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Karl Bray, Libertarian Leader, Dies of Cancer

Karl Bray, libertarian leader, tax rebel, hero, lost his year long battle with cancer on May 7, 1978. Karl would have been 35 years old in June. He was undergoing therapy in the Bahamas when he went into terminal crisis. He was rushed by air ambulance to a hospital in Miami, where he died several hours later. Funeral services were held May 11 in Provo, Utah.

Born in Provo in 1943, he attended Western State University College of Law where he obtained his L.L.B. degree. During the 1970's, Karl became a leading figure in the libertarian tax protest movement. He managed to create so much trouble for the Internal Revenue Service that the IRS responded with myriad harassments and trumped up charges.

Karl was charged with several federal tax related misdemeanors, with contempt of court, with failure to file income tax statements, with practicing law without a license, and with illegal possession of an IRS seizure sticker. His active advocacy of tax resistance led to numerous threats and denunciations, and to more physical harassment. At one time he was held in chains; several times he was held at gun point. In 1974 Karl was surrounded by 22 armed policemen while his car was searched. The IRS sticker, for possession of which he finally served time in jail, was planted in his home.

Karl's career as a tax rebel began in 1969. In 1972 he was one of the founders of the National Libertarian Party. He was also the founder and first chair of the Utah Libertarian Party and a long-time member of the Libertarian Party's National Executive Committee.

Karl carried the fight for freedom through the media, lecturing on campuses, speaking on radio and TV, and writing pamphlets and two books, *Taxation and Tyranny* and the soon to be published *Taxes Are Revolting*.

In 1976, when the number of petition signatures required to get Roger MacBride on the ballot in California seemed to be an insurmountable obstacle, Karl joined the petition drive and did enough organizing and convincing to get many libertarians involved in the drive.

In the 1976 presidential election, California voters cast 60,000 votes for Roger MacBride (roughly one-third of his national total). Without Karl this would not have happened. Perhaps a fitting epitaph would be "Karl Bray made a difference." All our lives were enhanced because of Karl Bray, and his passing is a great loss to each of us and to the libertarian movement.

Cards or letters of condolence may be sent to his parents: Mr. and Mrs. Kenneth Bray, P.O. Box 242, Provo, Utah 84601. Contributions to defray the cost of his medical care may be sent to the Church of Moral Ethics, Box 674, Hermosa Beach, CA 90254.

From the chair

"And freedom shrieked when Karl Bray fell."

I am profoundly shocked and grieved at the loss of a very personal friend. The Libertarian Party, the movement, and the fight for freedom have lost an irreplaceable beacon.

We'll miss you, Karl. Goodbye, sleep well.



Inside this Caliber

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Vote Libertarian On June 6

Although most libertarians have certainly heard of Proposition 13 (the property tax-limiting initiative) which will come before California voters on the June 6th ballot, there are many other propositions on the ballot which you may not have had time to study. Therefore, the Executive Committee of the Libertarian Party of California, in an attempt to make your life a little easier, has issued the following recommendations for voting on the June ballot.

Proposition	Recommended Vote
1. State School Building Aid Bond	No
2. Clean Water and Water Conservation Bond	No
3. Taxation Exemption—Alternative Energy Systems	Yes
4. City Charters—Boards of Education	(no position)
5. Administrative Agencies	(no position)
6. Sheriffs	(no position)
7. Local Agencies—Insurance Pooling Arrangements	(no position)
8. Owner Occupied Dwellings—Tax Rate	No
9. Interest Rate—Judgments	(no position)
10. Taxation—Rehabilitated Property	Yes
11. Taxation—County Owned Real Property	(no position)
12. Constitutional Officers, Legislators, and Judges Compensation	No
13. Property Tax Limitation	Yes

There was extensive discussion on most of these propositions in the committee meeting. The Executive Committee authorized the preparation of a set of explanations of support or opposition. This statement must, however, be approved by a mail ballot and will not be ready for the June issue of CALIBER. In lieu of the official statement we present our unofficial report of *some* of the reasoning behind the positions finally adopted. In particular there was strong feeling on the committee that the position on Proposition 8 should not be published without explanation.

Propositions 1 and 2 are bond issues. Proposition 12 would add a

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LETTERS

Against Briggs Initiative

Your resolution defending the right of gays to teach in the California school system was right on the mark—especially in its reference to “the Government’s role in promoting the role of family in American life.”

The astonishing divorce rate, the equally astonishing number of teenage runaways, and the ever-increasing number of people who simply choose to remain single, should by now have convinced even the most blasé observer that America’s image as a family-oriented society is an illusion. Yet we continue to be saddled with repressive “victimless crime” laws that were written by family men supposedly for the benefit of family people.

Example: The periodic anti-porn crackdowns here in New York City are usually accompanied by a self-righteous statement from one of our many resident political hacks, to the effect that “I can’t take my kids for a walk through Times Square.”

As a bachelor to whom X-rated movies, topless bars, and adult bookstores represent a major source of recreation, I rebel at having my pleasure taken from me for the sake of children I didn’t father, whose parents are making no contribution to my happiness or well-being. And as a taxpayer, I find it grotesque that my tax dollars should be used by the police and the courts to enforce laws I don’t think should even be on the books.

There can be no doubt about it: Victimless crime laws, harassment of gays, the grossly unfair tax burden borne by single people, are all ingredients for an eventual marrieds vs. singles confrontation in this society. . . a confrontation that could be just as significant—if not as volatile—as the civil rights struggle of the ‘60’s. Hopefully, a part of this struggle will take place in the political arena, where we’ll see some of the establishment graybeards replaced by a new breed of office-holders who will owe their allegiance to some other segments of society besides “The Typical Family of Four.”

Ted Holton
New York, NY

Pro Briggs Initiative

For what it’s worth, I would like to suggest that the LP’s vocal concern for “gay rights” is giving it a public black eye and detracting from the party’s effectiveness in the real issue of bureaucratic predation (taxation) and regulation.

In no way would I wish to see compromised the right of consenting adults to do anything they please *in private*. Sexual tastes should not be subjected to public approval. Currently, however, we have in the “gay” movement a large group of people publicly demanding that public agencies (legislatures and school boards) pass judgment on their life style, authorizing them to advertise and promote it. In effect, they are injecting the matter into the realm of official judgment as to its normalcy or acceptability.

Going through the fine print of the Briggs Initiative, I find it does not impose any invasion of the privacy of reasonably discreet fags who keep their personal eccentricities isolated from their public job function. In our school system, teachers—like it or not—serve as examples of the bare minimum qualities that the public has any right to expect of an individual. To the extent that their sex life is offered for public or academic endorsement, homosexuality is well outside of this minimum expectation.

Therefore, I support the Briggs Initiative. The “gay” movement, by analogy makes about as much sense as mentally deranged or congenitally deformed people demanding formal endorsement as approved alternative people styles.

Bill Hauserman
Fullerton, CA

Rummage Sale Nets 17 Libertarians And \$200 for the Clark Campaign

Sunny Santa Clara County, site of frequent flea markets, saw the inauguration of a combination rummage sale and voter registration booth on Saturday, May 6, 1978, at the DeAnza College Flea Market. Spread in among the books, clothing, tables, chairs, and assorted treasures were libertarian position papers, background fliers and pamphlets like “Why Register Libertarian,” “Proposition 13—It Will Work!” and a few “Ed Clark, Libertarian for Governor, Says Yes on 13.”

Gloria Rotunno and Ray Strong got up at 4:30 A.M. in order to secure booth space—free as a community service organization. Before they were able to unload their VW and Dale Burrow’s truck, shoppers were swarming over the attractive merchandise muttering, “Who is Ed Clark?” and “How much do you want for the table and chairs?” A full crew including Doni Saunders, Karen Huffman, June Genis, and Dante and Lori DeAmicus were assembled by 8:30 A.M. Gloria, who had organized the event, provided name tags for all, so we looked both official and colorful with our day-glow “Voter Registration Here” and “Libertarian Party of Santa Clara County” signs.

The crowd pawing the goods was bombarded with “Have you registered to vote?” and “Don’t forget, Monday is the deadline if you want to vote for Proposition 13.” A total of 62 took advantage of our offer to speed their registration cards to the registrar.

We handed out hundreds of pieces of literature, many on Proposition 13—apparently the one issue that has reached voter consciousness. We got lots of questions and sold lots of goods, but voter registration was our most unexpected gain. Final totals for the day were: Democrat 22, Libertarian 17, Republican 14, Decline to State 8, and American Independent 1.

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“Hymn of the Embattled Taxpayer”

The Yes on 13 Committee has recorded a song to help spread the word on the tax limiting initiative which will be on the ballot this June. Cassette tapes and records are available from your local Yes on 13 Committee for a minimum donation of \$5.00. Following are the lyrics, sung to the tune of “The Battle Hymn of the Republic.”

Our ship of state is floundering in an inflationary sea
A storm of excess taxes is oppressing you and me.
Our captain will not stop the flood of unbacked currency.
There’s one thing we can do.

Chorus:

Vote no on eight and yes on thirteen
No on eight and yes on thirteen
Vote no on eight and yes on thirteen
Three cheers for Jarvis-Gann

Senior citizens are worried, many are forced to sell their homes
And young marrieds who seek houses—they can’t qualify for loans
The tax man takes away our meat and leaves us only bones
There’s one thing we can do.

Chorus.

We pay for education, police and fire protection too
And we place these three priority one and not priority two
Like those bureaucrats who hide the truth and use scare tactics too
Let’s show them how we feel.

Chorus.

For the beauty of our country we must vote to keep us free
Or the bureaucrats will tax us out of all our property
We the people are suffering while they bask in luxury
Let’s show them how we feel.

Chorus.

When proposition thirteen wins how different it will be
Six thousand million dollars left to spend for you and me
On things we need to please us and to keep on living free
Let’s show them how we sing.

Chorus:

Vote no on eight and yes on thirteen
No on eight and yes on thirteen
Vote no on eight and yes on thirteen
Three cheers for Jarvis-Gann.

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Platform of the Libertarian Party of California

The Party of Principle

Adopted in Convention in Los Angeles, February 17-20, 1978

Libertarian Party

The Libertarian Party of California is the California affiliate of the Libertarian Party, a national political party with headquarters in Washington, D.C. This platform was adopted by the sixth annual convention of the Libertarian Party of California which met February 17-20, 1978, in Los Angeles. It will serve as the platform of the Libertarian Party

of California until the eighth annual convention in 1980. For further information on positions taken by the Libertarian Party of California, write to State Headquarters, Libertarian Party of California, P. O. Box 71383, Los Angeles, California 90071, or telephone (213) 240-2556.

Statement of Principles of the Libertarian Party of California

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

We hold that each individual has the right to exercise sole dominion over his own life, and has the right to live his life in whatever manner he chooses, so long as he does not forcibly interfere with the equal right of others to live their lives 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 life of the individual and seize the fruits of his labor without his 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 prohibition of the initiation of physical force against others; (2) the right to liberty of speech and action—accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and (3) the right to property—accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since government has only one legitimate function, the protection of individual rights, we oppose all interference by government in areas of voluntary and contractual relations among individuals. Men 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 man's rights, is laissez-faire capitalism.

Individual Rights

Rights pertain only to the actions individuals may take in their own behalf. Rights cannot impose on others an obligation to act. Civil order is the condition under which individual rights are recognized, respected, and protected by law. Where government exists, its only proper function is the protection of individual rights, which are:

Right to life: One has the right to exercise sole dominion over one's own life. One has the right to pursue the lifestyle and course of action that best sustains, enhances, and protects one's own life, recognizing that this equal right in others must not be violated.

Right to liberty: One has the right to remain autonomous from any form of coercion, interference, or impingement by any individual or group of individuals or government that would impede one's pursuit of action, thought, or security, recognizing that this equal right in others must not be violated.

Right to property: Property shall be defined as 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 this equal right in others must not be violated.

Individual Rights and the Economy

Since each person has the right to offer goods and services to others on the free market and government interference can only harm such free activity, we oppose all intervention by government in the area of economics. The only proper role of government in the economic realm is to protect property rights, adjudicate disputes and protect voluntary contracts, and provide a legal 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.

We advocate that governments raise funds in the same manner as private organizations, through voluntary contributions and charges for services.

To that end we advocate:

- a. A tax limitation at all levels of government, designed to prevent the further increase of taxation and to decrease taxation and expenditures each year until all taxes are eliminated.
- b. A system whereby the users of government services will be charged for the full cost of those services.

2. LAND USE AND PUBLIC PROPERTY

We recognize the right of property owners to control, use, or dispose of their property in any manner consistent with the rights of others. We believe that rights to land and any related riparian, oil, or mineral rights are entitled to the same respect and protection as all other individual rights, and we therefore support the following:

- a. The abolition of zoning laws and building codes and their replacement by voluntary restrictive covenants.
- b. The repeal of eminent domain and all forms of condemnation of property.
- c. The immediate liquidation of government-held lands, including parks and beaches.
- d. The adoption of private remedies, including civil legal action, for redress of property right violations.

3. EDUCATION

We reject the idea that the financing and control of education is a proper function of government. In order to end state participation in education, we advocate the following:

- a. An immediate end to compulsory busing.
- b. An immediate end to compulsory school attendance.
- c. An immediate end to licensing and regulation of private and parochial schools.
- d. Allowing students to attend any school regardless of district boundaries.
- e. A shift toward greater reliance on tuition by colleges and universities.
- f. A gradually increasing use of tuition on the grade school and high school levels as the most direct method of funding.
- g. The eventual sale of government-held educational facilities to the private sector.

Platform of the Libertarian Party of California

4. WELFARE

Government welfare programs violate individual rights because money or property is coercively taken from some to give to others. The need of one person is not a claim on another, and we therefore urge an end to government welfare programs.

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

Without the oppressive burden of taxation, human benevolence should be adequate to meet the needs of those who cannot support themselves.

As short-range goals, we would suggest the following:

- a. An immediate end to participation by the State of California in the food stamp program.
- b. The reduction and eventual end of California programs to aid families with dependent children, the blind, the aged, and the disabled.
- c. The institution of user fees for all medical programs, state hospitals, and other state-provided health services.
- d. An immediate end to government-funded job training, retraining, and manpower development programs.
- e. An end to state-supported child care centers.

5. MONEY

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

6. TRANSPORTATION AND MASS TRANSIT

We recognize that transit service has become a major problem in many areas; that this problem is properly solvable only through voluntary action in the free market; and that government interference in transit services has been characterized by monopolistic restriction and gross inefficiency. We therefore advocate the following:

- a. The immediate repeal of all laws restricting transit competition, such as the granting of taxicab and bus monopolies and the prohibition of private jitney services.
- b. The sale of the public road, freeway, and waterway systems.
- c. An immediate end to government financing of mass transit projects.
- d. An immediate end to government regulation of private transit organizations and to government favors, including subsidies and access to powers of eminent domain.
- e. The transfer to private ownership of airports and air traffic control.
- f. The termination of Amtrak and the return of America's railroad system to private ownership without government regulation or subsidies.
- g. Dissolution of government agencies concerned with transit such as the Civil Aeronautics Board, the Interstate Commerce Commission, and the Public Utilities Commission. We propose deregulation of the trucking industry at the state, as well as the federal, level.

7. 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 will not be considered a subsidy.

8. 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 and no consumer should be legally restrained from hiring non-certified individuals.

"Certification of Competency" can only be provided by the free market, possibly in the form of adherence to voluntary professional standards or bonding by those organizations or individuals who would accept financial responsibility for the actions of the bonded party; such as insurance companies who, in their own best interest, would determine the competency of a particular professional before certification, bonding, or insuring against malpractice.

9. 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. In the free market, consumers would be protected because:

- A good name is an asset to a business and it can best be maintained by fair and honest dealing.
- The use of certificates, guarantees, and warranties issued by manufacturers and suppliers of goods and services is a protection to the consumers.
- Both professional and nonprofessional people can voluntarily form associations for the specific purpose of maintaining high standards both in work and behavior.
- 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.

10. UNIONS AND COLLECTIVE BARGAINING

As we support the right of all individuals to enter into contracts, we oppose all government interference in employer-employee relationships. 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 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.

11. CONSERVATION

The desire to conserve natural resources is not a valid excuse for the violation of individual rights, and we therefore oppose such violations. We believe that property owners may do with their property as they please.

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 that they wish to conserve.
- c. That all conservation laws controlling or regulating the use, development, sale, or production of resources—i.e., land, minerals, and woodlands—be repealed.

12. WATER

The history of government water projects in the state of California has been one of increased taxes to finance dams, canals, and pipelines; government-run water rationing that has channeled water to political favorites and burdened the public with arbitrary cut-backs; government-aided insurance programs that subsidize living or doing business in flood-prone areas; and regional antagonism between beneficiaries and victims of water policy. We advocate the transfer of all water works to private ownership. We oppose the tax-financing and eminent-domain land acquisitions for the Peripheral Canal. We favor the 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 cause.

13. POLLUTION

The pollution of air and water 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. We support the development of an objective system defining individual property rights to air and water. 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 call for the abolishment of the Environmental Protection Agency and the return of all questions of violations of rights to life and property to the jurisdiction of the courts.

14. THE ENERGY CRISIS

The primary causes of the energy crisis are such government actions as the artificially low price of natural gas imposed by regulatory agencies and the refusal of the State of California to permit drilling for production and the transportation of petroleum products. Such policies have discouraged production and encouraged wasteful use of energy resources. We believe that this government-induced shortage should not be the grounds for the imposition of further government restrictions, but rather should be the grounds for the removal of existing restraints.

We therefore support:

- a. The right of persons to build, own, or use refineries, pipelines, power-generation units, or any other productive asset, so long as they do not forcibly violate the rights of others.
- b. The right of sellers and buyers to trade voluntarily among themselves without government restriction.

We therefore 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 increasing mileage per gallon of fuel.
- d. Implementation by California of federal programs for coercive control of energy production.

15. GOVERNMENT MONOPOLIES

Where governments exist, their only purpose is to protect individual rights, not to run businesses. Government-operated or supported monopolies such as the Postal Service abridge individual rights to free trade and should be abolished. We call for repeal of all laws which establish or support monopolies. As an interim measure, we call for immediate repeal of any law which prohibits competition with government monopolies. As private business assumes the functions now provided so ineffectively by government, federal and state business holdings will be turned over to the private sector at public auction to reduce the government debt.

Platform of the Libertarian Party of California

Individual Rights and Civil Order

The protection of individual rights is the only proper purpose of government. No conflict exists between civil order and individual rights. Both concepts are based on the same fundamental principles: that no individual, group, or government may initiate force against any other individual, group, or government. Government must be constitutionally limited to prevent the infringement of individual rights.

1. VICTIMLESS CRIMES

The enactment of laws creating "victimless crimes" is a legislative attempt to force one group's moral standards on others. To commit a crime, one must infringe upon the rights of another. We therefore support the following:

- The repeal of all laws restricting the voluntary exchange of goods or services.
- The repeal of all laws restricting or controlling any form of gambling.
- The repeal of all laws which control or prohibit any sexual activity, including homosexuality and prostitution between consenting adults.
- The repeal of all laws permitting nonvoluntary commitment to mental institutions.
- The repeal of all laws restricting or controlling the production, transportation, sale, possession or use of any food, food supplement or drug. As an interim measure, we support a ballot initiative to decriminalize marijuana.
- The repeal of all laws setting up special classifications of aliens, and the abolition of all economic and social restrictions placed upon them.

2. FREEDOM OF EXPRESSION

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.

The Supreme Court has recently 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.

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

Freedom of expression does not include the use of someone else's property to promote one's ideas without the voluntary consent of the owner.

3. 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, or sexual preference. However, we oppose any governmental attempts to regulate private discrimination, 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 reasons whatsoever.

4. UNDOCUMENTED ALIENS

We hold that all human beings have rights, not merely the citizens of a particular country. Although private property owners have the right to restrict others from trespassing on their property, government restriction 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 hold that all harassment of so-called "illegal aliens" by government should cease. We defend their rights to seek work, trade, and live within this country, just as we defend these rights when possessed by current citizens. We oppose welfare payments to aliens just as we oppose welfare payments to all other persons.

5. 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.

Justice is the 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. It is also the imprisonment or exclusion of criminals from free society when necessary and the fair settlement of contract disputes.

The lack of understanding and appreciation of these points by the courts, and the public at large, has led to the near collapse of public confidence in our courts and the failure of our courts to administer justice.

Therefore, the role of the court system should be:

- To establish the guilt or innocence of the accused by objective rules of evidence and by due process of law.
- To determine (by objective rules) the amount of restitution to which the victim is entitled.
- To determine the disposition of criminals.
- To settle contractual disputes.

All persons should be equal before the law and entitled to due process of law. Due process would 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 jurisdiction of courts, if both so agree.

Until such time as persons are proved guilty of crimes, their individual rights should be accorded full respect.

We therefore advocate the following judicial reforms:

- Full protection of the rights of the accused, including complete access to all available records, information, or evidence (held by the court or voluntarily submitted) to be used in prosecution of the case.
- 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, at the discretion of the jury or judges.
- 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.
- That no person shall be tried for a crime without complaint of the individual whose rights were violated. In the case of death or incapacitation of the victim, complaint of the victim will be assumed unless indicated otherwise by the victim prior to the act causing his or her demise or incapacitation.
- The right to trial by jury regardless of the classification of the judicial procedure.
- An end to the practice of plea bargaining.
- The repeal of all laws establishing any category of crime applicable to minors for which adults would not be similarly answerable, and an end to the practice of jailing children accused of no crime. We further advocate the abolition of the juvenile court system and the California Youth Authority.
- The right of a person convicted of a crime to seek restitution in a separate legal action, for any violation of his or her rights.

6. PRISON REFORM

Prisons today suffer from various maladies, such as:

- Prisons offer no means of restitution to the victim of crime. They primarily provide punishment for the crime.
- The prisoners are a burden on the taxpayers, as taxpayers are forced to pay for the prisoners' room, board, and rehabilitation.
- The prisoners are denied a choice of alternative livelihoods within the walls of the prison.
- Inhumane conditions in prisons contribute to the dehumanization of prisoners, rather than their rehabilitation.

Many of these ills are curable by paying due respect to the principles of individual rights. One of the major failures of the prison system is its record of recidivism. The future purpose of prisons will be to detain those who repeatedly and blatantly refuse to recognize and respect the rights of others.

Therefore, we advocate the following reforms:

- Prisons should no longer be a burden on taxpayers. They can be self-sufficient by charging rent for room and board from the prisoners.
- Prisons should offer a marketplace of jobs from which the prisoner can either earn a livelihood or learn new skills for self-support and restitution while in prison. A self-supporting prisoner would be contributing toward self-rehabilitation.
- The jobs in a prison should abide by the laws of the marketplace in setting prices and salaries paid.
- Entrepreneurs should be permitted to construct prisons for the purpose of utilizing prisoners for productive purposes, upon mutual agreement of the prisoner and entrepreneur.
- A reasonable portion of a prisoner's salary or profits should be set aside for restitution to the victim.
- A prisoner's individual rights should be maintained, consistent with the purposes of imprisonment as expressed above.
- There should be no indeterminate sentences. All parole boards should be abolished.

7. MARRIAGE

We regard marriage as a private contractual agreement. The State of California should neither dictate, prohibit, control nor encourage any such agreement. To implement this principle, we advocate:

- As an interim measure, the redrafting of marriage and marriage dissolution laws to reflect a strictly equal status for women and men.
- Property not specified as "community property" not being presumed as such.
- The repeal of laws regarding the use of maiden names.
- The recognition in law of marriage contracts as an addition to, or in place of, marriage and dissolution laws.
- The eventual repeal of all marriage and marriage dissolution laws and their replacement by contracts where desired by the parties.
- The right of parents not to register the birth of their child.

8. THE RIGHTS OF CHILDREN

We recognize that children are entitled to many more of the rights of human beings than they now enjoy. We therefore support:

- The right of children to the full protection of the law against physical abuse.
- The right of children to leave home whenever they choose to take on the responsibility for their own support and actions.
- The right of children to own and dispose of property.

Platform of the Libertarian Party of California

9. THE RIGHT TO KEEP AND BEAR ARMS

Recognizing that the right to life implies a right to self-defense, and that an armed citizenry is the final defense against government tyranny, we support:

- The repeal of laws regulating the ownership and bearing of arms.
- The elimination of registration and all other government records pertaining to the ownership of arms.
- The repeal of laws requiring permission from any government agency for any purpose relating to arms and ammunition.

10. 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 that we oppose all taxation. We oppose any government requirement that one believe in a "god" or a "divine being" and call for the removal of such phrases as "so help me God" from all government oaths.

11. PROTECTION OF PRIVACY

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 a form of involuntary servitude and should be abolished. Correspondence, bank, 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. 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 conducted only with the consent of the persons from or about whom the data are sought.

12. AMNESTY AND PARDON

We advocate the unconditional exoneration of an individual lawfully convicted or accused of a "crime" that did not, in fact, constitute a violation of individual rights. As individual rights are restored by the repeal of laws, persons convicted under such laws shall be immediately pardoned.

13. NON-VOLUNTARY COMMITMENT

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

We further advocate:

- The repeal of all laws permitting non-voluntary psychiatric treatment.
- The immediate discontinuation of all government or government-sponsored programs for observational study, experimentation or treatment.
- An end to all non-voluntary treatments of prisoners in such areas as psycho-surgery, drug therapy and aversion therapy.

14. 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.

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

Therefore the Libertarian Party of California endorses:

- Placing on all election ballots, beneath each election office, the option, "none of the above is acceptable."
- 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 special election to fill the office is held; and
- The provision that no person defeated in an election by "none of the above is acceptable" shall be eligible for election to the subject office for a period of two years.

Omissions

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.

Libertarianism

Libertarianism is nothing more nor less than the politics of Liberty. While other parties and groups seek to use the tools of politics to give some groups power over others, to enrich some at the expense of others, or to impose some set of values on those who disagree with those values, Libertarians seek nothing more than Liberty.

In economics, Libertarians advocate the establishment of the purely free market, that is, a market unhampered by government intrusion.

In the field of civil liberties, Libertarians hold that individuals must respect the right of others to live different lives, to read and enjoy different commodities, to shape their relationships, sexual and other, in their own way, to live their lives in their own way, at their own ex-

pense and risk, never forcing others to pay for their mistakes.

Americans two hundred years ago knew that eternal vigilance was the price of liberty, and were prepared to pay that price. Whether we are willing to pay that price today is a question which must be answered individually, by each of us. But we of the Libertarian Party have made our choice. Moved by a passion for justice, by compassion for those oppressed by State power and privilege, we have raised the banner of Liberty.

Adapted from *Libertarianism*, Libertarian Party Position Paper #1, available at \$5/100 from Libertarian Party National Headquarters, 1516 P Street, N.W., Washington, D.C. 20005.

LIBERTARIAN PARTY OF CALIFORNIA Membership Application

Southern Headquarters: P.O. Box 71383, Los Angeles, California 90071 (213) 240-2556

Northern Headquarters: P.O. Box 2375, Stanford, California 94305 (415) 386-3115

Name _____

Address _____

City/State/Zip _____

Phone _____ Unlisted, do not release

Send me _____ voter registration card[s].

I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social ends.

Date _____ Signature _____

<input type="checkbox"/> Student. Name of school _____	\$ 6.00
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<input type="checkbox"/> Sustaining	\$ 25.00
<input type="checkbox"/> Sponsor	\$ 50.00
<input type="checkbox"/> Life	\$250.00

The above amounts all include a subscription to CALIBER, the LPC state newsletter.

<input type="checkbox"/> Dues only—exclude newsletter (deduct \$5.00 from above amount)	_____
<input type="checkbox"/> Newsletter subscription only	\$ 5.00
<input type="checkbox"/> Voluntary contribution to help build the LPC	_____

Total _____

Michael Emerling Seminar Slated for Bay Area in June

By Cynthia Hilton

The first Michael Emerling Seminar is scheduled to make its appearance in the Bay Area, June 17 and 18 (Saturday and Sunday, 9 A.M. to 6:15 P.M. each day) at the Oakland Airport Travelodge. This is a seminar on *selling libertarianism*.

The speaker is Michael Emerling, a member of the Arizona Libertarian Party. He recently gave a one-day version of this seminar in Los Angeles to many members of the LPC there. I personally attended that seminar and thought that it was so valuable that people in the Bay Area should have the opportunity to attend also.

Space is limited for the June 17/18 seminar, so if you plan to attend I suggest you make your reservations as soon as possible. Spaces will be allotted on a first-come, first-serve basis. If enough extra people are interested, Mr. Emerling has agreed to give the seminar again on July 8 and 9, so please indicate whether you are willing to have space reserved for July 8/9 when you send in your reservation.

For reservations for the June 17/18 weekend send checks made payable to me: Cynthia Hilton, 1429 Jackson Street, #108, Oakland, CA 94612. Telephone (415) 832-1278. Weekend reservations are \$20; Saturday only is \$15; Sunday only is \$10.

Rummage Sale Nets 17 Libertarians

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In addition to cleaning out our garages of excess books and furniture and obtaining 17 new Libertarian Party registrants, we also managed to raise \$200 for the Ed Clark Campaign.

Because the rummage sale was so successful, the Libertarian Party of Santa Clara County plans to staff a booth each month at the De Anza Flea Market. We recommend you consider doing similar projects in your area in order to give libertarianism and the Libertarian Party more visibility.

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S. 1437—Update

By Sally Foster

The Criminal Code Reform Act of 1978 [see CALIBER March, April and May issues for background articles] will probably be presented to the House of Representatives sometime in May. This is S.1437/H.R. 6869, ostensibly a codification and revision of the U.S. Criminal Code. Each reading reveals more threatening statutes.

There is, for example, the entire mechanism for federalization of law enforcement. Under Section 201b—"Federal Jurisdiction," any *additional offense* committed during the commission of a federal offense, will be prosecuted as a federal crime, though it might normally be handled by state or local authorities. This is termed "piggy-back jurisdiction." Obviously a police force will be necessary to back up local control agencies and to carry out additional arrests. It appears this will be accomplished by extending further powers to government agents—such as the right to arrest without warrant a person *suspected of having committed a felony*, and "*to perform any other law enforcement duty that the attorney general may designate*," which sets up this presidentially appointed official as a super police chief. (Sections 3011-3025).

The hearings in the House Sub-Committee on Criminal Justice were originally scheduled only through March. When pressure was exerted by concerned citizens, they were continued through April. Now the last hearing has been held.

Sub-Committee members seem to be either singularly unconcerned (or resigned to the inevitable?). The apathy, expressed through lack of attendance, during the Senate Judiciary Committee hearings and floor debate is apparently contagious.

The Sub-Committee hearings were poorly attended by members, though there was no lack of people wishing to present testimony. One Bay Area psychiatrist traveled the 3000 miles to Washington to speak against Chapter 36, subchapter b, "Offenders with Mental Disease or Defect," and found himself addressing only *one* representative. For legislation described as the most important in 200 years, such lack of interest is inexcusable. (Have you noticed how silent your local newspaper has been on this issue?)

However, some positive things are happening. Representatives are beginning to realize that this is controversial legislation. Letters are beginning to come in, and letter writing campaigns are being organized as individuals and groups learn of S.1437/H.R. 6869. Meanwhile rumors are being circulated that this bill is essentially dead. Unfortunately, this is not true. It is very much alive.

On April 30 the Executive Committee of the Libertarian Party of California passed a resolution endorsing the stand taken by the National Committee of the Libertarian Party condemning this bill and urging its defeat. Letters will be sent to all California representatives informing them of our position. Help by following through with mailgrams and letters. (1978 is an election year.) Now is the time for concerted pressure.

Debate could continue through the summer, and there is great danger that representatives will shrug and vote "aye" just to have the whole affair over and done with. This must not happen. S. 1437/H.R. 6869 must be defeated.

*Laissez
faire*
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Brief Notes

The First Libertarian Church, a member of the Libertarian Council of Churches, has been denied tax exempt status by the Internal Revenue Service. This attempt by the IRS to arbitrarily decide which organizations are operated for "religious purposes," will be opposed in tax court by libertarian attorney Linda Abrams. (Source: newsletter of the Libertarian Council of Churches, 11811 Larnel Place, Los Altos, CA 94022).

The Perra for Assembly campaign has chosen the slogan "Let's get our tax money back," after conducting a poll to determine the relative popularity of 1) "Declare your independence," 2) "Freedom from government," 3) "Get your tax money back," and 4) "Freedom of choice." Although #4 was the clear winner of the popularity contest, the campaign committee felt that it "would not motivate voters to find out more about the candidate."

Vice Chair Cynthia Hilton's proposal of a paid part-time executive assistant gained tentative approval at the April 29-30 meeting of the LPC Executive Committee. The approval is contingent on the proposal of a satisfactory funding method.

Michael Emerling is scheduled to speak at the June 20 dinner meeting of the Libertarian Alternative in San Diego.

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Gordon Johnson, past chair of Region 11, has been appointed by the LPC Executive Committee to fill the position of LPC Treasurer left vacant by the resignation of Michael Zeldis.

Bay Area Libertarians for Proposition 13, a newly formed organization, is sharing an office donated by Trevor Pitts (chair of the new organization) with the Alameda County Committee for Yes on 13. The address is 809 Walker Ave., Oakland, CA 94610. Call (415) 444-1210 to volunteer.

Recently announced libertarian candidates include **Bill Wingfield** (62nd Assembly District), **Johnnie Staggs** (Mayor of San Jose), and **Charles Thomas** (Los Angeles City Council, April 3, 1979 election).

Region 14 meets the third Thursday of each month at the Copper Penny Restaurant in Glendale (dinner at 6:30 P.M., meeting at 8 P.M.). A discussion of the harrassment and closing of Altadena Dairy, the largest producer and distributor of raw milk in California, is tentatively scheduled for the June 18 meeting.

Vote Libertarian

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new commission and staff to the government bureaucracy. Proposition 3 and 10 allow special property tax exemptions, at the discretion of the legislature. The reasoning of the committee seems to be that taxation is, by its nature, unfair, so *any* reduction is to be encouraged. The recommendation on Proposition 8 results from its use in the fight against Proposition 13. Otherwise, the reasoning applied to 3 and 10 would probably also be applied to 8. Proposition 13 had, of course, been endorsed by the February, 1978 Convention.

Note that Proposition 13 is the only initiative constitutional amendment (that is, proposed by the people) on the ballot this June. All the others were proposed by the California Legislature.

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