

# California Freedom

September 2004 The official publication of the **Libertarian Party of California**

## Judge Gray is Black and White

Gray was the “in” color for Libertarian fashion on Aug. 10 outside the Museum of Tolerance, where the League of Women Voters (LWV) could tolerate only the same old wishy-washy rhetoric from a Democrat and a Republican. Between 60 and 90 supporters of Judge James Gray for U.S. Senate rallied outside during the major parties’ debate. And guess what—a debate with just Democrats and Republicans is no longer black or white—it’s grey.

Ostensibly nonpartisan, the LWV barred bona fide, staffed and funded Libertarian candidate Gray from their televised and nationally broadcast candidates’ debate. The irony of the choice of venue was utterly lost on the woman staffing LWV a few days earlier, when queried about the chance of Gray participating in the debate. His exclusion had nothing to do with his viewpoint, she said, adding that LWV has decreased the polling requirement for inclusion from 15% to 10%, implying great largesse.

Never mind the results of Rasmussen Reports’ July 22nd

poll of 500 likely voters. The independent pollster found that: 68% of Californians want Judge Gray in the public debates, with only 13% opposed; if voters were told they could determine the outcome with their one vote, 18% would choose him as their next U.S. Senator; and 8% of Calif. voters would vote for him if the election were held that day.\*



• **Gray at Bay Area Iranian-American Voter Assn., July**

That debate. Refereed by highly paid local news anchor Paul Moyer, incumbent Democrat Barbara Boxer and the Republican former secretary of state, Bill Jones, made and denied accusations, and served up pabulum wherein neither would take a firm stand on the Iraq war. The issue of

tives to entice businesses to Calif. Boxer asserted that her Republican opponent voted for the largest tax increase in California history. Since when have Democrats been the taxpayers’ pal?

While Jones bragged that he not only has talked about the environment, but has brought millions of dollars to the state to clean the water, Boxer exhorted that she voted for the Iraq war. We’ve heard that the major parties are merging, but swapping roles? It seems that both are victims of being “dumbed down.”

The tables are turning. As with this year’s presidential election, the farther the older parties veer from their constituents’ values, the more incisive the opportunity for the LP.

Judge James Gray has stated, “... I believe that LWV is better described as the LWV branch of the Democratic Party. I deeply believe that, based upon the poll information...I should be included in the de-



bates.” Of course, he would restore black and white clarity to any candidates’ debate. But through the help of California Politics Today, he now has participated in the debate. You can hear Judge Gray on the Web answering the debate questions.\*

The next debate will be in October. Tell everyone to tell pollsters they’re considering voting

for Judge Gray for U.S. Senate. Do all you can to promote him, so that at the next debate, Gray’s supporters will be inside the debate venue, chanting, “This Time Gray Matters!” ●

\* For full poll results, or to hear Gray debate, visit [www.TinyURL.com/69fpp](http://www.TinyURL.com/69fpp), or contact Gray campaign headquarters: Julia El-Haj, (949) 253-4036 or visit [www.JudgeGray2004.com](http://www.JudgeGray2004.com).

## Coalition Building

## Outreaching for Freedom & Peace

by **L.K. Samuels**  
Northern Vice Chair, LPC

A great opportunity has arisen for libertarians. All across the country, peace activists are forming groups in coffee houses, on campus and in the community. To influence fertile minds, libertarians must be at the center of this movement.

But another organization is trying to preempt this grassroots’ outpouring of disgust with war and statecraft—the Democratic Party. The meeting I attended was awash with John Kerry supporters—many proudly wearing buttons, handing out flyers and even conducting a sing-along with sheet music depicting a defeated Bush and praising a victorious Kerry.

But these peace groups are diverse coalitions who want to end the Iraq War, stop the killing, and prevent the draft from coming back. Yet they all have one defining objective in mind—defeat President Bush at all cost. This inertia is so strong that even one Green Party member had to apologize for Nader’s candidacy in 2000 and felt embarrassed for the slight possibility of voting for her own Party’s candidate this year.

When I had the opportunity to speak as the Libertarian Party representative, the crowd turned silent. I exposed Kerry as a *faux* peace candidate—Kerry had voted to go to war with Iraq, voted for the USA PATRIOT Act, and now advocated sending more U.S. troops to Iraq. Obviously, is he no

friend of peace. The genuine peace activists were troubled, and soon acknowledged that the Democrats’ nominee was indeed not perfect. But I had made a good first impression.

Afterwards, I talked with many of the younger members and discovered that libertarian ideals were not only well-known, but popular. When I mentioned that libertarians wanted to close down all foreign U.S. military bases, suddenly the president of the largest group hugged me! She was enthralled with my position. The Democratic Party representative nearby could only look on in silence. Turning to the Democrat, I asked if her party took our position on closing down these bases.

• See **Peace** page 7

Catch up with ambitious Judge Gray’s exciting U.S. Senate campaign this month! Check the Calendar

link at [www.JudgeGray2004.com](http://www.JudgeGray2004.com) for additions and updates.

Sept. 8, 12:15 P.M.	Marina: Rotary Club
Sept. 11, 6:00 P.M.	San Diego: A New PATH and MHA Gala
Sept. 28, 6:00 P.M.	Garden Grove: Town Hall Meeting
Sept. 30, 6:30 P.M.	Costa Mesa: Vanguard University

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California’s legalization of medical marijuana and the outrageous cost of the federal drug war, a flagship issue of Judge Gray’s campaign, never arose.

Earlier irony was a foreshadowing. Jones said we need an economic environment friendly to business, but complained that since federal funding has decreased, California cannot build the twenty-first century infrastructure we need to create jobs. What? Lift the oppressive regulation from our shoulders and up will pop profit-oriented entrepreneurs to fill those needs. It was Boxer, the Democrat, who touted the idea of tax incen-

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### SUBMISSION DEADLINES

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

- November 2004: Due 09.20.04
- December 2004: Due 10.20.04
- January 2005: Due 11.20.04

Advertising orders and artwork are due eight weeks and four weeks, respectively, prior to the month of publication. We reserve the right to refuse advertising.

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## FROM THE CHAIR

One great thing about being state party chairman is that there seems to be no shortage of people who are willing to offer their advice as to what I should do.

Of course, while I am really appreciative of the encouraging words and the belief that I am able to do everything myself—isn't it amazing how a state chairman suddenly obtains super-human powers?—the truth is that I'm only one person who is doing his best to balance his career, family, and volunteer obligations.

So, why do I do this? If morality tables are any indication, I've reached the midpoint of my life. In the future, when my life's flame flickers and the light glows dim, before my candle extinguishes, I want to

# It Takes One Person

know I can look back on my days and honestly conclude that what I did mattered—that this one person did some good for the world and that in some small way, humanity can stand higher upon my shoulders. In a sense, as long as I can do something to improve the world, my flame is passed on to the next torch.

The good news is that sometimes it really only takes one person to accomplish great things. One dedicated person can have a meaningful affect on the party and the world around him.

I think about how devoted some of our candidates are. I'm deeply appreciative of the hard work being expended by **Judge Jim Gray** in his bid for U.S. Senate. I hear nothing but good things about **Michael**

**Badnarik's** heroic quest for the White House. If these individuals and the many like them can continue their pursuit, humanity will indeed have broad shoulders to stand upon.

One person once described our movement as being analogous to early Christianity. Completely outnumbered by nonbelievers, these early believers soldiered on. They certainly wouldn't win at the ballot box back then, but they did what mattered for the long haul: changing minds one at a time. We are indeed similar, except we won't face the lion's den.

We are truly blessed with great people; we just need more of us. We need more people like you who find satisfaction in the journey toward freedom. And we need more of your time and money to get there faster.

Our victories will not always happen at the voting booth; they happen when we talk to

our neighbors. Whenever we change a person's mind to our view that freedom and responsibility are essential to a civilized society, we have won.

Sure, it's a lot of work, but it's worth it to see the look on a person's face when he comes to understand what we already know. And you'll be paid with a currency far more precious than money: sincere thanks and the opportunity to make the world a better place for those who follow us.

If you want to make a mark, if you possess that sense of duty that drives you to help build a better world, I believe we offer the same opportunity that was available to our country's founders. Work with us and you too can pass on your flame to the next torch.

Toward liberty!

Aaron Starr, Chairman



## FROM THE EDITOR

Debate? Actually the word that comes to mind is "berate." I'd like to berate the powers that be for flouting contemporary Americans' otherwise popular notions of democracy, free speech, and yes, diversity.

Upon Aug. 10's exclusion of Judge Gray from their U.S. Senate candidates' debate, the bipartisan bias of the "nonpartisan" League of Women Voters (LWV). It's a maddeningly circular argument—that until a candidate has a certain level of support from voters he won't be permitted to procure those very voters' support through the channels most well known (to the average voter, that is—LPC members tend to know better).

Take the Presidential debates—a timely example.

Commission on Presidential Debates (CPD) ([www.Debates.org](http://www.Debates.org)) was established in 1987 "to ensure that debates...provide the best possible information to viewers and listeners. Its primary purpose is to sponsor and produce debates for the U.S. presidential and V.P. candidates...." The nonprofit, pur-

# Dueling over a Debate

portedly nonpartisan corporation has sponsored all the election-year presidential debates since 1988. Despite polls from 2000 showing that 71% of Americans wanted third-party candidates to be permitted in the debates, CPD includes in its debates only those (two) candidates with 15%+ support in national polls.

CPD's nonpartisanship was questioned when candidates filed a lawsuit protesting their exclusion from, astonishingly, the debate's audience in 2000. On Aug. 12, federal Judge Henry H. Kennedy Jr. said that FEC should open a full investigation into whether CPD acted in a partisan manner in disallowing these presidential candidates into the debate halls to watch. But the judge did not obligate FEC to conclude in time for 2004's first Presidential debate. Plaintiffs' lawyer Jason Adkins said the decision "creates a huge cloud over the legitimacy of the CPD to sponsor these...debates." Third-party candidates contend that CPD is partisan toward Republican and Democrat candidates and under law, should not be permitted to sponsor the debates.

"No More Closed Presidential Debates!" declares Debate This ([www.DebateThis.org](http://www.DebateThis.org)), dedicated to "efforts to open up the

debates to include third-party candidates. Many topics...important to...the public will not be covered by Bush and Kerry [alone].... Don't let [CPD] take your choices away!" They put words into action on April 12 by filing a complaint with IRS in an attempt to revoke the tax status of CPD. Executive Director George Farah stated that CPD "violates...[IRS] Code, which forbids such organizations from participating or intervening in political campaigns on behalf of any candidate for public office. Instead of...nonpartisan voter education, the CPD executes the joint demands of the Republican and Democratic nominees...and shields [their] nominees from public accountability."

The web site Open Debates ([www.OpenDebates.org](http://www.OpenDebates.org)) is "launching...campaigns to inform the public, news media, and policy makers about the fundamental problems with the bipartisan CPD [and] promoting an alternative...debate sponsor—the nonpartisan Citizens' Debate Commission—composed of national civic leaders committed to maximizing voter

education." Open Debates laments the debates' "dreary formats," and asserts that they "have been reduced to 'glorified bipartisan news conferences,' where the major party candidates merely recite prepackaged soundbites and avoid discussing...important issues." Their on-line petition requests ousting CPD in favor of the truly nonpartisan Citizens' Debate Commission.

For liberty's sake, please sign! If nothing else, open debates make for better television—what American could oppose that?

We're excited to welcome editorial cartoonist Battion Lash, whose work graces our front page. Lash, an artist for 25 years, and his wife and business partner, Jackie Estrada, are long-time Libertarians. They founded Exhibit A Press in 1994 to publish Lash's comic strip book, *Wolff & Byrd, Counselors of the Macabre* (now *Supernatural Law*), featuring a law firm representing monsters in supernatural cases. You can enjoy more of Lash's fun creations at [www.ExhibitAPress.com](http://www.ExhibitAPress.com).

Toward greater liberty!

Elizabeth C. Brierly, Editor



# Letters to the Editor

## Holtz's Approach is Collectivist, not Libertarian

The application of the viewpoints expressed by Mr. Holtz ["Candidates Question Litigious Environmental Policy," by Brian Holtz; July 2004, page 7] is very contrary to the principles underlying private property. The essence of private property is an owner's right to determine use—subject to the common law doctrine of nuisance. (Specific circumstances of nuisance, when having met objective standards that protect the paramount interest of an owner's right to determine use, can be made the subject of regulatory authority, or tort law.) In this way the power of the state to protect the right of its citizens to clean air, water, and use of their own property can be best achieved.

This concept of private property and nuisance exists centuries in the making, open to modification as circumstances evolve, and most importantly, consistent with natural rights theory, which necessarily associates the principles of equal justice. Mr. Holtz's definition and prescription for public policy respecting "natural resources" plays right into a political collectivist program for third way global economic control of natural resources and thereby control of human action.

The real issue, as Tibor Machan points out in *Private Rights Public Illusions*, deals with the important question of pollution by addressing government's role in protecting the quality of the air, water and property of another. He also makes the point that government control of a person's aes-

thetic choices breaches liberty. Holtz's problem is that he would use edicts of a private regulatory system to gain control over view sheds (private land), animals (private land), etc. This concept has been used and has failed. The allocation and distribution of "pollution credits" was the global purpose of Enron. This collectivist third way method of managing private choices demonstrates to me an example of how even the Libertarian Party is influenced by political globalist policies that pursue the collectivist goal of centralizing control over natural resources.

A genuinely liberal prescription would focus on government's responsibility for protecting public water supplies and the air. A regulatory system bounded by the notion that levels of waste and pollution are natural has been quite successful over the last several decades in using science and technology to improve air and



water quality in America. Refinements in the form of fine tuning would, I think, be best advanced in accordance with

Professor Richard Epstein's thesis, *Simple Rules for a Complex Society*. At the base of this question is the whole of the dynamic of liberty. Without the right to use and enjoy one's own property, one loses one's liberty. Without one's property and one's liberty, one loses the potential for leading a life that is one's own.

Understanding the meaning of the words used in the Constitution as they were intended at the time is, as Randy Barnett demonstrates in his new masterpiece, *Restoring the Lost Constitution; A Presumption of Liberty*, the legitimate formulation for directing public

policy. Pollution credits and external costing for view sheds, etc. is pure Sierra Club state collectivist dogma, which is the antithesis of liberty, a betrayal of Jeffersonian ideals and untrue to the originating and popular understanding of libertarianism.

I would not support Mr. Holtz's Congressional candidacy. I can not imagine that his third way approach would earn him a place in the Congressional Liberty Caucus.

—Michael Shaw  
Proprietor, Liberty Garden  
Santa Cruz

## How to Define "Ownership"

On the libertarian approach to the environment, Judge Jim Gray is quoted in *California Freedom* ("Candidates Question Litigious Environmental Policy") as asking: "So, who owns the migratory birds?"

According to libertarian theory (and according to reality) there are only five legitimate paths to ownership: purchase it, produce it, receive it as a gift, win it on a bet, or homestead it.

A pet parakeet, for example, is usually owned via purchase from a pet shop. The owner of the pet shop may have homesteaded it by raising it. Consequently, it was his property to sell.

Now applying these fundamental libertarian principles, the answer to Judge Gray's question is apparent: whomever homesteaded or purchased the migratory birds owns them. If no one has, which is likely, then there is no owner.

—Dr. Michael R. Edelstein  
San Francisco



## Welcome Aboard!

In July, the LPC was honored to have these 44 new members join the Party. They include graphic artist Marius Gedgaudas, architect Robert Senn, real estate developer Ernest Graham, homemaker Sara Caviglia, and Clint Harris, a self-employed building engineer. We hope you'll attend a local LP meeting soon and introduce yourselves to us like-minded people!

- Brian Baker . . . . . Newport Beach
- Richard Beale . . . . . Tracy
- Anthony Bellini . . . . . Fairfield
- Adrian Buljan . . . . . San Ramon
- Sara Caviglia . . . . . Castro Valley
- Andrew Christopher Chadwick . . . . . San Diego
- Stuart De Jesus . . . . . Burlingame
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- John Palys . . . . . Chico
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- Morey Straus . . . . . Oakland
- Dennis Young . . . . . Madera
- Dwain Zsadyani . . . . . Arroyo Grande

## Action Alert: Help Open the Presidential Debates

Longtime LPC activist Andy Key, 65, writes to our readers, "I'd sure like to see a Libertarian President before I die. Please send my letter [reprinted here], as if it were your own, asking for editorial support for opening the debates to [mathematically] electable third-party candidates, to the editor of your largest local newspaper." Just one person in each city should send it, until you see that it has been printed. Contact Mr. Key if you'd like to participate! [AKey95066@yahoo.com](mailto:AKey95066@yahoo.com)

Dear Editor:  
Now that the presidential debates are near, I'm asking for reader support to open the debates to include all electable presidential candidates. Republican and Democratic candidates refuse to allow third-party candidates into the presidential debates, citing their own arbitrary "standards" for exclusion. They make the rules, and act like they own the system.

But it is We the People who own the system (the government). We cannot vote our choices when deprived of knowing what they are. The public is served only by being able to see and hear all electable candidates. The debates are not owned by a gang of would-be rulers; if We don't own the debates, We don't own our own votes. Moreover, open debate could

be fiery! Instead of perpetuating dull debates by two "major" parties who are fed pre-approved, pre-scripted questions by pet journalists for rehearsed answers, voters could hear answers from candidates who have vibrant ideas. Instead of being disenfranchised, unhappy voters, people could see with their own eyes that their vote can count!  
Dear reader of this letter, assert your right to hear all of the electable candidates. First, sign the petition at

[www.OpenDebates.org](http://www.OpenDebates.org). Then, call the toll-free numbers of both the Kerry and Bush campaigns and tell them it is not acceptable to exclude third-party candidates who are on the ballot in enough states to be electable. This is too important to ignore or leave to someone else; you need to call their numbers; call their bluff. This time, make your vote count!  
Sincerely,  
[Your name]

■ Campaign 2004

# California Republicans' Votes Going to Waste

**H**ere two LPC activists provide strategic arguments that California supporters of Presidential candidate Michael Badnarik can make to intelligent Republicans in California. We Libertarians are all too familiar with how pernicious the "wasted vote" argument has become in recent years' close elections. This year we have a perfect opportunity to invalidate that argument—at least temporarily. Use Bakhaus's and Selzer's ideas—early and often! Repetition is crucial.

## How to Counter Republican Propaganda

by Mark Selzer  
Southern Vice Chair, LPC



• Mark Selzer

As with every election season, the Republicans will tell us that they are the party of less government and lower taxes—all the while growing social spending and government far worse than the Democrats. How can we persuade them that it is only the Libertarian Party who really wants to get government out of your pocket?

First, arm yourself with the facts. An endless number of articles have been dedicated to documenting the increases of social spending now that the supposed "small Government" Republicans have taken over. Cato Institute ([www.Cato.org](http://www.Cato.org)), Reason Magazine ([Reason.org](http://Reason.org)), and the Brookings Institution ([www.Brookings.org](http://www.Brookings.org)) have all published extensively on these facts. Show these articles and facts to your Republican

friends; distribute them at Republican conventions; and post them on right-wing and conservative e-mail lists and web logs.

"But what about the Bush tax cuts?" you may hear. Actually, George W. Bush has increased the tax bill of every American family by about \$5,000 per person, per year, for the next ten years. So what we have is a differed tax increase, or more precisely, deficit spending. This is not a tax cut. Decreasing the cost of government and charging people less for it is a tax cut. Traditionally, what Bush and his fellow Republicans have done is to spend us into a deficit and then call it a "tax cut." This is borrowing money from imaginary workers of the future and

giving it away now, all the while growing social spending at nearly three times the rate the Democrats did.

If Republicans think that borrowing money and giving it away is such a good idea, why not do it privately, voluntarily, with their own money? In fact, call some of the lavishly paid Republican propagandists on talk radio and ask them just that. Imagine if all the Republicans were to go to banks, put up their own property as collateral, borrow as much as they could, and then give it away? This would add up to a significant amount of money, and unlike the current batch of Republican borrowing, when this scheme fails to help the economy it would be they—instead of the American taxpayer—who would have to pay back those loans plus interest. This would be "privatizing" the supposed Bush tax cut, since the Republicans say they like that idea too. Though in the Republican sense, "privatizing" means giving away something built in the public sector to their friends who gave the most to their campaigns.

Some Republicans or conservatives may acknowledge that under Republicans, spending on social programs is way up, but they hold on because they support the war. Point out that it is not really a war, rather an expansion of foreign aid. Explain that this so-called war

## 12 Reasons to Vote for Badnarik

by Casey Aplanalp, LP of Butte County, California

1. He'll honor his oath to protect the Constitution, which includes all ten amendments in the Bill of Rights.
2. He'll restore freedom to Americans.
3. He has no "special interests."
4. He'll defend America from foreign attack.
5. He understands that we, the people, have sole domain over our property and ourselves.
6. He'll shrink government power.
7. He'll work to repeal all victimless crime laws.
8. He's not a thief, and refuses money from the government.
9. He opposes corporate and foreign nation welfare.
10. He favors a free-market economy.
11. He believes government intervention is itself illegal, except to protect us from force or fraud.
12. He's not a Reublicrat.

has served just to put everyone in Iraq and Afghanistan on a form of welfare and turn those countries into giant Indian reservations in the middle East. For example: Bush wanted to spend \$500 million on a new

hospital in Iraq. The Democrats opposed it because they said it was too expensive. Where is the Republican Party when it is the Democrats complaining about

• See **Republicans** page 7

## Faith-based Voting vs. Political Science

by Robert Bakhaus  
Chairman, United Against Tax Abuse



• Robert Bakhaus

For decades we've heard about "the wasted vote" of "voting our conscience" for candidates who have "unwisely" taken a "dangerously idealistic" position and so stand no chance of winning. Most folks routinely hold their nose and vote for the lesser of two evils, guaranteeing that evil wins every time. This is what I call faith-based (mindless) voting.

This November's presidential election appears at first blush to reflect once again this age-old dilemma. But, upon

analysis, the reverse is true. For once, it doesn't make sense to vote for Tweedledumb because, for once, Tweedledumb has no chance of winning—at least in California.

Plenty of political science measurements show that the Golden State is "safe" for John Kerry, certainly not a swing or battleground state by any stretch. More precisely, it's a safe state for anti-Bush, rather than pro-Kerry. And since only electoral votes matter (remember 2000, when Bush lost the popular vote?), in California the popular vote for Bush is totally irrelevant for other than cosmetic purposes. In fact, the election will probably be called by the major networks before

the polls even close here.

So what is a California Republican to do, especially a fiscal conservative? If a vote for Bush is "wasted," why vote at all? That's the dilemma this year for tens of thousands of Republicans who, if they wish to have some influence over events, seemingly can only throw money at the national Republican Party.

Ironically, Republican fat cats who have been "donating early and often" to Ralph Nader in order to "steal" votes from Kerry have had more clout than any others. The same holds true for wiser Republicans who actually do their electoral home-

See **Bakhaus** page 7

Advertisement

## FREE Special Report Reveals How to Pocket Every Penny of Interest You Now Pay to Banks, Finance, Leasing and Credit Card Companies...and Turn It into Personal Wealth and a Tax-Free Income For Life!

If you're financing any major purchase the ordinary way — by using a bank, credit union, dealer financing, or putting it on a credit card — I have one word of advice for you: **stop!** You see, you could actually be putting all the interest and finance charges in your own pocket and use it to pay yourself a tax-free income for life.

Let me explain. There is a little-known, but safe and proven financial strategy that enables you to keep all the interest and profits you now pay to banks, finance and leasing companies for any major purchase you make — personal *or* business. This concept has existed for over 100 years, but the public, and even most financial advisors, CPA's and bankers, are not aware of it.

You can profit from this strategy even if you typically pay cash for your cars and other major purchases. Business owners can gain additional benefits and tax deductions.

All of this is covered in our Special Report, **BANK ON YOURSELF, How to Pocket Every Penny Of Interest You Now Pay To Banks, Credit Card And Finance Companies... And Turn It Into Personal Wealth And A Tax-Free Income For Life.**

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<http://www.BecomeYourOwnBanker.info>

# Eyes in the Back of Our Head: School Bond Oversight

California voters passed Proposition 39 in November, 2000 with 53.3% of the vote. This Constitutional amendment enabled school bonds to be approved by a mere 55% vote of the local electorate, rather than the previously required two-thirds vote.

To sell the easier requirement to the public, the authors of Prop. 39 required that the governing board of a school district or community college district appoint a citizens' bond oversight committee (CBOC) to keep the public informed of the spending of the bond revenues and compliance with Prop. 39. A CBOC must consist of representatives of seven specific groups, one such group representing local taxpayers. In the last few years, several school districts have taken advantage of the new provisions and were granted bonds. Two directors of Silicon Valley Taxpayers' Association (SVTA)—one also a member of the LPC—sit on such oversight committees. Here they share their experiences as we enter the school year.

## Campbell and Saratoga Union School Districts

by William Becker  
Treasurer, Silicon Valley Taxpayers' Association

Campbell Union School District (CUSD) received voters' authorization in March, 2002 to sell \$74.9 million of bonds to upgrade and renovate 12 regular schools and a "village" school (which requires parent participation in the classroom). At the same time, Saratoga Union School District (SUSD) also obtained authorization for \$19.9 million to renovate Redwood Middle School, and repair and upgrade other schools. As a representative of a local tax organization, I was asked to apply for the both committees, and was appointed in 2002. I am now serving my first two-year term in Saratoga and my second two-year term in Campbell.

In CUSD's case, the new bonds were to be used partly to complete work never finished after a previous bond measure. SUSD's bond measure specifically called for \$5.3 million of

the proceeds to be spent to finance the previous projects at Argonaut and Foothill schools, leaving \$9.3 million for Redwood School's work. One possible conclusion here is that with school districts, underestimating or overspending on construction projects which prevent their completion is more the norm than the exception.

Funding for such school projects is four-fold: deferred maintenance payments by the State, restricted money from reserves, developer fees, and bond measures. The task is to ensure that no bond money is being spent on teachers' salaries, administrative costs, or other projects not listed in the bond measure. Renovating CUSD's Hazelwood School, for example, is listed in the bond project, but now they will be closing that school and moving its students to Capri. Although I applaud their attempt to downsize costs when the student population has decreased, in my opinion, the voters—not the District—should decide what is to be done with the Hazelwood money. Their position is that the spending restrictions are general, not specific. The CBOC probably will inform the public in its annual report about these differences in opinion. I understand that CUSD will place another bond measure on this November's ballot.

Other questions arise in a CBOC. For instance, is bond



• William Becker (left) and Dennis Umphress speak at a recent meeting of SVTA.

money being used to pay for items such as electrical or roof replacement, when it's the restricted monies and State monies that are designated for that? Are school staffs spending time on bond issues? Are employees who are allocated to work on bond projects actually working on school operating items? Is bond money being spent on computers and wiring when Al Gore promised us that the telephone tax would pay for wiring all the schools?

Millions have been paid through phone taxes; where are they? A big question not addressed by the CBOCs is whether a school district's bond money should be used to build more temporary structures to accommodate fluctuating populations, or permanent buildings that must be closed or rented when enrollment decreases, as with Hazelwood.

Whether the vote required for bond passage is 66.7% or 55%, oversight committees are essential to provide a balance between properly educating our children and protecting the public's interest. ●

*William Becker is an independent Financial Planner and real estate broker. He has served as Treasurer of SVTA since 2002. He and his wife, Dorothy, live in San Jose, where he has served on the Cambrian Community Council.*

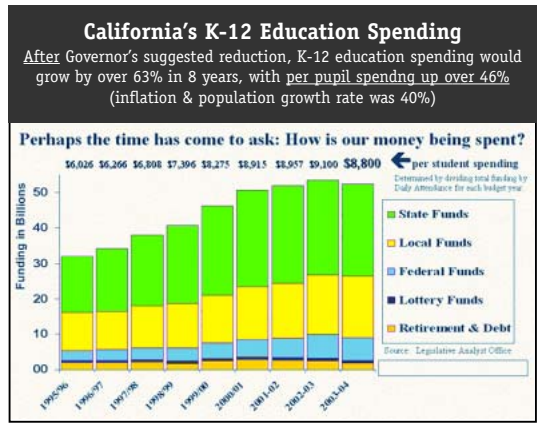
## East Side Union High School District

by Dennis Umphress  
LPC Member, President of Silicon Valley Taxpayers' Assn.

In March, 2002, Measure G was passed as a \$298-million ballot measure for East Side Union High School District in San Jose. I applied to join East Side Union's citizens' bond oversight committee, and since mine was the only application from a representative of a local taxpayers' group, the board was forced to appoint me to the CBOC.

On the CBOC, I have had access to all records of how the bond money has been spent. I found that about \$500,000 was spent on inappropriate projects, such as new buses and a \$15,000 copying machine. I voiced my objections to these projects at school board meetings and to district officials, until the funding source was diverted from bond funds. This freed up the \$500,000 for legitimate bond projects.

My recognition by the CBOC as its most active member led the committee to elect me as its Chair. In this role, I can make sure the CBOC stays focused on how and where the \$298 million is spent. This minimizes the likelihood that the district will go back to the vot-



• Graph courtesy of State Senator Tom McClintock (R.); original data provided by the Calif. Legislative Analyst Office.

ers for more money to fund the same project list.

In Santa Clara County, we will have at least five new Prop. 39 ballot measures on this November's ballot. I expect Libertarians all over California will see one or more such measures on their ballots.

Consider applying to join your local CBOC, either a new one to be created this November or one created in a prior election. As a member of the LPC you probably already are considered a representative of a local taxpayers' group.

Just how much money can you save local taxpayers by identifying improper spending? Join your local citizens' bond oversight committee and find out! ●

*Dennis Umphress has served on the board of Silicon Valley Taxpayers' Association since 2002, and in 2004 was elected its President. Umphress ran as a Libertarian for U.S. Congress, District 16, in both 2000 and 2002, and was awarded the LPC's Karl Bray award for local activism in 2002. Umphress is a database administrator and an experienced mechanical inspector.*



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## Science continued from page 4

work and weigh the value of investing in minor party candidates' campaigns.

Take Michael Badnarik of the LP. He will be on all 50 states' ballots—far, far more than Nader or any other minor party. In the swing/battleground states he might even affect the results of the election, though it can be argued that he will draw from both left and right equally, so actually he will merely involve more people than would otherwise have voted.

The same non-spoiler argument can be made for Nader, who loves to point out that far more Democrats voted for Bush in Florida than voted for him. So he doesn't support (perhaps

really doesn't believe in) the "spoiler" role that the left-wing media love to give him.

The "spoiler" role of Badnarik, however, is not hyped at all. The left has no wishful thinking working for the LP. Indeed, despite the presence of an LP presidential candidate on all state ballots for the fourth time in a row, the media have, as always, given the outsider slot to an "independent" of their own choosing. The LP candidates will be excluded from debates, while the Perot/Anderson/Nader types have a fighting chance of being included, simply because their hyped media coverage gives them a poll rating "justifying" their inclusion in more

media events like debates. The left's self-fulfilling prophecy of pack journalistic advocacy is obviously self-serving, hardly objective. But that's culture war for you.

The hypocrisy of the left-wing media this election year is even more staggering than before. Not only will Ralph Nader be on very few ballots, no longer does he even represent a party. The Green Party that he's tried to co-opt by having Camejo as his vice presidential running mate has nominated their own presidential candidate. Thus, the Nader (and Green) vote will be fractured into greater triviality than ever. But still the media give him the special treatment of being their chosen "independent," hyping him into third place.

Which leads us to a unique opportunity for disenfranchised, fiscally conservative Republicans in California, a chance not only to "vote their conscience" for once, but to have an electoral impact. A vote for Libertarian Michael

Badnarik is a vote against the Green Party, against Nader, and against the media's biased exclusionary spin.

Indeed, if California Republicans make sure to vote *against* Prop. 62 while voting *for* Badnarik, they will be defending their right to have minor party candidates on the general election ballot for occasions just like this year, when a vote for Bush is a wasted vote, and a vote for Badnarik is an investment in freedom.

For the truly religious anti-intellectual Republican voters who still cannot bring themselves to do anything more substantive than reflexively pull a party lever, consider the facts of the Bush Regime's record: the biggest federal deficit of all time, the only president in American history never to have vetoed a single spending bill, a president who has presided over America becoming a precarious debtor nation, with international instability in trade deficits and diplomatic hostilities not seen in ages.

George W. Bush will probably be elected for four more years because of electoral college votes. But for California Republicans there is no role this November in this presidential election, other than helping the Libertarian Party embarrass the Greens, the media, and Ralph Nader. Actually, that's more bang for your buck than if you could give Bush an edge.

Encourage your Republican friends, family, and colleagues to find out more about Michael Badnarik's positions and campaign goals at [www.Badnarik.org](http://www.Badnarik.org).

*Robert Bakhaus is Chairman of United Against Tax Abuse, a web-based grassroots libertarian lobby "publishing, petitioning, and litigating for a libertarian reformation of tolerance, civility, and equity." The site ([www.silcom.com/~taxabo](http://www.silcom.com/~taxabo)) was featured in the June issue of California Freedom. Bakhaus has been an activist in the LPC for years, and you may reach him via e-mail at [Taxabo4@AOL.com](mailto:Taxabo4@AOL.com).*

## Peace continued from page 1

Obviously embarrassed and uneasy, she stated that such a policy was just a "pipedream." No further comment. It was evident to all that the Democrats were merely playing partisan politics, using the peace movement to further their political goals. Duh.

It is not difficult to influence peace groups toward the libertarian philosophy of an aggression-free society, free choice, and self-ownership. They already distrust government, and embrace non-violence. They understand the oppressive power of the leviathan, and are looking for a consistent ideology that places a high value on freedom and peaceful activities. They would appear to be natural allies against more government.

True, many have obnoxious preconceptions on economics, but they can be overcome with

moral arguments. One peace activist quickly acknowledged that taxes

were indeed violent and evil, especially when employed for war.

Good opportunities are rare. If we don't take up the gauntlet, join the peace movement, and expose the Democratic Party's bogus intentions, we will have nobody to blame but ourselves. ●

*L.K. Samuels is a long-time libertarian activist. He founded Freedom Watch ([www.Freedom1776.com](http://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](mailto:lawsamz@hotmail.com).*



• L.K. Samuels

## Republicans continued from page 4

the expense of big government? If the Democrats wanted to build a \$500 million hospital in the U.S. would the Republicans say it would be too expensive? Is the solution to terrorism putting everyone in Iraq and Afghanistan on welfare?

This leads to another point where the Republicans seem now to be passing all the programs they said they opposed when the Democrats had more control. They opposed "Hillary-Care," but now that they are in charge they pass portions of it—in the form of prescription drug benefits. They seem to have approved it completely for the people of Iraq. It seems as though they oppose these things just because they do not want the Democrats to get credit; they want to wait until Republicans can get the credit. They asked the American people to empower them to stop the Democrats in the Congress and Senate, and now that they have the power they have become Super-Democrats. Their secret identities have been revealed.

You may find that some Republicans and conservatives do agree with you on all those issues, but they may maintain that Bush is better on the Second Amendment. Point out that Bush still does not want to

arm airline pilots, when this is exactly what Israel did long ago to prevent any 9/11's there. Bush supports the Clinton gun ban too, and has said he will sign it.

Say someone agrees with you on all these issues regarding George W. Bush, but still wants to vote Republican because he opposes gay marriage. Point out that this would open the door for government to regulate religious ceremonies and their meaning. They may not like Bill Clinton's interpretation of marriage, or that of the next Democrat elected.

The Constitution gives you freedom of religion and your right to interpret Christianity, or any religion, your way. According to the Constitution and its guarantee of freedom of religion, you get your own ver-

sion of Christianity and marriage. If they were to succeed in getting any particular interpretation of marriage passed into law, it would be the politicians defining marriage from then on, not you in your own home or church. Remind those Republicans that John F. Kerry also opposes gay marriage, and the Democrats are not as far left as the Republicans on economic issues, so if they base their vote solely on that issue, they may as well vote Democrat.

Or better yet, Libertarian. ●

*Mark Selzer is an internet business owner. Active in the LPC since 1998, he ran for State Assembly in 2000 and 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](mailto:Liberty64@JPS.net).*

## New LP "Radio" Show!

On Aug. 3, LPC's own Richard Rider launched a web-based "radio" show, "The Libertarian Alternative" (not to be confused with LPC's Mark Selzer's TV show!). Scheduled for Tuesday evenings from 8:00 to 9:00 through the November election, the show can be heard through your computer, at [www.WSRadio.com](http://www.WSRadio.com).



• Richard Rider

On Aug. 10, Rider welcomed guest Adrian Moore of Reason Foundation. As the show is national (indeed, international), he'll take phone calls at the toll-free number: (888) 327-0061. Rider enthused, "As far as I'm concerned, the show is an unabashed advertisement for the LP." He encourages LPC members to call the show early and often. "The station is run by radio professionals, and some shows have a surprisingly large audience." With web hosting, the station knows how many people are listening at any given moment.

The show can be heard live, but many listeners take advantage of the archiving process and listen to shows after the fact. Tune in, at [www.WSRadio.com](http://www.WSRadio.com)!

## LPC Convention

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and the Donkey will be in hibernation. The Convention Committee is getting an early start in bringing you the most exciting and magical LPC convention ever. Get a big head start on our anti-freedom opposition and join us in Los Angeles. Help your fellow Libertarians bring freedom to

California and America! ●

*Bruce Cohen has been on the LPC Executive Committee since 2002. This year he is running for U.S. Congress, District 48 (see [www.GetBruce.com](http://www.GetBruce.com)). Mr. Cohen makes his living as a Realtor. Contact him at (949) 813-8001, and [LA2005Outreach@LPC.org](mailto:LA2005Outreach@LPC.org).*



■ Budget Watch

# Summer Escapades—The 2004 Sequel

by **Richard Newell**  
Media Relations Chair, LPC

**T**he drama playing out in Sacramento over the four-week-late state government budget reminds one of a summer movie aimed at the high school audience and destined to play in drive-in theaters exclusively.

It started like two teenagers in love, a match made in heaven. The new kid in town (played by Schwarzenegger) made clear from the start he was out to court and win over the other Party. And so he did, much to the chagrin of some of his pals. Before you knew it, a proposal (\$103 billion) was made and almost accepted. For a moment, it looked as if wedding bells would be chiming in June (and the budget would be signed before the end of the fiscal year).

But, any director knows that such a simple story won't make a good full-feature movie. Some plot twists were needed.

So, the new kid's gang members said some things that upset the apple cart. "Why aren't you being loyal to your buddies (like the bus company, Laidlaw International), and paying more attention to us?" The other gang was joining in the fray, too. "What about our friends (the prison union)? Aren't they just as good as his friends?" This precipitated a lovers' spat, complete with name-calling. This has been going on for weeks in public places like the Cheesecake Factory (shot "on location"). Not a pretty sight.

Since the lover's quarrel, we'll call our two lovers "Real-Man" and "Girlie-Man." (Since there are more men than women in the senate leadership, men have to play all the parts, just like the ancient Greeks did.)

The ending has yet to play out, but the viewers all know what is going to happen next. Real-Man and Girlie-Man will make up. Wedding bells will ring, and California will have a new budget. Some crumbs will

be thrown to their friends on both sides of the aisle so they forever hold their peace, or at least until after vows are exchanged. But, all is not as well as it seems.

Photo: Elizabeth C. Birely



• **Richard Newell**

Before the final credits, there will be an innocent victim whose life is claimed: the present and future taxpayers of California.

For, in the six months leading up to the end of the fiscal year, or the four weeks of intense negotiation since, never has any reduction in state expenditures been seriously considered. Just the opposite.

In the spirit of bipartisanship, between the Governor's January proposal and his May update, General Fund expenditures were increased by nearly \$1.6 billion, and for all funds combined the total has gone from \$99 billion in January to the \$103 billion being discussed now.

In a 2003 Tax Foundation study on the "business friendliness" of all the states' tax codes, California placed a dismal 49th, with only Mississippi being more hostile to businesses. By comparison, Nevada, Oregon and Arizona placed third, ninth, and 17th, respectively, putting them in a good position to draw businesses and individuals away from California (a much bigger threat to the state's job base than the much over-hyped offshoring concern). With a \$103 billion budget, it appears that the 2004 sequel will be just a warmed-over remake of last year, with Schwarzenegger missing a golden opportunity to leverage his popularity in the service of improving the tax competitiveness of California.

Just how much is \$103 billion? Considering a State Product of approximately \$1.4 trillion and a population of 35.5 million, state expenditures are effectively confiscating income from 2.6 million of us for a year. Of course, some of the taxes will be paid by our



children, since part of the spending is being financed by borrowing.

Viewers of this movie are beginning to realize it is not a light-hearted summer romance, but a sick horror flick with them, their spouses, and their children cast in the role of the 2.6 million totally disenfranchised taxpayers.

For a different plot and a new ending, a new cast is needed. If the people of California would like to see significant reductions in state spending and taxes, and a state government that lives within its means, they should cast more Libertarians for the parts of the movie being shot in Sacramento. ●

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■ LPC Convention 2005

# Libertarians Arrive in 2005!

by **Bruce Cohen**  
Orange County Rep to LPC  
Executive Committee



• **Bruce Cohen**

**O**n February 18-20, 2005, at the Sheraton Los Angeles Airport Gateway Hotel, the *biggest, best, and most exciting* Libertarian State Convention ever will take place!

This not-to-be-missed event has organizers and promoters working hard and thinking big. Their focus is on more than doubling the attendance of any previous California Libertarian convention!

Within walking distance of Los Angeles International Airport, the Sheraton has been approved by your Executive Committee, from top to bottom, rooms to meals. The convenience to the airport and free-ways, coupled with excellent facilities and hotel staff, make this a near-perfect venue for us to really make things happen.

Among the many things

we're so excited about is the early start we have. With a signed contract from the Sheraton Gateway, we are throwing all our weight

behind a compelling program, exciting debates, and rousing speakers. Equally as exciting are the powerful workshops no Libertarian activist could bear to miss!

Gary Nolan, one of the LP's 2004 Presidential candidates, has contracted with us to debate the Iraq issue from the anti-war side. Two of the top national radio talk show hosts, both unnamed for now, are being asked to debate Mr. Nolan in one of the top-billed events.

Please get out your PDA or Day Planner, call in your secretary, and block out these days so as to prevent absolutely anything less important getting in the way of your attending this

convention. *February 18, 19, and 20 are must-save dates!* While we know that our jobs and family come first, make sure to be with your fellow Libertarians that weekend.

For all the updates, e-mail us at [LA2005@LPC.org](mailto:LA2005@LPC.org) and request the LPC 2005 Convention e-zine.

Libertarians wishing to participate in planning, organizing, and/or staffing, please e-mail us at [LA2005Staff@LPC.org](mailto:LA2005Staff@LPC.org).

Regional Chairs and those wishing to promote the event, please contact Bruce Cohen at [LA2005Outreach@LPC.org](mailto:LA2005Outreach@LPC.org).

Speakers, vendors, and press, contact our Convention Chair, M Carling, at [LA2005Chair@LPC.org](mailto:LA2005Chair@LPC.org).

For advance tickets, contact Bruce Cohen at [LA2005Outreach@LPC.org](mailto:LA2005Outreach@LPC.org).

Remember, in 2005, an off-election year, the Elephant

• See **Convention** page 7