

California Freedom

December 2003

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

■ Campaign Analysis

Rejoicing at the Recall, but Predicting Problems

by **Richard Rider**

LPC Activist

Believe me — I'm no Arnold Schwarzenegger fan. But we Libertarians just gotta love the recall and the outcome. Here are a few personal observations and predictions.

First and foremost, Davis is toast. That alone is worth the cost of the show.

Unfortunately for Davis, he had to run against himself — his worst enemy. In the past he has always deflected that problem with hit pieces on opponents. But with the recall, the first vote was all about HIM. How unfair!

I particularly enjoyed Davis's comment that the recall was about the state budget deficit, but now the budget is balanced! How he said that with a straight face I'll never know. Then ya gotta love the incompetence of the Democrats in picking Cruz Bustamante as their standard bearer. How could they lose when there were two major Republican candidates and only one Democrat? And in a state with a tenacious Democrat majority! Amazing.

The Democrats were so anxious to draw out the Latino vote that they forgot just how repulsive this little Hispanic Mussolini clone is to everyone else. Even the Latino vote was not as lop-



Photo: Lawrence Samuels

'Moving Day for Gray' at the Capitol

Joining a convoy of 15+ U-Hauls and large moving vans to encourage Governor Gray Davis to move out of the Capitol were Art Tuma, Chair of LP of Sacramento County, and Lawrence Samuels, LPC Northern Vice Chair. Spotted at the festivities, held the day before the Oct. 7 recall election, were a multitude of signs, including some reading: "Governor's Office Available Oct. 7," "Don't Steal the China, Gray," and "Pack Your Bags."

The Libertarian Party decorated a 17-foot moving van and garnered media exposure driving around the State Capitol as part of the enthusiastic convoy of trucks, while Recall personalities held a press conference. *Bon voyage, Gray Davis!*

sidedly Democrat as Bustamante's strategists had hoped.

The Dems were smart to run just one candidate — that move alone should have won it for them. But they ran a man who, under the Peter Principle, had reached (indeed, surpassed!) his level of incompetence as Lt. Governor — a man who had risen within the party primarily because of his ethnic background rather than competence or even image.

The Dems had several other candidates who could have won for them, I suspect — including other Latinos. But they told Diane Feinstein et al not to run.

Slugs of Money

The Dems compounded their problem by taking slugs of money from the Indians who overplayed their hand (so to speak). The money was taken illegally by the Bustamante campaign, and when challenged, it was spent on Prop. 54 with Bustamante railing away

— again an illegal act to hype his candidacy. That didn't sit well with the public.

And what about those incessant ads of Bustamante ranting away in front of a friendly audience with fake applause after every sentence? He came across as shrill, petty, and demagogic. It was as if the GOP had designed the ads for him! Late in the race, Bustamante was switched to more acceptable touchy-feely ads that at least didn't offend, but I suspect the damage had already been done.



• Richard Rider

One interesting consequence of the ranting Bustamante ads is that, with so much money, many TV stations were running that ad every commercial break. Surely others did what I did — either switched channels, watched non-commercial channels, threw in a videotape or DVD, or just shut

the thing off. The stations running those ads harmed their ratings, I'm sure.

And finally, Bustamante refused to modify his support for MEChA, a Mexican group that does some good work, but also has some extremely racist, separatist tenets that angered whites and nonwhites alike. All Bustamante had to do was to say he rejected the MEChA motto, "Por La Raza todo. Fuera de La Raza nada." ("For the race, everything. For those outside the Race, nothing.") Arnold should thank Bustamante for being such a dumkopf.

Have to be crazy

Speaking of Arnold.... We Libertarians would have preferred that our own LP candidate won, or at least Tom McClintock. But, as one pundit put it, you'd have to be crazy to want to become governor of this mess.

• See **Recall** page 6

■ Politics

Historic Recall Election Recap

Question 1: Shall Gray Davis be recalled from the office of governor?
➤ Yes: 4,972,524 votes, or 55.4%

➤ No: 3,917,508 votes, or 44.6%

Question 2: Who shall replace Gray Davis?

Of course, Arnold Schwarzenegger won the historic 135-way race with, at last count, 48.6% of the vote. Opposing Lt. Governor Cruz Bustamante were an impressive 68.5% of voters (that's 6.14 million people!), including 13.5% who cast their vote for fiscal conservative Tom McClintock, a state senator and Republican.

As for the Libertarian Party, Ned Roscoe, the LPC-endorsed candidate, ranked 34th of 135, with 2,248 votes, and Jack Hickey ranked 48th, with 1,689 votes.

Adding up the votes for all candidates identified on the ballot as "Libertarian," including Ken Hamidi (a self-described independent, who was listed as a Libertarian, and ranked 40th with 1,946 votes), the LP was chosen by 5,883 voters.

That's 5,883 people who refused to succumb to the "wasted vote" argument — an argument most compelling in this particular election, Democrat Bustamante and his political philosophy being truly distasteful to so many.

We shall see over the term of Governor Schwarzenegger whether his reluctant supporters wasted their votes.

➤ For a complete ranked list of candidates with their vote totals, visit the elections web site at [http://Vote2003.SS.CA.gov/Returns/gov/00.htm](http://Vote2003.SS.CA.gov>Returns/gov/00.htm).

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■ LPC Convention 2004

Libertarian Entrepreneur on Tap for Convention Delegates

Entrepreneur and civil libertarian John Gilmore has joined the auspicious list of speakers slated to address delegates at the LPC's annual convention in March.

Having started out as a programmer, Gilmore built a fortune through several computer businesses. He now uses the spoils of his extraordinary entrepreneurial successes to preserve and extend civil rights for all.

A board member of numerous nonprofit organizations as well as for-profit enterprises, Gilmore co-created Cygnus Solutions, the Electronic Frontier Foundation (EFF), the Cypherpunks, the DES Cracker, and the Internet's "alt" newsgroups. He has spent thirty years in programming, hardware and software design, management, philosophy, philanthropy, and investing.

A man of many public policy interests, Gilmore likes to prompt people to think more about the society they are building. His



• John Gilmore, entrepreneur and civil libertarian.

advocacy on drug policy aims to reduce the immense harm caused by current attempts to control the mental states of free citizens.

His advocacy on encryption policy focuses on improving public understanding of this fundamental technology for privacy and accountability in open societies. His efforts in intellectual property policy seek to create a healthy balance among the rights of creators, readers, middlemen, competitors, critics, and archivists. His efforts on anonymity, travel, and identification seek to restore to ordinary people engaged in everyday innocuous activities their "right to be let alone."

Also lined up for your weekend of philosophizing with fellow Libertarians are actor Dean Cameron, PayPal co-founder Peter Thiel, presidential hopeful Gary Nolan and Michael Badnarik, LNC Chair Geoff Neale, marijuana activist Rev. Lynnette Shaw, LP National Director Joe Seehusen, and San Diego LP activist and tax fighter Richard Rider.

Join us at the San Jose DoubleTree Hotel on Friday, March 12 through Sunday, March 14, 2004, as we drive down the "road to success," the theme for this year's convention.

LPC Convention 2004 Information

For program updates or hotel information, visit www.ca.lp.org/conv/2004/, or you may inquire with Convention Manager Mark Hinkle at (408) 778-5454 or Convention@CA.LP.org.

Welcome Aboard!

The Libertarian Party of California would like to give a big welcome to these 45 members who joined the party during October. They include Sarah Donovan, a guitar builder, graphic designer Heather Gotlieb, Edna Suangco, a cosmetologist, Kerwin Hieb, a quality supervisor for an aircraft company, and insurance broker Randall Karp. We hope to get to know you and all of your pet libertarian issues better in person very soon.

- Joseph Azer San Diego
- Sabrina Bautista San Diego
- John Brady Laguna Niguel
- Jen Clark Campbell
- Nathan Clegg San Diego
- Brian Corrigan Sacramento
- Nancy Crago Happy Camp
- Rollin Crago Happy Camp
- Jamie DePaolo Fullerton
- Kent Didion Sacramento
- Sarah Donovan El Cajon
- Barry Dworak San Diego
- James Edwards Ramona
- Vella Englehart San Diego
- Jonathan Ernst Oceanside
- Louise Favor La Jolla
- Michael Ford Encinitas
- Jennifer Gosa San Diego
- Heather Gotlieb Burbank
- Larry Grove La Mesa
- Thomas Hennessy Sierra City
- Kerwin Hieb Harbor City
- Laura Hudson San Diego
- Scott Jehlik Long Beach
- George Johnson Berkeley
- Randall Karp Torrance
- David Kern Poway
- Adam Kokesh Claremont
- Jody Lohn Happy Camp
- William O'Keefe Sacramento
- David Parr Freedom
- Gayland Pfister San Gabriel
- Wayne Rogers Dublin
- Ed Selby Jamul
- Joe Shea Ramona
- David Skarbek San Jose
- Amy Smith San Diego
- Keith Smyth Campbell
- Edna Suangco Spring Valley
- John Swapceinski Menlo Park
- Richard Tracey Carlsbad
- David Weaver Rancho Santa Margarita
- Stann Whipple El Sobrante
- Michael Wilson San Diego

■ Letter to the Editor

The Right Words Sell

I believe we can improve our message considerably by making one small adjustment.

NEVER use the word "government." Instead, use the words "politicians and bureaucrats." It may take some linguistic gymnastics to do, but it's worth the effort.

In the post-September 11 world, the word "government" (because it's American) gets a pass. "Politicians and bureau-

crats" are not accorded the same consideration.

For example, "Government-run health care" sounds very appealing to many people. Health care run by "politicians and bureaucrats"? Are you nuts?

I believe our success lies in discrediting politicians and bureaucrats, not the government.

— Tom Lundy,
Orlando, Florida

Shopping for a home?

Tap into the brand new Libertarian Network of Realtors and help boost income to the LPC!

Longtime Libertarian and Chair of Gold Country Libertarians, Al Segalla, with his 25 years of experience as a Realtor, has created a way for you to work with Libertarian Realtors while benefiting the LPC. It's a Libertarian Realty Network! As directed by you, their Libertarian customer, Network Realtors will donate 20% of their Network commissions to the LPC or any other Libertarian cause you endorse.

Tap in! Visit www.BambiLand.com/NetWork.html

With so many Libertarians in California, this could yield several hundred Network transactions each year.



Albert J. Segalla, Realtor
Chair, Gold Country Libertarians

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Legal News

Court Says IRS Can't Stop Taxpayer Recordings at Appeals Hearings

by Allen Hacker

Vice Chair, Santa Clara County LP

July 8, 2003 brought a victory in the citizens' battle against tax bureaucrats.

On that day, the Tax Court ruled (121 T.C. No. 2, Docket No. 11604-02L) that it is improper for the IRS Appeals division to disallow audio-recording of Appeals hearings, including Collections Due Process Hearings. The IRS had set a new "policy" prohibiting such recordings, despite the fact that under 26 USC § 7521, the Appeals unit is required to allow such recordings.

IRS's illegal policy

The Tax Court invalidated the IRS's illegal policy, and ordered the IRS to start over in the case of the taxpayer who brought the suit. That taxpayer was Curtis Keene of Las Vegas, Nevada.

It is important to note that Keene refused to proceed with the meeting when the IRS personnel violated the law in refusing him



• Allen Hacker: A victory in citizens' battle against tax bureaucrats.

his right to create an audio record of the proceeding. The court stated that had Keene gone ahead with the meeting, even if he first objected, he would not have had standing to bring the suit.

This position by the Tax Court is consistent with appeals court decisions such as U.S. v. Johnson, 76 F. Supp. 538, which says, in effect, that you waive your rights if you don't assert them and

act accordingly.

The key passage in Johnson reads in part: "The [right] against self-incrimination is neither accorded to the passive resistant, nor the person who is ignorant of his rights, nor to one indifferent thereto. It is a fighting clause. Its benefits can be retained only by sustained combat.

"It cannot be claimed by an attorney or solicitor. It is valid only when insisted upon by a belligerent claimant in person."

Allen Hacker is the Vice Chairman and incoming webmaster of the LP of Santa Clara County. He is the founder of LawfulGov.org; works as a building and repair contractor; and operates AEscirlink.net, an internet service provider. He lives in Mountain View with his wife, Laura Ferrer, and the neighbor's cat.

Court Decision

You can read the text of the court decision on the web at LawfulGov.org, in the "Articles" section, and then by clicking on "View the actual decision in PDF format."

Looking to History

Taxation is Slavery: Listening to the wisdom of America's Founders

by L.K. Samuels

LPC Northern Vice Chair

Slavery was called "man-stealing" before the Civil War because it reflected the theft of a person's self-ownership.

William Lloyd Garrison (1805-1879), one of the most famous Abolitionists, employed the self-ownership concept to assault slavery before the Civil War.

Abolitionists needed a way to challenge the popular notion that owning another human was admissible. Slave-owners were using all sorts of abstractions to justify the enslavement of Blacks — everything from religion to socialist utopianism — mostly based on the idea that some people were incapable of running their own lives, and therefore must be controlled for their own benefit.

Borrowing from John Locke, Garrison argued that each and every individual owned himself or



• L.K. Samuels: Resurrect Abolitionism to fight this modern-day slavery.

herself, and therefore nobody could be a slave to another. This gave the Abolitionists the moral high ground with which to challenge involuntary servitude.

Unfortunately, this self-ownership concept was not employed against taxation at the time, simply because there were no federal taxes from Thomas Jef-

erson's presidency until the start of the Civil War.

And yet, like slavery, taxation is the worst form of stealing. It steals a person's life, time, and labor. Surely, if people own themselves, then they own what they produce.

And if they own what they legally produce, then nobody (even government) has a right to forcibly take it away. Whether it is called "protection money," extortion, or taxation, to collect money at the point of a gun is a form of slavery.

Abolitionism was one of the most important freedom movements in American history. It needs to be resurrected to fight this modern-day slavery.

L.K. Samuels is a long-time libertarian activist. He founded Freedom Watch (www.Freedom1776.com), and is editor of the very handy book, *Facets of Liberty: A Libertarian Primer*. Samuels works as a Realtor, and this year is serving the LPC as Northern Vice Chair. He can be reached at lawsamz@hotmail.com.

Win Free Airfare to LP National Convention, Atlanta, May 27-31, 2004

Free round-trip airfare to the LP's 2004 national convention in Atlanta will be awarded to between one and five LPC members!

To enter the contest, simply sign up as many new monthly pledgers as you can before December 31, 2003. The four LPC members who sign up the most pledges to any combination of LP national, LPC, and LPC regions will be automatic winners.

Also, a drawing will be conducted at the March 2003 LPC convention at which one additional winner will be selected at random from all those who signed up new pledgers.

Signing up more or bigger pledgers will increase your chances to win.

There Are Two Ways to Win!

The Fine Print: Initial payment for all pledges must be received before December 31, 2003. Pledges canceled or not paid in full as of the LPC convention in March 2004 will not count. Only one person can take credit for each pledge or part thereof. Drawing will be held only if total new pledges to the LPC from all sources during the period July 1, 2003 to December 31, 2003 reach \$2,000 per month. The drawing will be made from a hat containing one slip of paper bearing the contestant's name for each \$10 per month of pledges signed up by that contestant. Automatic winners must sign up at least \$2,000 per month of new pledges to qualify. If no one signs up \$2,000 of new monthly pledges, the LPC member who signed up the most new pledges will win. New and existing pledges by existing members may count toward one's own efforts. Only new pledges may count toward another's efforts. Prizes contributed by M Carling. Interpretation of contest rules will be made by M Carling, subject to appeal to the LPC Judiciary Committee. M Carling not qualified to win. Questions may be addressed to M@idiom.com.

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—Rush Limbaugh

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Poli-Tips

What to Do When You Can Afford Only One Poll

by **Jon McHenry**
Partner, Ayres, McHenry & Associates, Inc.

If you can only do *one* poll, when should it be conducted? When your campaign has the opportunity to conduct a poll, you want to get as much use out of the results as possible. For starters, having results before you announce may help you decide whether, in fact, you want to run. And if everything comes up roses, survey results may help you discourage another potential candidate from running and help you raise some money by demonstrating your potential to win. But don't bet a sizable portion of the campaign's cash on parlaying a survey into a fundraising windfall.

Even if you don't have a four-to-one favorable to unfavorable ratio with 90 percent name recognition, having results from a survey will help you structure your campaign.

A well-done survey can help you figure out what issues are really important to the voters, where you are relatively strong and weak — among different demographic groups and different attitudinal groups — and where your opponents are strong and weak. So you'll spend more time talking about the right things in the right places, and waste less time and money focusing on the wrong things.

Especially if you're a lesser-known challenger, don't get caught up in the horse race. An early survey is better at measuring longer-term attitudes than the final result. Ballot test questions at an early stage are helpful primarily for analyzing other results in the survey.

So the quick answer sounds like: "As soon as possible." But one of the fun things — well, for consultants, anyway — is that there are no cut and dry answers, because the dynamics of each contest are a little different.

One compelling reason to hold off a bit is running in a contest with an unstable candidate field. This applies primarily if you've already decided to run, but are not sure who else is running. Imagine conducting a full-blown benchmark in July to figure out how to beat Fritz Hollings, only to find out in the beginning of August that he wouldn't be running.

Ideally, you'd wait until after the candidate qualifying deadline — or after the primaries set the field on the other side if you're without primary opposition. Local races with smaller dollar amounts that receive little attention until the closing weeks of the campaign are the most likely to afford the luxury of waiting until this point.

So the best answer is: "As soon as it is practical." Get your results back early enough to help you make good decisions, but not so early that the results are meaningless three months later.

Jon McHenry is a partner in Ayres, McHenry and Associates, a national public opinion research firm based in metropolitan Atlanta. They can be reached at (770) 594-7898 or Mail@AyresMcHenry.com. Poli-Tips (Volume 1, Issue 1, August 2003): Reprinted with permission from Politically-e, Inc. Poli-Tips is a bi-weekly service of Politically-e, Inc. and is intended to promote good political practices, both in running for office and serving the public. Politically-e, Inc. provides affordable political software and a la carte services to political candidates across America in districts of all sizes. For more information about the Politically-e suite of tools and services, contact Pat Patten at (706) 333-0787 or Pat@politically-e.com. Write: Politically-e, Inc., P.O. Box 670, LaGrange, GA 30241. Website: www.politically-e.com.

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Especially if you're a lesser-known challenger, don't get caught up in the horse race

Opinion

Support Your Candidates and Help Us Achieve a Libertarian California

by **Mark Selzer**
Southern Vice Chair, LPC



• **Mark Selzer: Uncompromising Libertarians have kept our ideas alive.**

Libertarians sometimes become impatient and begin supporting a candidate from another party who sounds a little libertarian on one issue or another. This is because they cannot envision Libertarians taking over the political world yet, and they feel this candidate may be a good compromise.

Well, before you do cast your ballot for that other party's candidate, remember that if it were not for uncompromising Libertarians being on the ballot, those politicians probably would not even be aware of our ideas. Libertarians garnering a percentage of the vote kept those ideas alive — and influenced the politicians in the old and the new parties.

Why would someone run as a Libertarian, spending their valuable time and money, if they cannot count on your support? How will we attract capable and/or

wealthy and appealing candidates to carry the Libertarian torch, if you are not going to give them your vote and your loyalty?

The next time you are tempted to vote for the lesser of two evils, just remember the lesson of the last presidential election.

Many people who wanted smaller government decided to vote for George W. Bush because

he said he wanted to cut taxes. But now, just like the innumerable times that other Republicans said that, once he got into office he raised taxes through the roof while saying he is lowering them.

Not only has Bush doubled and quadrupled social spending in the U.S., he has put almost everyone in Afghanistan and Iraq on welfare too. Instead of fighting terrorists, he has decided to put them all on welfare, food stamps, and subsidized medical care, as well as giving them a cushy government job. Two of every ten people in Iraq will be getting a well-paying government job — on the backs of U.S. taxpayers. Thanks to Bush and his comrades in the Republican Party, Iraq will soon be a worker's paradise.

Bush has added about \$5,000 per year to the tax bill of each American for the next ten years. So don't be fooled again; vote Libertarian 110% of the time.

I have seen some Libertarians

• See **Support** page 8

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■ Campaign 2004

Dynamic U.S. Senate Candidate Hits the Trail

Judge James P. Gray, the provocative Superior Court judge from Orange County and author of *Why Our Drug Laws Have Failed and What We Can Do About It*, recently joined the Libertarian Party of California.

Now, Judge Gray is slated to announced his candidacy for U.S. Senate at a press conference on November 17, and said, "[I] will be involved in the campaign 100 percent of my time from that point. Good things are about to happen."

Judge Gray will take on incumbent Democrat Barbara Boxer.

A dynamic and compelling speaker on the issue of the disastrous drug war, he has addressed Libertarian conventions in the past, and has a busy speaking tour lined up for January.

See whether you can catch up with Judge Gray as he expounds on libertarian principles to a variety of audiences and media, as listed to the right.

The schedule is subject to change; for the latest updates, visit www.JudgeJimGray.com to confirm the events.

JUDGE JAMES GRAY SPEAKING TOUR

NOTE: Each listing includes the date, the city, the event, the location, the time, and a contact person (when available).

January 15: Santa Clara • Speech, hosted by Prof. Dan Klein • Santa Clara University, Brass Rail, Benson Center Basement • 5:30 PM

January 17: San Francisco • Free Exchange • Opera Plaza Homeowners Community Room, 601 Van Ness Ave., Mezzanine • 6:30PM • Jeanie Kennedy, (510) 508-7875

January 18: Redding • LP of Shasta; Speeches by Judge Gray and Gail Lightfoot • Lu Lu's Restaurant 2230 Pine St. • 6 P.M. • Vince Carlton, (530) 365-1438

January 19: Fairfax • Conference, press conference • Medical marijuana clinic, 6 School Street Plaza #215 • 12 noon • Rev. Shaw, (415) 456-4513

January 20: Carmel Valley • Carmel Valley Rotary Club; "Why the Drug Laws Have Failed" • Rancho Canada Golf Club, 4860 Carmel Valley Road, CA 93923 • 11:45 AM • Bob Sinotte, (831) 625-5011

January 21: Nevada City • Radio show, newspaper interview, cable TV show, speech • Various; 1 P.M. - 9 P.M. • Lance Brown

January 22: Fresno • Old Fresno Hof Brau, 2820 Tulare St. • 7:00 P.M.

January 23: Monterey • Speech at FED-UP/LP of Monterey • Travelodge; Anthony's Steak House/Del Monte Express, 2030 North Fremont Blvd. • 6:30 P.M.

January 24: Santa Cruz • Conference with WAMM leader Valerie Corral • 815 Almar #2 • 11:00 A.M.

January 24: Sacramento • Speech, LP of Sacramento • Sizzler Restaurant, 2030 Fulton Ave. • 6:30 P.M. • Jeanette Morrow, (916) 481-2282

January 25: Santa Rosa • Speech at Sonoma County LP • Finley Community Center, 2060 W. College Ave. • 6:30 P.M. • Aaron Smith, (707) 575-9870



• Judge James Gray

Recall Rejoicing

Continued from page 1

And the baggage Arnold brings! Surely shortly there will be civil and criminal complaints filed against him by half the women in California, impeded only by the statute of limitations. If he doesn't get impeached or sent to jail, at the very least the news will dwell on this issue during most of his time in office. If it gets bad enough, the Democrats will "reluctantly" call for a recall.

Recall the recall?

By the way, no recall will occur for awhile. Rhetoric aside, the Democrats are quickly figuring out that their feigned concern about "recall after recall" neglects the sentiments of the voters. It would be political suicide for the Dems to call for a recall without criminal charges having been filed against Arnold.

Arnold is doomed to fail. He'll renege on his "no new taxes (except for natural disasters)" promise, and will work with the Dems to raise taxes like crazy. He hamstrung himself by saying he wouldn't cut education spending, which constitutes over 40% of the state budget.

His central promise to audit the state budget is a farce. The vaunted waste, fraud, and abuse is significant, but constitutes only a small part of the problem. Furthermore, the "waste" problem can be solved only partially at best. Try to name a politician who has not promised to end waste, fraud, and abuse in government. Just one. Good luck.

The real problem is that people want Kalifornia to provide ever-expanding socialist benefits without having to pay for them. Human nature dictates that we would all like something for nothing. But that is not possible outside Fantasyland. Unfortunately, no one except us Libertarians is willing to tell the people that a socialist Utopia is not an option.

Government monopolies

Then, to provide all these "services," politicians insist on using government monopolies and government employees, rather than competitively contracting out the services at huge savings. The legislators' obligation to the labor unions undermines most politicians, including many Republicans.

Compound this problem with the fact that California government employees (thanks largely to Davis and the legislature) are now the highest paid government employees in America — exceeding even the notoriously expen-

And who knows what surprises might lurk in my scenario

sive states of Hawaii and Alaska. With pensions that can come to 90% of salary, and disability options that allow most "public safety" employees to pension out early with non-job-related "injuries," this intractable problem cannot be overcome by our elected wusses. 70% or more of every government budget is payroll and perqs. If the politicians won't cut back here, the budget battle is lost. Someone has to tell the government employees to go pound sand. I don't see Arnold doing that.

Battle to end gridlock

Finally, watch the coming battle to end "gridlock" in the state legislature (disguised as "budget accountability"). If March, 2004 brings the passage of Proposition 56, the so-called "Budget Accountability Act" (dubbed by its opponents the "blank check initiative"), lowering to a 55% majority the 2/3 majority legislative vote currently required for budget passage, the state will be doomed. The People's Republic of California will be a *fait accompli*.

It will be interesting to see what position Arnold takes on this crucial taxpayer protection. I'm hoping that he'll oppose the reduction, if only because he will not have undergone the August budget battle at that point.

Arnold has big muscles, but a weak stomach. He wants to be everyone's governor, which means he'll cave under pressure. Mark my words. Remember Pete Wilson and his \$14 billion tax increase? That will be the Schwarzenegger style.

Still, it will be fun to watch. And who knows what surprises might lurk in my scenario? I'm fairly sure I'm right — but then, I couldn't conceive of the Democrats losing a 3 to 1 race (counting Bill Simon) for governor. Politicians never cease to amaze me. It's show time!

Richard Rider is a longtime Libertarian activist and president of Economy Telcom, contributing to the LPC based on sales of its long-distance telephone service. He was the LPC's 1994 candidate for Governor, and in 1998 garnered 16% of the vote in his race for San Diego Tax Collector. He can be reached at RRider@san.rr.com.

Reefer Refugees: Provocative Sneak Preview of New Richard Cowan Book is Now On Line

Regardless of how you feel about marijuana, Richard Cowan's *Reefer Refugees* is an explosive mixture of pot and politics.

The book documents the terrifying details of a drug war gone insane. Terrifying stories like the experience of journalist Pete Brady, who met the LPC's 1998 Gubernatorial candidate and medicinal marijuana activist Steve Kubby on assignment, and was soon arrested and threatened with prison rape — by the police — if he wouldn't fabricate testimony against Kubby.

A sneak preview of the book is available on line, including its foreword by LP founder David F. Nolan.

Police had raided Kubby's home in 1999 and found marijuana plants. Kubby, who suffers from adrenal cancer, admitted using the marijuana as medicine, which is legal in California.

A deadlocked jury acquitted

Kubby and his wife Michele of possession of marijuana. However, Kubby was convicted of possession of trace amounts of mes-caline. The conviction was reduced to a misdemeanor, and Kubby was sentenced to 120 days in jail. He



• Steve Kubby

fled to Canada, saying jail time without access to medical marijuana was a death sentence.

Visit www.kubby.com/00-intro.html. There you can link both to Nolan's foreword and to chapter three, "The Investigation, the Raid, Jail," including a graphic depiction of the poor treatment the Kubbys received in spite of his severe illness.

Meeting Notice

The quarterly meeting of the **LPC Executive Committee** will be held on Saturday, December 20, 2003 from 10:00 A.M. to 5:00 P.M.

Tentative venue: Westin Hotel

Los Angeles Internat'l Airport
5400 West Century Blvd.
Los Angeles, CA 90045
(866) 244-9330

Be alert for a possible venue change by checking our web site at: www.CA.LP.org



All LPC members are welcome to attend.

■ Communications

It's for the Children: Using Emotional Arguments to Win the Case for Liberty

by **Mark Lamendola**
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Often, we use good logical arguments to defend our freedoms. But such a strategy often fails. The reason is that our rights crumble and our freedoms perish most often on the power of emotions.

Let's look at some examples of how this happens, and then look at how to counter the encroachment.

Example 1. The police are conducting a Neighborhood Crime Watch meeting. A city councilperson is present. One of the 30 or so neighbors in attendance complains about "cars speeding by my house." She demands that speed bumps be installed.

She talks about the safety of the children, the implication being that anyone who opposes her

is a monster who does not care about children's safety. Nobody wants to be seen as disregarding safety of children, so nobody opposes her.

Three months later, residents are damaging their cars daily as they drive over those speed bumps. Their cars, and the children who ride in them, are less safe because of repeated strain on the suspensions of those vehicles. Adding insult to injury, taxes go up to pay for this "service."

Disarming victims

Example 2. Barbara Boxer talks repeatedly about reducing crime. Her idea of reducing crime is to create more favorable conditions for violent criminals, by disarming their potential victims.

Never mind that there is no logic in this. Never mind that violent crime is worse in every city and country that has adopted her



• Mark Lamendola: To the statist, the cure to any social ill is regulation.

proposed "solution." She wins by appealing to emotions — "We need our streets and cities to be safe."

Exactly what Ms. Boxer finds so appealing about being defenseless against violent criminals — whether you are a pilot

headed into lower Manhattan on a hijacked jet, or you are trapped in a Luby's cafeteria while your parents have been shot and your gun is in your car — she has yet to say.

And as long as she uses emotion to bludgeon others with her illogical and dangerous view, we'll never hear her reasonably justify her anti-freedom, anti-safety, anti-citizen views.

Example 3. Children who are unprotected by disarmed school faculty (for their own protection, allegedly) are killed by pipe bombs and other instruments of destruction. Subsequently, calls go out for further infringing the right to bear arms — and those calls get serious credence, because of "what happened to the children."

Never mind the facts of the situation. Never mind that two armed citizens safely aborted a similar situation. Emotions give power to those who think freedom is just another dirty word, and logic does not apply.

Example 4. Jobs evaporate in California. Legislators fail to see that oppressive legislation, punitive taxes, and bizarre rulings from the Ninth Circuit Court (the most overturned court in the nation) might have something to do with that. So they pass more regulations and raise taxes to make up for lost state revenue.

Never mind cause and effect. Emotional appeals to "do something" result in doing even more of what is not working and further exacerbating the problems.

An endless list

These are just four examples from an endless list. To the statist, the cure to any social ill is increased regulation (decreased freedom), followed by increased taxes (decreased wealth) to pay for it. These folks "cure" your problems by robbing you of your freedoms and your money — a classic case of the cure being worse than the disease. The tool these robbers use is emotion — and they use emotion as skillfully in their robbery as a seasoned car thief uses a Slim-Jim in his.

At the heart of their philosophy are two premises. The first is that the same government that gave us the IRS and \$780 toilet seats is the cure for our problems. The second premise is that no

other solution is on the horizon. Both premises are wrong. If you are concerned about freedom, take the time to attend public forums and show a different way. You must define the terms of the debate. Don't let the non-thinking statist do that for you!

In the first example, an astute lover of freedom might say something like the following. "I agree the safety of our children is important. That's why I don't want people driving on the sidewalk or my lawn to go around the speed bumps. That's why I don't want to see the cars that drive through here develop unsafe prematurely worn suspensions. I think you can agree that our children are too important for us to install something that anyone can see will lower the general safety.

"To reduce the speeding problem, why don't we form a volunteer committee to watch the neighborhood for one week? I know you will be the first to volunteer, as you have already stated the safety of our children is important. We can take down license numbers and Officer Friendly would be more than happy to contact those drivers for the safety of our children. Our mere presence will send the right message, so I know you will want to be out there."

You can see that you have changed the equation from:

safety of the children = more intrusion

to:
safety of the children = participating in solving the problem.

In one fell swoop, you have removed both premises. And you have wrested the Slim-Jim out of the hands of the statist by taking it into your own. When a statist uses emotional arguments, see those as the tools of robbery and pre-empt them for your own use.

Statists rob us of our freedoms by presenting false choices and making emotional appeals. You can use those same appeals to replace false choices with true choices. The freedom to make true choices is too important to surrender, don't you think?

Mark Lamendola is well-known on Capitol Hill for his calls for responsible government. He has more than 3,500 articles in print or on line. You can read many of them at www.MindConnection.com, where he invites you to "get your blackbelt in brainpower."

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Ladies of Liberty 2004 Fund Raising Calendar is on Sale Now

The Ladies of Liberty are back! Sixteen beautiful Libertarian women display their charms and promote their ideology in the 2004 edition of the Ladies of Liberty calendar. And just in time for the Christmas shopping season!

Now's the perfect time to help gift-challenged folks get ideas for the Christmas stockings of all the healthy red-blooded American men in their lives! (Or Hanukkah or Kwanzaa or any other gift-giving holidays we disparate libertarians happen to be celebrating.)

The calendar is classy, enticing, and it's for a most worthy cause. It'll make an exciting addition to any campaign's fund raising arsenal and for regional LP chapters to sell at their community event booths.

The calendar is the brainchild of North Carolina Libertarian Rachel Mills, who created the original 2003 edition of the calendar.

Overwhelming interest

"The response to the first calendar was so overwhelming I couldn't help [offering another edition]," she said. "It proved to be such an effective outreach and fundraising tool it would have been a shame to let the momentum die."

Mills, 28, a candidate for the North Carolina House (District 31) in 2002, sold the first calendar to raise money for her campaign. An eager public snapped up more than 1,500 copies.

The 2003 calendar also garnered Mills national media publicity, including a stint on *The O'Reilly Factor* on the Fox cable

network, and of course serves as a tool to teach membership prospects about libertarian principles, since each lady of liberty explains her primary libertarian concern adjacent to her picture.

The new 2004 calendar has an old-style feel, with the Libertarian ladies posing in evening gown-style attire.

"The theme is 1940's glamour, all in black and white, so there is a sophisticated, timeless elegance about it that goes so nicely with the sophisticated, timeless elegance of classical liberal ideas," Mills said. "[I] have done my best to keep it fresh and different, but still echoing the same appeal."

National in scope

This year the calendar is national in its scope, featuring women from around the country. Mills's models for the 2004 calendar are all activists in the party. "[They are] totally inspirational women," Mills said, and the message of the calendar is: "We are libertarian women; hear us pontificate!"

Three of California's own are featured in the 15-month calendar: Lori Adasiewicz, who serves on the LPC executive committee, Elizabeth Brierly, editor of *California Freedom*, and Kate O'Brien, elected in 2002 to Rancho Simi Recreation & Parks District.

"Participating in the calendar was just a tad more glamorous than the debates and radio interviews I did during my 2002 Board of Equalization campaign," Brierly said. "Rachel Mill's creativity should be a lesson to all of us in the LP about how to step outside the proverbial box and



• Pennsylvania LP member Rana Bakhtiari poses in front of the U.S. flag for the 2004 Ladies of Liberty calendar.

create new methods of solving traditional problems."

Mills said she isn't bothered by critics who charge that the calendar exploits and demeans women, or trivializes the LP.

"The feminist movement doesn't do us any favor if it condemns us for acknowledging the power we have in our femininity," she said.

"You will not find empty beauty in this calendar. You'll find beautiful doctors, lawyers, activists, and elected politicians. Beautiful entrepreneurs, mothers, students, authors, teacher, lecturers, and gun-toting grandmas. Beautiful women with beautiful minds, with their beautiful words of wisdom right there on the page with their feminine charms. We

have it all."

Mills said the money raised from the calendar — after covering costs of production and reimbursing the Libertarian models for their photo-shoot expenses — will go to fund LP campaigns.

Bulk quantities

The calendar will also be available in bulk quantities for LP candidates who want to use them for fund raising. The bulk price is yet to be determined, but will probably be in the \$4 to \$8 range, said Mills. Minimum bulk order will be 10 calendars.

"The calendars are to benefit the whole party, and anyone who makes the effort to be benefited by them in their libertarian endeavors," said Mills. "See my web

site, www.RachelMills.com, for ways to sell calendars yourself as a candidate to fund your campaign, or to apply for a contribution for your campaign from me, from my [calendar] sales."

Adapted with permission from an article in the November 2003 *LP News*.

How to Order

Great as stocking stuffers for the men in your life! The 2004 Ladies of Liberty calendar is available for sale through the eBay web site: www.Stores.eBay.com/thelibertystore. The pre-order price is \$16.50, plus shipping. For information, visit www.RachelMills.com.

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get impatient on social issues, and think that another party may make more progress on civil rights. They point out that more Democrats than Republicans voted to end the federal prosecution of medical marijuana cases. Or they point out that more Democrats oppose the war. Well, do you think they would be standing as strongly with us on these issues if it weren't for our having kept the issues alive, having kept the pressure on them by having been on the ballot for 30 years? I think not.

I have seen Libertarians join some other flash-in-the-pan third party because they think that

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All they get for their effort is our support and appreciation

they have a better chance than we do of effecting change. Well, we Libertarians have seen many third parties come and go in our 30 years, and we will be here to bury the next one.

So, the next time you see a Libertarian candidate at a sup-

per club or a convention, thank him for carrying the torch for you. Better yet, volunteer to help her campaign or donate to it. All they get for their effort is our support and appreciation, so let's be sure to give it to them.

It would be futile

Let us say that you joined the Democrats to turn them around on the drug war and civil rights, or you joined the Republicans to make them really become the small government party. This would be futile because you will never get to the 60 or 70 percent mark it would take to turn those parties around. You will just be

de-clawed and de-fanged and help to add your support, numbers, and votes to the people who are in control of those parties, who are raising taxes, and who are absconding with your civil rights. But as a Libertarian you can throw a big government politician out of office with only one or two percent of the vote.

The Republican and Democrat parties are like ships sinking in a quagmire of big government bureaucracy. By boarding their ship, you just add your weight and help them sink *faster* — no matter your intentions when you decided to join. Your voice, even though it may speak the opposite of

those in charge of that party, will just be used to shovel more coal on their locomotive's fire, helping them go faster down the track toward an ever bigger left- or right-wing big brother. Only outside those parties will you have the power to derail that train.

So let's keep our eyes on the prize. Let's understand that we are a minority opinion, and that we will not get that opinion heard by adding our voice to a chorus that disagrees with us — and which is part of the big government machine.

Mark Selzer is an internet business owner. Active in the LPC since 1998, he has served as the LPC's Southern Vice Chair since 2001. He lives in Hollywood and hosts a cable access television talk show called *The Libertarian Alternative*. He can be reached at Liberty64@JPS.net.