for the funeral, they should be excused and charged a day of vacation pay, or furloughed without pay. Private businesses follow this policy rather than closing down for a President's funeral, and government should use the same common-sense approach.



Photo: Elizabeth C. Birely

• Richard Rider

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"The disease of liberty is catching; those armies will take it in the south, carry it thence to their own country, spread there the infection of revolution and representative government, and raise its people from the prone condition of brutes to the erect altitude of man."

—Thomas Jefferson,
as conveyed to Lafayette,
Dec. 26, 1820

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Opinions: Everybody's Got 'Em!

Have YOUR voice heard right here at *California Freedom*. Send us your letters to the editor, op-ed articles, reports on local LP events, photos, or even report on the latest book you've read about politics or economics.

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2004 Libertarian National Convention in Pictures

May 27–31, 2004, Marriott Marquis, Atlanta, Georgia

Badnarik Wins on Third Ballot Here's How the Voting Went

The majority of California's delegates voted for **Aaron Russo** on all three ballots, disagreeing with the rest of the delegation on only the final ballot. In the tables below, the first column is the national vote count, the next is the percentage of the national vote, and the last is the votes cast by Californians. Boldface indicates those candidates who'd garnered enough signatures to be on the ballot officially. The others were write-ins.

First ballot for President:

Candidate	Total	%	CA
Michael Badnarik	256	32.9%	12
Jeffrey Diket	4	0.5%	0
Dave Hollist	1	0.1%	0
Gary Nolan	246	31.6%	20
Aaron Russo	258	33.2%	22
Drew Carey	3	0.4%	0
L. Neil Smith	?	?	3
None of the above	10	1.3%	0
Total	778		55

Third ballot for President:

Candidate	Total	%	CA
Michael Badnarik	423	54.4%	25
Aaron Russo	344	44.2%	31
None of the above	11	1.4%	1
Total	778		57

The rules state that after the second ballot, if no one receives a majority of the votes, the third place candidate must be eliminated. After the second ballot, Russo still had his plurality. Russo lost his nationwide lead only after **Gary Nolan**, who was eliminated after the second ballot, urged his supporters to back **Michael Badnarik**.

Second ballot for President:

Candidate	Total	%	CA
Michael Badnarik	249	31.8%	11
Gary Nolan	244	31.2%	21
Aaron Russo	285	36.4%	25
None of the above	5	0.6%	1
Total	783		58

• Presidential candidate and Californian **Aaron Russo** (far right), who ran for governor of Nevada in 1998, submits his ballot for President to LPC Secretary **Dan Wiener**. Russo was the favorite of California throughout the election, as well as being one of the favorites throughout the entire delegation. Russo won on the first two ballots, edging out fellow favorite **Gary Nolan**, and the man who finally nabbed the nomination on the third ballot, **Michael Badnarik**.



All photos: Elizabeth C. Brierly



• **Barry Hess** (above), a candidate for LP's Presidential nomination in 2000, took a turn nominating *another* Presidential candidate, **Aaron Russo**, from his home state of California. Hess had had worked on the Nixon and Reagan campaigns and had been a Republican activist until registering as a Libertarian voter in 1995. A self-described pragmatic Libertarian, his 2000 campaign platform entailed a 30% decrease in the size and cost of the federal government—small potatoes to a Libertarian, but gargantuan to the average voter.



• LPC Chair **Aaron Starr** raises a point. LPC's **David Nolan** and **Ted Brown** are seated in foreground.




• **Joseph Henchman** (left) of the Calif. delegation with our Vice Presidential nominee, **Richard Campagna**. Campaigning on his credentials, extensive network, multilingualism, and personal appeal was a successful tack for Campagna, an international businessman and university instructor from Iowa.



• **Michael Badnarik**, the admired but seemingly unlikely winner of the LP's 2004 Presidential race, after learning of his 2nd place showing on the first ballot, had said that he felt "numb." Here he gives his acceptance speech after the third ballot's results were announced. In hearty support of the candidate are (from left) his parents, **John** and **Elaine Badnarik**, and his longtime companion, **Lynne Brown**. Badnarik is a constitutional scholar in Texas.



• **Sheriff Richard Mack**, Libertarian candidate for Governor of Utah and a champion of gun rights, participated in the convention, both as a guest speaker and here, as a nominator for **Aaron Russo** for President.




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■ 2004 LP National Convention

LPC'ers Run for National Party Offices



• Mark Dierolf (left) of Monterey, a public officeholder (Hartnell Community College District 5 Trustee) who survived a recall effort in 2003, running for At-Large Rep to the national LP, poses here with supporters Gail Lightfoot, former LPC Chair, and Allen Hacker, Chair of the LP of Santa Clara County, and his campaign flyer. The convention delegation elected no California candidates for national LP offices this year.



• Rodney Austin, delegate from Fresno and former LPC Northern Vice Chair, takes a turn at the convention floor microphone.



• Starr for Treasurer campaign takes innovation in campaign slogans to a new level.



• David Nolan, co-founder of the Libertarian Party, nominates Mark Selzer, Southern Vice Chair of LPC, for the position of Vice Chair at the national level. In the background are Judge James Gray, candidate for U.S. Senate, and Selzer.



• Aaron Starr (left), Chair of the LPC, a certified public accountant currently working as a controller of Haas Automation, runs for Treasurer of the national LP. Behind him are his nominators (from left): Mary Ruwart, author of *Healing Our World*, William McMillen, past treasurer of the LP of New York state, and the LPC's own David Nolan, co-founder of the Libertarian Party.



Relaxing at the Reception for Pledgers



• On Saturday evening the Party hosted a reception to thank those members who pledge monthly contributions to the Party. Enjoying themselves thoroughly are southern California pledgers (from left) Bruce Cohen, candidate for State Senate District 48, Kate O'Brien, elected director of Rancho Simi Recreation & Park District, and Dan Wiener, LPC Secretary.



• Pledger and 2004 LPC convention manager Mark Hinkle (left) with national convention organizer Nancy Neale. Neale is a former Californian, now living in Texas with her husband, Geoff Neale, the outgoing Chair of the national LP. Both can be proud of conventions well run.

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"I would rather be exposed to the inconveniencies attending too much liberty than to those attending too small a degree of it."

-Thomas Jefferson, as conveyed to Archibald Stuart, Dec. 23, 1791

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■ Legislation Update

Welcome to the Sausage Factory

by **Allen M. Rice**
Chair, LPC Legislative
Committee

"Laws are like sausages, it is better not to see them being made."

—Otto von Bismarck

At the majesty of the legislative process. Care deeply about the well-being of several geese up in Marin County, destined to become *pâté de foie gras*? Do you share the warm fuzzy paternalistic desire to protect Google G-mail users from themselves, making it illegal to send them the targeted ads they agree to receive when they sign up for G-mail? Want to save children from the insidious BB rifle scourge, that little understood contribution to the "gun cul-



• Allen Rice is running for State Senate, District 11, in the S.F. Bay Area

ture"? Oh, and for those interested in the sorry state of education in California: regarding the special funds for special

In this series of articles, Rice will discuss some readily available tools for getting information about the legislative process.

behavior that the Legislature uses to control local education, there is provided a bill that would consolidate some of these "categoricals" into block grants. These grants would still originate in Sacramento and have to be dutifully applied for by the school districts, of course.

Naturally these things have all got labels, numbers, and sponsors, because even in politics you can't tell the players or the game without a score card. The one for lovers of domesticated birds is SB1520, "Force Fed Birds," goosed in by Senator John Burton. The Google intrusion is SB1822, "Privacy: social security numbers: sales," mothered by Senator Liz Figueroa. BB guns are the subject of AB1864, "BB guns: prohibition," fired in by Assembly member Gloria Negrete-McLeod. The bill that graduates the same old Sacramento control of education into different seats is SB1510, "Education finance: categorical education programs," mentored by the prolific Senator Burton. All of the above, and more, come to you courtesy of our legislators busily justifying their full-time

existence in Sacramento, submitting literally thousands of bills in the 2003-2004 legislative session alone. The score so far? About 48 bills per senator and 39 per assemblyperson.

And why should we care? In a word, self-defense. It is the fervent hope of all these authors that their pet ideas will become state law, and further, that this will happen without opposition or interest from the public. As Libertarians, we can go along with Bismarck's perspective, in which case the Legislature gets just what it

We can keep an eye on these characters and stop the worst of these greasy, overstuffed products from ever seeing the light of day.

wants. Or we can keep an eye on these characters and stop the worst of these greasy, overstuffed, unhealthy products from ever seeing the light of day.

In this series of articles, I'll be discussing some readily available tools for getting information about the legislative process. I'll also be recommending some methods by which the Party can make an effective fight against the sausage stuffers. And along the way I'll be hoping to arouse enough interest to get some readers to (here it comes) volunteer to help.

The first and best tool is of course the Internet. In the particular case of California, probably the best reference site is Bill Information, at www.LegInfo.ca.gov/bilinfo.html. Using this site, you can drag all sorts of interesting information out into the light of day. For example:

Senator Burton's Bird Bill will not only ban the production of *pâté de foie gras* in California; it will also make it illegal to sell it—but not until July 1, 2012. (Burton has been quoted as saying it will still be O.K. to eat it.)

Ms Figueroa's bill when first submitted in February was a *petite* little thing that constrained the selling of Social Security numbers. In April and May it tripled in size to forbid scanning e-messages with the intent of using the content for marketing purposes. Scanning with the intent to trap viruses or spam would continue to be allowed. The bill provides no clue as to where legal authorities will obtain the psychics necessary to determine which intent is in play when scanning is being done.

Ms Negrete-McLeod candidly admits that her bill is a "clean-up" of a previous version, AB1455, "Imitation Firearms," to cover "several Penal Code sections inadvertently left out." AB1455 passed without opposition in both Houses, apparently without its author (the same Ms Negrete-McLeod) or anyone else noticing the oversight.

I invite you to visit this web site. Poke around a bit. Look under as many rocks as you

like. Next month, more on how to use it. ●

Allen Rice joined the LPC Executive Committee in January, 2004, as Representative from LP of Santa Clara County, where he also serves as Treasurer. He is the Libertarian candidate for State Senate District 11. You may reach Mr. Rice at AllenMontr@Earthlink.net; he welcomes your comments.

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"It is an axiom in my mind that our liberty can never be safe but in the hands of the people themselves, and that too of the people with a certain degree of instruction. This is the business of the state to effect, and on a general plan."

—Thomas Jefferson, as conveyed to George Washington, January 4, 1786

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■ Environmental Perspective

Candidates Question Litigious Environmental Policy

by **Brian Holtz**

LP Candidate for U.S. Congress, District 14

Recently some prominent Libertarian candidates have expressed misgivings about the traditional anarcho-capitalist idea that torts—i.e., private lawsuits—would be sufficient for protecting the environment in a libertarian utopia. Their concerns are justified, but fortunately a market-oriented alternative is available that more efficiently achieves the goal of protecting the environment.

In the Presidential debate at the national Libertarian Party convention in Atlanta, **Aaron Russo** said, “I think the Libertarian Party has never had a good policy on the environment. I’ve never heard a good one, and I’ve been looking for one for months, and I’m hoping to find new ideas on how we can handle the environment. On this issue, to tell you the truth, there’s a bit of confusion in my mind. But the stock answer that I’ve been hearing about the environment is not good in my view. ‘Sue your neighbor, sue this one, sue that one,’—those aren’t good answers for me.”

“Sue your neighbor, sue this one, sue that one,”—those aren’t good answers for me.

—Aaron Russo

In a recent interview, California LP Senate candidate **Judge James P. Gray** said, “Just last week we were in Atlanta [for] the Libertarian convention. **Carl Pope**, head of the Sierra Club, addressed us. [He was] very well received. He brought up one area: What if you have a pond, and the pond is a stop for migratory birds? And you pour DDT into your pond. Is it your pond to mess up if you want to? Yes, under libertarian thought. But all of the birds that stop there die. So, who owns the migratory birds? That’s one that I cannot answer.”

Both candidates have the intuition that completely unreg-

ulated markets address poorly the issue of transactions that impose costs on parties external to the transaction. Their intuition is justified, as every introductory economics textbook notes this kind of market imperfection, and calls it “negative externalities.”

In economics, an externality is a cost imposed or a benefit bestowed on a person other than those who agreed to the transaction that created the cost or benefit. Negative externalities are costs such as pollution or overconsumption of natural resources. (Two examples of positive externalities are scientific discoveries and publicly visible private landscaping.)

In economics, a “natural resource” is defined as any rival non-excludable good. “Excludability” is the ability of producers to detect and prevent uncompensated consumption of their products. “Rivalry” is the inability of multiple consumers to consume the same good. Examples of natural resources include the atmosphere, bodies and streams of water, sunlight, wind, scenic views, fish, game, orbits, and electromagnetic spectrum. Because natural resources are not excludable but still rival, they are subject to negative externalities that cannot be managed efficiently either by unregulated markets, or even by torts.

Polluting a natural resource is aggression, and libertarians believe that policing aggression is a duty of the state. The smart way to police aggression involving natural resources is to place a cost on the release of pollutants. In the words of **Duncan Austin** of the World Resources Institute:

Economic instruments, which aim to control pollution by harnessing the power of market incentives, offer a more cost-effective, flexible and dynamic form of regulation than conventional command-and-control measures.

The underlying premise for economic instruments is to correct negative externalities by placing a cost on the release of pollutants. This will internalize the externalities into the decision making process. Placing a charge, or a fee, on every unit of effluent transforms the man-



• **Brian Holtz**

ufacturer’s decisions regarding how much he will produce, and how he will produce it. Now, the manufacturer must minimize total production costs that consist not only of labor, material, machinery and energy inputs, but also of the effluent output. By adjusting the charge level, or the cost attached to effluent outputs, the regulator can induce a different degree of response from manufacturers, and hence control the overall level of pollution. By changing the charge level over time, the regulator has a relatively simple way of ratcheting up standards.

The key benefit of economic instruments is that they would allow a given pollution target to be met for lower overall cost than traditional regulations. Economic instruments grant firms and individuals greater autonomy in deciding how to meet targets; they create ongoing incentives for firms to design new and improved abatement technologies ensuring that pollution control becomes ever cheaper; they reduce the information burden on regulators; and they provide potential rev-

enue sources for state or federal governments. In addition, economic instruments may provide greater flexibility in dealing with smaller and diffuse emissions sources which

that achieves the same level of environmental protection for a lower overall cost (or achieves more for the same cost). Under a command and control approach, industries invest to meet the standard and then stop. In contrast, placing a price on effluents creates a permanent incentive for environmental improvement. Because every emission, or effluent, effectively has a price attached to it, any profit-maximizing entity has an ongoing incentive to make further reductions over time.

For more information, see Austin’s article, “Economic Instruments for Pollution Control and Prevention – A Brief Overview,” at www.WRI.org/wri/incentives/pdf/austin.pdf. •

Libertarian Brian Holtz is running for U.S. Congress, District 14 in northern California against seven-term incumbent Anna Eshoo. Visit his campaign web site at MarketLiberal.org. Holtz believes that “Republicans want government to be our chaperone. Democrats want government to be our nanny. I want government to be just our referee and lifeguard.”

Polluting a natural resource is aggression. The smart way to police aggression involving natural resources is to place a cost on the release of pollutants.

collectively contribute large amounts of pollution, but which until now have been largely ignored in favor of controlling the pollution from more obvious sources.

Economic instruments can create a system for pollution reduction

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“Got Courage?” Judge Gray Hits the Campaign Trail

TU.S. Senate candidate challenging entrenched California incumbent **Barbara Boxer** is not sitting still. **Judge James Gray**, accompanied by his wife, **Grace Walker Gray**, participated fully in the national LP convention, and now he has hit the campaign trail once again. His activities this month include:

Photo: Elizabeth C. Brierty



• **Judge Gray speaks on the national stage in Atlanta**

- 7/8 Big Bear, Rotary Club
- 7/12 Palo Alto, *The Next Step* cable show, Ch. 27
- 7/13 San Jose, Iranian-American Chamber of Commerce
- 7/17 Laguna Beach, End the Drug War rally, with O.C. NORML
- 7/18 Garden Grove, Fund raiser with the Vietnamese community

Gray's rather pointed challenge to his rivals is “Got Courage?” and his campaign planks are three-fold:

- End the drug war
- Bring our troops home by Christmas
- Roll back the USA PATRIOT Act

Democrat Barbara Boxer has been silent on these issues. Gray has declared that a vote for him will absolutely be viewed as a vote for ending the failed war on marijuana by treating it just like alcohol.

As reported in the *L.A. Times* on May 24, Judge Gray has earned endorsements from the top two law enforcement officials in Mendocino County.

For information and to learn how you can help, visit JudgeGray2004.com. There you can download and print his provocative “Got Courage?” campaign flyers. Or phone campaign administrative officer **Pardis Zadeh** at (949) 253-4036.

☆☆☆☆

“The boisterous sea of liberty is never without a wave.”

-Thomas Jefferson, as conveyed to Richard Rush, Oct. 20, 1820

☆☆☆☆

Wanted! Candidates for Nonpartisan Races

Tired of battling for Liberty on the defensive? Go on the offensive by running for a local, winnable race!

Call your county elections official and ask what offices you qualify for. The filing period opens this month, on July 12, and ends on August 6.* In many districts, you could even run for more than one seat. If you run for a small special district (e.g., water boards, park districts), around 5% of the time the number of candidates will be no greater than the number of slots available. If this happens in your election, you will be declared an automatic winner, without even having needed to run a campaign.

In past years, the LPC systematically matched and recruited registered Libertarians with these offices, and they won many seats—over 50 in the last four years. Unfortunately, we do not have the staff at the LPC headquarters to do that this year. It's up to you and your local county party.

If you have any questions on how to do this, call Chairman Aaron Starr, at (805) 583-3308.

* The closure of the filing period will be extended to August 11 if no eligible incumbent files by August 6.

Fix Felon Law and Save Tax \$\$\$ TV Talk Show

continued from page 1

On June 2, Citizens Against Violent Crime announced that they have qualified their “Amend Three Strikes” ballot initiative for the November 2004 ballot.

“Californians will finally have a chance to restore the Three Strikes law to its original intent and ensure that truly violent and serious criminals are kept off our streets,” stated the ebullient message from the organization’s Chairman, **Joe Klaas**.

“After ten years, taxpayers can finally get relief from the \$750 million (plus inflation) in annual costs required to warehouse 30,000 pizza thieves, bad check writers, and other nonviolent petty offenders in prison for the rest of their lives....those people who were misled into believing that they were voting for a law which would enhance penalties for violent and serious criminals only, will finally have a chance to get what they voted for.

“We are certain that attacks from our opponents will become more frequent and more vicious....fending off these attacks will depend upon our ability to get our message to the voters.”

To learn how you can help ensure passage of the measure, visit www.Amend3Strikes.org/contribute.htm. And of course, spread the word among friends and family. ●

Selzer, Mack was a libertarian-leaning elected officeholder, but registered as a Republican. Since then, Mack has made his Libertarian Party affiliation official and declared himself a candidate for Governor of Utah, and had been running a professional campaign. However, since the convention, Mack has had the opportunity to spread the Libertarian philosophy not just statewide but nationwide, as a finalist on Showtime’s “unscripted” TV program, “American Candidate.” The contestants are competing for a shot at \$200,000 and national air time to run for President of the United States as the “People’s Candidate.” The 12 finalists are not permitted to be running a real campaign for elective office. You can learn much more about Sheriff Mack at www.MackForGovernor.com.

Along with New Yorkers **John Clifton**, continuing Chair

of that state’s LP, and **Donald Silberger**, U.S. Senate candidate, and 2002 Wisconsin gubernatorial candidate **Ed Thompson**, Selzer conducted a segment with Ladies of Liberty 2004 calendars and calendar creator **Rachel Mills**, including several of this year’s calendar

models. Mills, who graces January 2005 of the sexy yet tasteful 15-month calendar, said that she started the calendar when she was looking for creative ways to raise funds for her 2002 campaign in North Carolina. The effort yielded P.R. as well as donations; Mills was interviewed on TV’s “The O’Reilly Factor” and “Crossfire,” and by the *Washington Post*.

November was not unlike being a politician, another role that calls for a great deal of posing. Selzer asked whether the calendar represents a new form of feminism, and Ruwart agreed, adding that libertarian women do not need “affirmative action.” Instead, she said, women can just decide to outdo men. “And we don’t need any help in that department from the government.” Also rotating into that third interview seat were LPC’s own **Kate O’Brien**, Miss July and an elected board member of the Rancho Simi Recreation & Park District in Simi Valley, and Miss March 2005 **Elizabeth C. Brierty**, 2002 candidate for Calif. State Board of Equalization, District 1. The calendar is available at www.RachelMills.com or from your local enterprising candidate raising funds for his or her campaign.

Mark Selzer became active in the LP in 1998, running in 2000 for State Assembly. In 2001 he was elected Southern Vice Chair of the LPC. In February 2003 he was reelected to a second term.

The half-hour program is shown in several regions of California as well as in Phoenix, Arizona. Videotapes of the show are available as an effective outreach tool. Tapes of the national convention interviews are being edited and will be available in a month or two. Learn more about it at www.LibertarianAlternative.org. ●



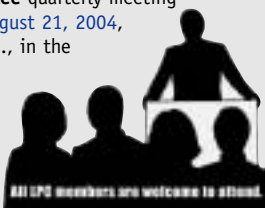
Photo: Elizabeth C. Brierty

• **Doug Scribner has helped create award-winning TV commercials for libertarian causes. At the convention he directed & filmed the “Libertarian Alternative” talk show.**

Meeting Notice

The **LPC Executive Committee** quarterly meeting will be held on **Saturday, August 21, 2004**, from 10:00 A.M. to 5:00 P.M., in the **San Francisco Bay Area**.

For exact location and details check our web site at www.LPC.org.



All LPC members are welcome to attend.