

California Freedom

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

California Welcomes Badnarik for President

Michael Badnarik brought his Presidential campaign to California in August, teaming for nearly two weeks with U.S. Senate candidate **Judge James P. Gray**, creating a dynamic Libertarian duo for Campaign 2004.

After campaigning in the northwest, Badnarik arrived here on Aug. 17, working his way from northern California to southern, from the Capitol to Chico, from the City by the Bay to Fresno, from San Luis Obispo to Santa Barbara. Here is a taste of the pit stops in their race for liberty.

On Aug. 19, San Francisco was the stumping ground for these engaging and principled candidates. Badnarik spoke at a lunch-hour engagement to an audience of 65 or 70 at the Commonwealth Club

of California, "the nation's oldest and largest public affairs forum." The talk was on "Government vs. the Constitution," and was as eloquent as we've come to expect, given that he teaches a course on the Constitution, and has been speaking publicly virtually nonstop for a year.

Asked how much he relies on the Second Amendment, Badnarik pointed out that it doesn't *grant* him the right to self-defense, but rather it *protects* that right. Have the courts lost touch with the Constitution? He lamented, "Yes. Our entire *government* has lost touch with the Constitution."

"Which of the two major parties' candidates is better?" A seemingly ludicrous question, but one Badnarik hears quite often. If he deemed either Bush or Kerry a reasonable candidate, he said, he wouldn't be here campaigning. "Democrats think you should have freedom of personal choice, but want



• **Michael Badnarik with Michael Denny and Kathleen Harrington, owner of Harrington's Bar & Grill, site of an Aug. 19 fundraising event in San Francisco.**

50% of your earnings to support others who didn't earn it, and Republicans insist that you be able to keep your money as long as you go to church on Sunday. The Libertarian Party wants you to have *both* personal and economic freedom."

Badnarik acknowledged Ralph Nader's name recognition, but at that time he was

on the ballot in five states only, whereas Badnarik was on 34 [now 48 -Ed.], and likely 50 by election day. "If I win just 10%, those who *do* get elected will be dusting off their copy of the Constitution and the Bill of Rights." Badnarik would consider that one form of success.

Badnarik was greeted with applause upon sharing his re-

solve that, once elected, "one of the first things I'd do is to bring the troops home as quickly and safely as possible." He pointed out that neither Bush nor Kerry has an exit strategy for Iraq—let alone Korea, Japan, and Germany.

On the Drug War, Badnarik said, "Let me first allay some concerns. Libertarians are often accused of *wanting* our children to use drugs. We love our kids at least as much as Democrats and Republicans do." Drawing appreciative laughter from the crowd, Badnarik added, "maybe more!"

As for requiring pharmaceutical firms to charge very little for critical, life-saving medicines, Badnarik said that mandating companies to give their product away is socialism. "Socialism and the Constitution are mutually exclusive."

How successful will Bush be in getting a constitutional amendment banning gay mar-

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Photo: Elizabeth C. Brierly



• **Badnarik aide Jon Airheart offers campaign DVD. Visit their site to get your copy!**

A Picture of Judge James Gray

by **Elizabeth C. Brierly**
Editor, *California Freedom*

During his San Jose campaign stop on July 14, Judge Jim Gray found time to talk with *California Freedom*. Slated to speak that evening to supporters at *Rosie McCann's Irish Pub*, Gray met me there beforehand. The proprietress happens to be Iranian-American, and thus a member of a constituency which, Gray maintains, is being scapegoated by the U.S. government, and yet which has no voice. In this race for U.S. Senate, only Gray is reaching out to the Islamic- and Iranian-American communities. Here are some nuggets from my interview of one of this election's most celebrated LP candidates—nationwide.

CF: How has your day been?

JG: It began in Salinas. I got there early for the biggest talk radio show in Salinas, so we had an hour instead of half an hour. It was fun...with an invi-

tation to come back before it was over.

CF: You do have a way of not offending anyone, which helps you get invited back.

JG: I hope so. She didn't agree with a lot of stuff I was saying. We talked about "Amend Three Strikes" [Prop. 66], and she was quoting the same thing as Bill Jones and the governor: "Oh, no—we'll release 20,000 violent felons on the street if this proposition passes!" She's simply flat-out wrong. At most, 3,500 people might be resentenced. The D.A. will be there, and the same judge, and they may end up with the same sentence. At worst.

CF: What do you hope to accomplish with this campaign?

JG: There are three centerpiece issues of my campaign. The first: get the federal government out of the marijuana prohibition business—believe me, it's a big business—allowing

each state to decide how to serve its people. I would lobby California to treat marijuana like alcohol; taxpayers would save the \$1 billion a year that we now spend futilely to eradicate it and to prosecute and incarcerate nonviolent marijuana offenders, and we could generate revenue by regulating it. Most important, we would make marijuana less available to children; drug dealers today do not ask for I.D. Second is that we deal with the excesses of the USA PATRIOT Act. The third issue is centered around the slogan, "There can be no peace in a land without justice." This is true for entire peoples around the world. I support the right of Israel to exist, to be secure, to be free as a state. We can further that goal by giving justice to the cause of the Palestinians. I have a fairly substantial following in the Islamic community,



• **Gray at Tax Freedom Rally**

and I believe that if they would come around, the Jews would stand up with me as well. So every vote for me would be a vote for those three centerpiece issues. Plus sunset provisions for federal agencies. So, we're busy!

CF: How much money have you raised so far and how much do you plan to spend?

JG: Every nickel we can raise! Like preparing for trial, you can always do more. We have TV ads now. [Depending] how much money we raise, we'll spend every nickel to broadcast them.

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- December 2004: Due 10.20.04
- January 2005: Due 11.20.04
- February 2005: Due 12.21.04

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FROM THE CHAIR

It is extremely unlikely that your vote will be the deciding vote. In fact, you are more likely to die on the way to the polls than you are to change the outcome of an election.

So why vote? Does it make a difference?

Yes, I believe it does. At least for now. It is an opportunity for all of us to voice our desire for the direction we want our country to take. I vote for the same reason I'll applaud at an event. Do my two hands clapping together really increase the volume? Not really. But it does let me express my appreciation for a performance I believe in.

Why You Should Vote... ...Especially this Time



Voting for Republican or Democrat candidates is no different from making a public statement that you approve of the policies they promote. By voting for Libertarian candidates, elected officials will understand that to win over your vote in the future they'll need to move in the direction of freedom.

Of course, there are those who want to silence you and limit your right to vote for the candidate of your choice. These individuals have sponsored a dangerous initiative for this November's ballot: Proposition 62. If Proposition 62 passes and gets more votes than a competing measure, Proposition 60, this might be the last opportu-

nity for you to vote for a Libertarian in a general election in California.

Proposition 62 would eliminate traditional, partisan primaries. Instead, all candidates would show up on the same ballot, and the top two candidates, regardless of party affiliation, would advance to the November election, the only election where a candidate is actually elected. If Proposition 62 becomes law, you may never again get to vote for a Libertarian in a general election. Instead, your ballot will have only two major-party candidates from which to choose, and in many gerrymandered districts, both candidates will be from the same political party. The competing measure,

Proposition 60, would enshrine in the state's constitution a guarantee that all qualified political parties will get to have their nominees on the ballot in November. This is the measure that must pass.

I've been interviewed by newspaper editorial boards and have been quoted in articles on this. I need you to talk this up to your friends and loved ones. We need to pass Proposition 60 and we need to defeat Proposition 62.

The stakes are high for us. To succeed, we need your vote.

To quote Judge Jim Gray, our U.S. Senate candidate, "This time, it matters."

Toward liberty!

Aaron Starr, Chairman

Catch Judge Gray Campaigning in October:

Check the Calendar link at www.JudgeGray2004.com for additions and updates.

Oct. 9, 5:30 P.M.	Anaheim	Council on American Islamic Relations
Oct. 15, 6:30 P.M.	Mira Mesa	Voter's Political Forum
Oct. 16, 11:30 A.M.	San Bernardino	Walk for Justice
Oct. 21, 7:15 P.M.	Palos Verdes	Forum on Domestic and Foreign Issues
Oct. 22, evening	Monterey	Candidates' Debate*

* Gray's invitation still hangs in the balance. See article for how you can help.

Gray

continued from page 1

As of April we crossed the \$100,000 threshold. In July we are near \$150,000. That is not enough, but we have our heads up; we're doing OK. But we can always do more. I was hopeful to raise a million dollars; I still think that is within reach, but the more logical might be \$5- or \$600,000.

CF: *Whom are you hoping to reach in this campaign?*

JG: We represent constituents who have no other voice—those who believe in drug policy reform, people serving disproportionate terms in prison, and honest, successful, patriotic Americans whose rights are being trounced by the USA PATRIOT Act and the federal government. "Sherwin Williams paint could cover the globe," an ad once said, as they poured a bucket of paint over a globe of the Earth. That is my campaign. I believe I represent everyone in our society—people who believe in individual liberty, opportunity, justice, and fair play. If you want special favors, do not support me. But if you just want an equal shot, I am your candidate.

CF: *How can LPC members per-*

suade their non-Libertarian friends to vote for you?

JG: Our slogan is, "This time it matters." Every vote for Judge Jim Gray will be counted. It's *silly* to vote for the lesser of two evils, when it won't make a difference. If I make a strong showing, the Republicans and Democrats will see that the only way to get those votes is to change their policies. If they do, I will have won the election. I am running to win. Without being naive, I know that my chances are not great. But this time it *does* matter; it's an *extremely* important election.

CF: *What is the most interesting or most disappointing thing you've experienced during the campaign?*

JG: Most disappointing is the apathy among mainstream, nonminority citizens who do not appreciate the threat to our civil liberties imposed by the USA PATRIOT Act. "Where's Paul Revere? Why is no one spreading the alarm?" I remember speaking to a Rotary Club in a very well-heeled area of southern California. In my 35-min. [talk], I spent at least 12 on the PATRIOT Act: When I talked about [the harm] the government can do and is

Women: This Time it Matters!

FROM THE EDITOR

August 26 marked the 84th anniversary of the 19th Amendment to the Constitution, and with it, American women's right to vote, something that many women in, say, the Middle East, only dream about. Yet according to *Dallas Morning News* (Aug. 26, 2004), 40 million American women do not vote. Our courageous predecessors who fought bitterly for this right—for both themselves and for us—must be spinning in their graves.

This inaction of those 40

million nonvoting women means, ladies, that your vote carries proportionally more weight. This November it's more important than ever that we California Libertarian women cast our ballots for libertarian candidates. Most notably is the right to defend our families and property against thugs who don't abide by our abundant gun control laws. LPC's U.S. Senate candidate, Judge James Gray, upholds your right to firearms which supposed feminist Barbara Boxer would quash. And our Presidential candidate, Michael Badnarik, was endorsed recently by Pink Pistols, a gay gun-rights organization. C'mon, gals, admit it—don't we just *adore* men who cherish us and want us to feel safe? *This century* let's invent a new brand of "Women's Lib," and vote Libertarian!

—Elizabeth C. Brierly, Editor

—Elizabeth C. Brierly, Editor

—Elizabeth C. Brierly, Editor

—Elizabeth C. Brierly, Editor

blessed me in front of others, and said he hoped that I would be successful in this venture, that he believed I was on the right track. Their confidence in me was palpable, and quite emotional for me—quite the incentive to work harder and to do my very best in this entire venture. If I were to live fifty lifetimes, I would never have a similar experience.

CF: *What have you learned that our other LP candidates should know?*

JG: Never exaggerate—the

• See **Gray** page 3



Letters to the Editor

LWV Misusing Dues?

This letter, sent to the League of Women Voters California in Sacramento on Aug. 10, the day of the Boxer-Jones U.S. Senate candidates' debate, was copied to *California Freedom*.
—Editor

Dear League,

I am a dues paying member of the Santa Monica League. I am also on an update committee for reviewing of our stand regarding our local airport.

It has come to my attention that the Libertarian candidate, Judge Jim Gray, is to be excluded from the debate we are sponsoring.

The excuse, and it is an excuse, is a 10% rule. Since when does a duly registered party's candidate summarily stand excluded by us (LWV)?

I am a registered, dues paying member of the Libertarian Party, and I find this standpoint of the League inexplicable.

Are my League dues being used to summarily exclude a viable candidate such as Judge Jim Gray from having proper exposure in a public debate? If so I am mortified and sick at heart.

Please change this.

—Mary E. Booth
Santa Monica

League of "Select" Women Voters

I phoned the League of Women Voters prior to Aug. 10, 2004 regarding the debate they sponsored for U.S. Senate.

[On] Aug. 18, a lady from LWV returned my phone call. I

told her she was too late, that I [had] phoned about the Aug. 10th debate.

I said that any person or organization that sponsors a debate should invite all persons running for that office.

She responded that they only invited those who received 10% or more of the voting in the last election. I responded, Ah ha—you are a "select" league and should change your name to "League of Select Women Voters" because you pick and choose those whom you wish to participate.

I tell my kids and grandkids that I'm glad that I'm in the "autumn of my life," because it seems to me that this Great Nation is going to hell in a handbasket.

God bless.

—Loren Baumgardner
Costa Mesa

Keep Government Out of Our Minds

I would like to see the LPC actively oppose **Proposition 63, "Mental Health Services Expansion. Funding Tax on Incomes Over \$1 Million."**

Prop. 63 is based on the premise that "mental illness" is very common...a matter of opinion. There are no lab tests, x-rays, or other medical tests that can prove it, as there are for *bona fide* medical conditions.

The programs Prop. 63 is to fund are not yet developed, and there is no guaranty that they will not...violate civil rights. Since programs that include involuntary incarceration of

non-criminals, enforced drug-ging of children, and mandatory screening are being commonly pushed these days, there's a good chance that the unspecified programs to be funded by Prop. 63 will include such violations of civil rights.

Prop. 63 establishes a tax of 1% of income over \$1 million. This, of course, is unfair to people in that income bracket. But more significantly, this is to give the average voter the impression that they will not have to pay anything, and this is untrue. The new mental health programs are to be implemented starting January, 2005. It would cost the State \$1 billion before they begin to collect the proposed tax. They are attempting to get 7% of the net Personal Income Tax Receipts starting January 2005.

Prop. 63 states that funding for mental health programs can never be cut. So in the event of fiscal emergency, fire fighting and road repair [could] be cut, but we [would] still have to fund these unspecified programs to handle a questionably existent problem. It also proposes implementation of emergency regulations immediately without oversight by the Office of Administrative Law.

Prop. 63 also states that if any portion of this Act is found to be unconstitutional or invalid, no other part of it [would] be affected. This indicates that it is known to be unconstitutional at least in part.

Please see www.NoProp63.org.

I think it behooves us to do anything we can to defeat Proposition 63.

—Louise Marquis
San Bernardino

Gray Interview

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facts favor what we say. Keep the faith. Just as with [ending] the War on Drugs, at which I am 100% convinced we will be successful, we Libertarians also eventually will prevail. We will become a major party in the U.S., simply because our policies work, and the others do not.

CF: What can LPC members do right now to help your campaign?

JG: Give us their e-mail, through our web site at www.JudgeJim.com. They need to take this to heart: we all talk [with] libertarians, but if they will forward our messages on to their e-mail universe—their associates, friends—where they

would not ordinarily spread the word, we will be successful beyond our dreams. If not, we will be less successful. I will go back to being a judge and at least feel I tried. But what we're talking about is right. The country needs us; the world needs us; now is the time. People have asked me why would I leave my duties as a judge, my salary for a year, the best court calendar and the best parking place, to pursue this. I look at them and say, "Why don't you? Why aren't you doing this?" This is a really critical time; our country needs a change of course.

CF: How are the polls looking?

JG: The last field poll showed Bill Jones falling farther behind Barbara Boxer; he has no chance against her, whether in a 2-person, 3-person, or any other [size] race. The last poll showed that at least 2% of the voters wanted "somebody else." I deeply believe that if my name were mentioned, I would poll strongly. I am arranging to conduct a poll. ●

The Rasmussen poll commissioned by the Gray campaign yielded about 8% support for Judge Gray. To participate in the critical Oct. 22 debate in Monterey, Gray must reach 10%. He missed the Aug 10 debate by 2%; don't let that happen again! Tell everyone about Judge Gray, and help us install him in the debate!

— Editor

Welcome Aboard!

The Libertarian Party of California is pleased to have been joined in August by these 27 new members. We hope you'll attend a local Party meeting soon and introduce yourselves to us like-minded people!

- Patrick Austin Ojai
- Patrick Benson San Ramon
- Joel Brown San Diego
- Douglas Brown Sylmar
- Scott Cernosek Visalia
- Guy Clark Moreno Valley
- Matthew Connery Pasadena
- Hugh Dinsmore Los Angeles
- Thomas Durst Ross
- John Gruebl Chico
- Michael Hays Turlock
- Terrence Johnson San Jose
- Joshua Kirtley San Rafael
- Roosevelt Kyle National City
- Dan Morton San Jose
- Brian Nelson Sun Valley
- Cheryl Nowak Newport Beach
- Robin Pollard Hollister
- Michelle Romberger Fairfax
- Celeste Roschuni San Francisco
- Bill Schubert Stockton
- William Tanner Redlands
- Jose Tasende La Jolla
- James Vincett Riverside
- Matt Weber San Jose
- Michael Wenkart Anaheim
- Matthew Zarro Manhattan Beach

EFF's Gilmore Files Lawsuit against Fed

As reported on Aug. 21, 2004 by the *TechNow!* program on NBC Subsidiary (KNTV-11), Inc., John Gilmore, who addressed the 2004 LPC convention, filed suit that week against the federal government.

By way of background, *TechNow!* aired video from "two summers ago—John Gilmore... trying to catch a Southwest [Airlines] flight at SFO without showing his I.D."

According to host Scott Budman, Gilmore called his actions "civil disobedience," saying he did not want to show papers to travel. On camera, Gilmore said, "They bounced me up to a couple of supervisors, and eventually they said, 'the reason we're not letting you on is because you told us you have I.D. but you won't show it.'" Budman continued: Gilmore "filed suit against the federal government saying because at the time there was no law requiring him to show I.D., he should have been allowed to board the airplane."

Gilmore's apparent link to the television show's focus of

technology was that "Gilmore has been a driving force for civil liberties, contributing millions of dollars to the Electronic Frontier Foundation."



• John Gilmore

Electronic Frontier Foundation is dedicated to "defending freedom in the digital world" and can be reached via www.EFF.org. Gilmore's advocacy on encryption policy focuses on improving public understanding of this fundamental technology for privacy and accountability in open societies. ●

Correction

In the September issue of *California Freedom*, Mark Selzer's article, "How to Counter Republican Propaganda" (page 4), indicated that 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. It should have said that he has increased the tax bill of every American taxpayer by about \$5,000 per year, for the next ten years. —Editor

Deadline Looms for 2004 Lights of Liberty Awards

The clock is ticking for libertarians in California who want to help promote the libertarian movement—and earn valuable prizes and public recognition for doing so.

That's because Dec. 31, 2004 is the deadline to qualify for the annual Lights of Liberty awards, sponsored by the Advocates for Self-Government.

"If you help publicize libertarianism in a positive way in 2004, we want to reward you," said Advocates President Sharon Harris. "We know the best way to spread the word about liberty is for libertarians to reach out to people in their community, and the Lights of Liberty program encourages that kind of vital grassroots activity."

The Lights of Liberty program honors activists who:

- Get three letters using the words "libertarian" or "libertarianism" printed in a non-libertarian newspaper, magazine, or other publication. Or...
- Work at an Operational Politically Homeless (OPH) booth on three different days, for two hours or more per day. Or...



- Give three speeches to predominantly non-libertarian groups such as service clubs, classrooms, political rallies, or Toastmasters, using the words "libertarian" or "libertarianism."

In 2003, twelve libertarians in California qualified as Lights of Liberty winners—and Harris said she would like to see even more this year.

"Imagine the effect if every libertarian activist in California set out to accomplish these highly effective goals this year!" she said. "It would generate a significant increase in public awareness of libertarianism in the state."

In addition, outreach opportunities are especially plentiful this year because of the presidential election, Harris noted.

"With the spotlight on the presidential race, people are paying more attention to politics, so the power of our message is amplified," she said.

"Plus, in an election year, your outreach can do double duty. You can not only promote libertarian ideas, but also Libertarian candidates."

Although the Advocates is nonpartisan, Libertarian Party outreach activities and LP campaign activities do qualify for Lights of Liberty recognition.

To qualify for the 2004 awards, outreach activities must be completed between January 1 and December 31.

Lights of Liberty winners will receive:

- An award certificate.
- Their name on the 2004 Lights of Liberty Honor Page at the Advocates web site.
- Their name listed in an Advocates' ad in *LP News*.
- A 20% discount coupon for any order from the Advocates' catalog of libertarian outreach and educational products.
- Their name entered in a drawing for the rare and valuable "Libertarian Library"—autographed copies of every book written by Libertarian Party presidential candidates since John Hospers in 1972.

Since the program was started in 1998, there have been Lights of Liberty winners

in 46 states (plus Washington, D.C.) and in five foreign countries (Italy, Australia, Canada, Seychelles, and Great Britain).

To qualify for the Lights of Liberty awards, submit your name (or the names of other individuals who engaged in outreach activity) to: www.TheAdvocates.org/lights.html.

Lights@TheAdvocates.org, or (800) 932-1776.

The Advocates for Self-Government is a nonprofit organization that encourages the public to understand and embrace libertarian ideas, and teaches libertarians how to be more compelling communicators. •

Communications Secrets for the Election Home Stretch

Libertarian communication experts Michael Cloud and Harry Browne will arrive in California again this month to infuse LPC candidates and activists with the power of persuasion.

In their invaluable week-end-long seminars, sponsored by Advocates for Self-

Government, you'll learn six ways to open closed minds, how to give the best libertarian answer nearly every time, how to easily find people as exuberant about liberty as you are, and much more.

Remaining seminar dates in California:

San Francisco Oct. 16-17
San Diego Oct. 23-24

To reserve your seat, visit www.TheAdvocates.org/seminars.htm or call (800) 932-1776. •



• Speakers Harry Browne (left) and Michael Cloud (right)



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Why Bother to Vote, Libertarian? Will It Be All That You Hope For, Or Will It Be "Lesser"?

by Edward Bowers
Chair, San Fernando Valley LP

I have two words for libertarians who vote, but don't vote Libertarian. However, this is a publication for all audiences, so let me start again. I have two words for libertarians giving the slightest consideration to any candidate other than the Libertarian when voting for President in a state like California: Electoral College.

That's it. Can I stop right now? No. Every four years, otherwise intelligent people suddenly forget Civics 101 and go stupid. (I am not going to mince words. Well, maybe just those two at the beginning.) By this time of year, you've heard the fascist mantra that should have gone the way of the Dodo eight years ago when Dole couldn't use your vote and Clinton didn't need it: "You've got to vote for the lesser of two evils."

Frankly, I don't believe most folks who regurgitate the lesser-of-two-evils (L.O.T.E.) vote argument actually buy it; they just want you to buy it. I've told the story about the guy at work who, in 2000, used the L.O.T.E. line on me, but was he planning on holding his nose as he punched his ballot? Why, I think the rabid, Republican-hater actually liked Gore! No sale.

I am registered to vote Libertarian. I don't just mean I'm a Registered Libertarian; I am registered to vote solely for the purpose of voting libertarian. Voting not only for as many Libertarians as the ballot will allow, but voting the libertarian position on the propositions. Is my dependability un-libertarian? Am I not individualistic, not open-minded, not rebellious enough by just "voting the party line" like the rest of the sheep? Perhaps, but I would be like a lamb willingly going to the slaughter if I voted any other way. There is nothing in the last ten years alone to suggest that the other parties (major and third) offer anything other than the slow destruction of America by some version of creeping socialism. I reject the L.O.T.E. vote option by accepting the disingenuous argument at its word: yes, they are both evil. You get one vote.



One lousy, precious vote. I can't waste mine if I cast it in support of my cause: Freedom.

I had no idea how few shared my simple philosophy of Libertarians helping themselves until last year's special gubernatorial election. Libertarians easily found fault with their candidate (something I wish the Democrats and Republicans would do with theirs) or otherwise excused themselves. Never mind the Recall's once-in-a-quarter-century opportunity for us to make a bigger splash without a bigger vote total. The results of the election were a *fait accompli*—the top story still "Davis recalled; Schwarzenegger elected." However, the surprise story of the day could have been "How Well the Libertarians Did." Finishing fifth in a field of 135. (Not fifth out of five.) That's known in clinical terms as Rocking the freaking Vote. Think not? We would have finished ahead of Arianna Huffington, Peter Ueberroth—people deemed worthy of debate face-time—and Bill Simon (previously thought worthy to be Governor). We would have finished ahead of that Schwartzman guy, saving ourselves self-inflicted embarrassment, making Judge Jim's job that much easier, and salvaging a measurable success from the Recall debacle, without one additional person learning the merits of Austrian economics or the definition of "well-regulated." All we needed: Libertarians to vote Libertarian.

Preaching to the choir? Roscoe's and Hickey's combined total is close to this newsletter's circulation. You all read my erudite articles about how replacing a Democrat with a

Republican who might as well be a Democrat meant failure for the Recall, and how there was no point in voting for the Republican who might be half Libertarian, because so many of his gutless would-be supporters jumped on you-know-who's bandwagon. I know better. I know more than a handful of dues-paying members, many "lifers" with more than their fair share of activism under their belt, who scattered their votes amongst the many other candidates. My logic never reached the tens of thousands of libertarian voters, and was no match for the stubborn belief that libertarians are powerless in an election. Unless, of course, they don't support a Libertarian; then they are a force to be reckoned with. So here I am, writing against the L.O.T.E. vote, because old, counterproductive habits die the hardest.

As I write this, one Internet bookie has Kerry favored to win California by 10%. That's "money in the bank" if you think President Bush actually has a chance to win. You should know, though, that bet would have been a loser last time. Gore's 5,861,203 was worth 53%, while Bush's 4,567,429 netted 41.7%. You are not going to decide who gets California's electoral votes. You are not going to counteract shenanigans in Florida or Chicago. Libertarians, if they vote as a block, are not going to swing the election. If they could, it would be all the more important that they all voted Libertarian. Wimpy Repentant Nader Voters are not my role models. This does not mean your vote is meaningless. The beauty of the Electoral College

is you are free to vote for whomever you want. A vote for the lesser of two evils, for a Republican or a Democrat—that is a wasted vote.

I didn't have the heart to tell my Gore-supporting co-worker, but in recommending a L.O.T.E. vote, he had inadvertently advised me to vote for Bush. Because in 2000 Gore was *not* my idea of less evil; I'd be g—d—ed if I'd vote for the man who stood idly for eight years by while Public Enemy Number One got away with murder.

Again, this year I refuse to make a L.O.T.E. choice, but while some say there isn't a "dime's worth of difference," or think the dime is in the GOP's favor, one could argue that there is about a 500 billion-, going on 2 trillion-, dollar difference.

And that's the thing: two libertarians can waste time and effort determining the lesser evil, and come up with two different answers. Here is my big positive action finish: If you

have done this, do not despair. Find this other libertarian and make a deal. We'll call it the Buddy System. Instead of two votes for evil, which will cancel each other out and only pad the totals of undeserving socialists, now there are two votes free to be cast for good.

Now you can vote against Bush or against Kerry (heck, against Bush AND Kerry) the best way I know how. By voting Libertarian. ●



The opinions herein are solely those of the author (and maybe 3,938 other people). Edward Bowers is an avid writer and director of public service announcement (PSA) videos with libertarian messages. He serves as the Chair of the LP of San Fernando Valley. Bowers can be reached at EBowers@Mac.com.

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Badnarik

continued from page 1

riage? Badnarik was crystal clear: "None. There is no role of government in marriage." He explained the original, nefarious intent of America's licensing requirements for couples wishing to marry: prevent intermarriage between blacks and whites.

He plugged the LP, pointing out that about 600 elected Libertarians save Americans about \$1 billion per year in city and county taxes.

The talk and the questions from the audience were broadcast on Aug. 31, and are archived for your listening pleasure on the "speaker archive" page at www.CommonwealthClub.org. NBC News also covered the event, and interviewed Badnarik immediately afterward.

Next stop was The LGBT Center, where Badnarik, who'd been the lone Presidential candidate to participate in the June 27th S.F. Pride parade,

was billed as "the only Presidential candidate who supports same-sex marriage rights



Photo: Elizabeth C. Bierly

• **Badnarik speaks at the Commonwealth Club in S.F.**

[and] the repeal of laws against sex between consenting adults...." A flat "no" was his answer when a military veteran asked him whether he would retain the military's "don't ask, don't tell" policy regarding sexual orientation. Later in this talk he mentioned that "the Bill of Rights is not a Chinese menu" where the government can pick and choose rights to protect. "The Bill of Rights is not negotiable," he insisted.

In the meantime, Judge

Gray, running against Barbara Boxer, was scheduled to speak at a reception hosted by **Dr. Robert Lull**, at Medical Society Building. He eventually met up with the Badnarik contingent at Harrington's Bar & Grill, where propriety and business community activist, **Kathleen Harrington**, enthusiastically introduced Mr. Badnarik to the gathering. Much to the campaign's delight, the bar's TV revealed a snippet of NBC's coverage of the Commonwealth Club event.

Kevin Takenaga, Campaigns Chair for LP of Santa Clara County, had orchestrated a debate between libertarian radio host **Gene Burns** (SF's KGO 810 AM). Burns has addressed LP conventions, and even considered running for President himself. Burns had hopped on the defeat-Bush-at-all-costs bandwagon, despite polls' indication that the Calif. electoral college vote is likely to elect Kerry. Takenaga, monitoring Burns's persistent line of thinking for months, arranged the segment for Aug. 20, wherein Badnarik

endeavored to persuade Burns not to abandon his principles, and to vote Badnarik for President. Burns didn't seem to appreciate Badnarik's comparison of the choice of Kerry over Bush as akin to choosing Beelzebub over arsenic. Burns revealed his utter desperation when he said he'd rather vote for Beelzebub than George W. Bush. But astoundingly, a few weeks later, Burns was heard to say that he would be dropping his support for Kerry and leaving the top of the ticket blank. Could Badnarik indeed be "lighting the fires of liberty, one heart at a time"?

The evenings of Aug. 20-21 were devoted to fundraisers in Alamo and Sunnyvale. Our dream team kept up their energy and passion—not difficult in a room of Libertarians—reminding supporters how crucial this election is. Badnarik exhorted, "Americans are as dissatisfied as ever with politics, and they're actively seeking an alternative."

Badnarik headed off to canvass other states after Aug. 25.

On Aug. 31, Badnarik debated Green Party's **David Cobb** in NY; the debate was aired by C-SPAN. Says Badnarik, certain that, having won the May debate against two principled Libertarians, Bush and Kerry wouldn't stand a chance against him, "I will debate anyone, anywhere, at any time."

Residents of New Mexico, where 14 TV commercials produced with the help of **Aaron Russo** are being broadcast, have been recognizing Badnarik in public. The fund raising goal to support canvassing the country in TV ads is \$5 million.

The LP dream teams of Badnarik and Gray both need our time, money, word of mouth, and votes! Visit their campaigns on the web at www.Badnarik.org and at www.JudgeGray2004.com.

This time it matters; this time it's possible! •

Open the Debates! Letter from LPC Member Printed in USA Today

Michael Goren of the Orange County LP read two September 7th editorials in *USA Today*, lamenting barriers to ballot access for Ralph Nader, the 2000 Green Party Presidential candidate, running this time as an independent ("Nader isn't playing fairly," by Kerry J. Donley, chairman of the Democratic Party of Virginia, and "Limits on Nader hurt voters," both on page A14).

There he read that obtaining ballot access is daunting for independent candidates, that that sure seems undemocratic, and that those in power manipulate the rules to favor themselves. So what else is new? We Libertarians are all too aware of these obstacles.

But Goren recognized the influence that *USA Today* could

exert, as an arm of the news media, in effecting one small change that would make ballot access requirements more easily met, and that would lessen the need for whining on the editorial pages. Open up the presidential debates!

So this Laguna Niguel resident wrote a letter to the editor of *USA Today* saying just that. And we're delighted to report that it was printed on Sept. 13. Here's what he wrote:

While USA Today's editorial is commendable, it doesn't go far enough.

It laments the ballot-access challenges that Ralph Nader and other candidates face, but it doesn't address the real issue: media coverage.

If USA Today really wants to give voters a choice, it should

demand that Libertarian candidate Michael Badnarik and other non-major-party candidates are included in the upcoming presidential debates.

Voter turnout has been decreasing over the years because many voters find that the limited choice of a Republican or a Democrat is not for them. If voters see alternatives, their participation will surely go up.

Limit the number of candidates to those who are on enough state ballots to theoretically win the presidency. That would restrict the number to about six candidates. To those who say that is too many, look at the 2004 Democratic primary. There were nine candidates vying for the nomination and several debates. Let the marketplace of ideas compete freely.

If the voters do not like the views of the Green and Libertarian candidates, they will reject them at the ballot box.

The letter sticks to the point, and makes mention of our Party and our worthy Presidential candidate. We commend and thank you, Michael, and encourage all our members to follow your example: use letters to the editor as a (nearly) free publicity vehicle, and help spread the Libertarian word. •

LPC Activist Fights \$885 million in New Taxes

Californian Dennis Umphress, a *Karl Bray Award* winner for LPC activism in 2002, is featured in this month's issue of *LP News*, since he spearheaded a ballot argument project condemning a notable \$885 million in proposed new taxes in Santa Clara County alone.

This year Umphress was named President of Silicon Valley Taxpayers' Association (SVTA), who has teamed with the LP of Santa Clara County in the past on such issues, and whose representatives cosigned the "arguments against" five bond measures and seven parcel taxes, as well as the rebuttals to these measures' "arguments in favor." Other LPC activists involved in this effort include Mark Hinkle, former Chair of LPC, and Elizabeth C. Briery, Umphress's fellow board

• **Dennis Umphress**



member at SVTA.

Umphress serves on the Citizens' Bond Oversight Committee for a bond measure of just this ilk: Measure G, approved by voters in March, 2002, a \$298-million school bond measure for East Side Union High School District in San Jose. His involvement on this committee has already prevented the misapplication of \$500,000 of the bond's funds, which in turn led to his being elected Chair of the oversight committee.

Read the full story in *LP News* (October 2004), or on line at www.LP.org/lpnews/0410/school-taxes.html. •

Meeting Notice

The quarterly meeting of the LPC Executive Committee will be held on **Sunday, November 20, 2004**, at the **Los Angeles Sheraton Gateway Hotel**

For details and last-minute changes, check our web site at: www.LPC.org



All LPC members are welcome to attend.

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Inspiration at Annual Tax Freedom Rally

• Al Newman



• Gray with fans at Tax Freedom Rally, 8/28 Sunnyvale

by **Al Newman**
Member, LP of Santa Clara County

The Free Enterprise Society hosted their annual Tax Freedom Rally in Sunnyvale on the weekend of August 28-29. I have attended a number of their events, and I was especially inspired by this one.

One of the most inspirational speakers was LPC's Judge Jim Gray, who spoke on general freedom and Libertarian issues. My other favorite speaker was Vernice Kuglin, the FedEx pilot,

who defeated the IRS and so-called "Justice" Department in a criminal trial. She won because she was well prepared by her attorney, Larry Becraft, and she was able to ask the question, "Where is the Law making me Liable?" Evidently the IRS witnesses could not or would not answer that simple question. I have been asking that question myself for over ten years and I have not received an answer either!



• Vernice Kuglin

In my opinion, the Income Tax is a hot issue for us as Libertarians. Our platform calls for its abolition, but most of our candidates are not as knowledgeable as they could be on this issue. I would be happy to share my knowledge on this subject.

I have been a non-filer for 29 years, and I am still walking around on the right side of the Graybar Hotel. Most people know that there is something wrong with the Income Tax but are too frightened or knowledgeable—poor to openly oppose it. There are other third parties



which also oppose the Income Tax—the Constitution Party for one—and I think we should collaborate on those issues on which we can agree.

Along these lines, in my local area there are plans to hold a freedom meeting every month along with a dinner. At the last one, we heard from former IRS agent Joe Banister (www.FreedomAboveFortune.com) and tax protestor Robert Clarkson, two of the speakers from the Tax Freedom Rally.

What is known today as Free Enterprise Society was formed in 1979 by a small group of individuals who were very concerned about the simultaneous expansion of bureaucracy, erosion of individual rights, and plunder of private wealth by slick government debt and tax-

Their mission is to promote free enterprise worldwide and restore lost liberties and freedoms in America under the organic National Constitution of the Republic of the USA, and they offer seminars and study courses which "have determined lawful ways of avoiding intolerable debt and tax burdens." Check out Free Enterprise Society on line at www.FreeEnterpriseSociety.com or by phone at (209) 966-7040. •

Al Newman is a long-time income tax non-filer and quite proud of it. His next two top issues are protection of our Second Amendment rights and stopping the War on Drugs. Newman has been involved in the LP almost since its inception, and has spent the last 48 years living in the S.F. Bay Area, where he works on call in construction trucking.

In Memoriam

Mike Mayakis, Libertarian Activist and Agile Debater

by Eric Garriss



• Mike Mayakis at rally in 1979



Mike Mayakis, a prominent Libertarian whose surprising political positions made him a formidable debater, has died. He was 53.

Mike died at his home in San Francisco on August 15 after a long struggle with leukemia.

A native of Los Angeles, he moved to San Francisco in 1971 and worked for more than a decade at the Haight Ashbury Switchboard as a counselor and trainer for the service that provided information, assistance, and counseling to the city's growing counterculture.

Mike was elected to the switchboard's Board of Trustees in 1973, and in 1980 became its president.

During the 1970s, he worked as an aide to liberal Republican State Senator Milton Marks of San Francisco, and eventually became active in Libertarian politics, founding a chapter of Students for a Libertarian Society (SLS) at San Francisco State University.

Mike helped organize the national anti-draft registration campaign by SLS and was eventually hired as a national organizer. He was later made National Field Coordinator for SLS.

In 1982, Mike was the Libertarian Party's candidate for State Senate. He was elected chair of the San Francisco Libertarian Party and held that position three times during the 1980s.

He became well known for defying assumptions in political debates. He argued fre-

quently for the rights of smokers when he himself was an asthmatic.

In 1988, he worked for the Libertarian Republican Organizing Committee at the Republican Convention in New Orleans. But he was never a Republican, and in 1995 helped found the popular libertarian web site Antiwar.com.

His failing health took its toll on his political activism. But Mike turned his frustrating experiences with the medical system into a guide called "Express Hospital Emergency Room Admission & Survival Kit" to help other patients.

Mike was an enthusiastic believer in the potential for victory for libertarian principles. He wrote "Turning Burnout into Victory," describing how the LP can achieve success by honestly promoting the philosophy. Mike said "If people really understood, they'd certainly be for freedom."

He is survived by his wife, Betty Honeycutt, siblings

Matthew Mayakis, Martha Mayakis, and Sara Tisher, and stepfather Lloyd Daic.

A memorial web page can be seen at www.AntiWar.com/mayakis. •

Gary Copeland

California Freedom was saddened to learn also that long-time Libertarian activist Gary Copeland passed away on August 2, 2004.

Gary had been active in the Libertarian Party for over 20 years. He was one of LPC's 2002 candidates for Governor, having stepped up to that challenge when our original candidate became disqualified due to a voter registration technicality. He said some of his priorities in that bid were to lessen tax loads, restore property rights, and to honor parents' rights.

Gary had run for other offices, too, including Orange County Supervisor. He had been active with voter outreach and with NORML, and anyone who knew Gary knows that he was a generous, spiritual, enthusiastic activist.

Gary Copeland is survived by his wife, Kelley O'Neill, and three children, Lake, Willow, and Ciera.

—Contributed by George Reis



Love to Write?

Newspapers need good Op-Ed articles. The LPC will invite newspaper editors to join a weekly distribution list of Op-Ed pieces written by...you!

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Make Sure to Vote on November 2!

The Libertarian Party of California recommends voting as follows on the Nov. 2 state ballot propositions:



Prop. 59	Access to Government Information.	YES	This was a unanimous bipartisan measure to imbed statutory guarantees of open government (mostly for local governments and local agencies) into the Calif. Constitution.
Prop. 60*	Election Rights of Political Parties.	YES	Would nullify the "Open Primary Initiative" (Prop. 62) if Prop. 60 were to receive the higher number of votes.
Prop. 60a*	Surplus state property.	YES	Would use the sale of surplus state property to pay off bonds.
Prop. 61	Children's Hospital Projects. Grant Program. Bond Act.	NO	Not a proper function of government, and Californians may not be able to withstand the cost of more such debt.
Prop. 62	Elections. Primaries.	NO	Negates the right of private political organizations to select their own candidates. Would destroy the third parties and limit voters' choices in general elections.
Prop. 63	Mental Health Services Expansion and Funding. Tax on Incomes over \$1 Million.	NO	Not a proper function of government, and Californians may not be able to withstand more taxes.
Prop. 64	Limitations on Enforcement of Unfair Business Competition Laws.	YES	This would limit "shakedown" lawsuits, in which lawyers sue businesses for trivial matters that have no victims, thereby forcing businesses to settle rather than endure the horrendous expense of a trial.
Prop. 65	Local Government Funds and Revenues. State Mandates.	YES	Prevents state government from raiding revenues intended for local governments and agencies, which in turn leads to "back door" local tax hikes.
Prop. 66	Limitations on "Three Strikes" Law. Sex Crimes. Punishment.	YES	The current law can put nonviolent criminals who commit victimless crimes away for life. Restores law to original intent of life sentences for only <i>violent</i> felons, upon their third <i>violent</i> strike.
Prop. 67	Emergency and Medical Services. Funding. Telephone Surcharge.	NO	Not a proper function of government, and we don't need more taxes.
Prop. 68	Tribal Gaming Compact Renegotiation. Non-Tribal Commercial Gambling Expansion. Revenues, Tax Exemptions.	No Position	Reduces some restrictions on gambling, but also creates new monopolies for race tracks and card clubs.
Prop. 69	DNA Samples. Collection. Database. Funding.	NO	An invasion of privacy for those people who are arrested, but not convicted of a crime.
Prop. 70	Tribal Gaming Compacts. Exclusive Gaming Rights. Contributions to State.	No Position	Reduces some restrictions on gambling, but also extends monopolies for Indian tribes.
Prop. 71	Stem Cell Research. Funding. Bonds.	NO	Not a proper function of government, and Californians may not be able to withstand the cost of more such debt.
Prop. 72	Referendum Petition to Overturn Amendments to Health Care Coverage Requirements.	NO	A "no" vote will reverse the new mandate that requires California businesses to provide health insurance for their employees.

* A court order has split the original Proposition 60 into two separate measures: Propositions 60 and 60a.

Lobby your Library

by Starchild
Candidate for San Francisco School Board

Most libertarians would have no trouble coming up with a list of good, pro-freedom books not carried by their local library.

One title I will be requesting is *It's Good To Be King*, by Libertarian presidential candidate Michael Badnarik. If a bunch of libraries receive requests for this book, and thus place advance orders, early

sales could get a nice boost when it is released this month.

Does your library have a procedure for taking suggestions of books to purchase?

I checked with my San Francisco Public Library, who responded, "Yes, you can request that we purchase a particular book from our catalog [web] page. If the title was published before this year, you can also request that we borrow the title from another library system by filling out an interlibrary loan form at any branch or the Main Library. This must



be done in person."

An LPC member who works for another of California's public libraries confirms this: "Some public libraries have a 'Suggestions' page on their web site, where patrons can suggest the library purchase certain items. Also, some libraries may have suggestion cards in the library to do the same thing. They ask for as much information as you can provide, such as author, title, subtitle, publisher, year, and where you first saw it advertised. You may have to sign your name and provide other

information about yourself (check it out; libraries may vary)."

I encourage you to check out your own library's policies.

Make it easy for your neighbors to learn about liberty! •

Starchild, a Libertarian activist in San Francisco, is currently running for School Board on a platform of taking money and power away from educational bureaucrats and putting teachers in charge of the schools. He has served also as Chair of the San Francisco LP and as a member of the LPC Executive Committee.

LPC 2005 Convention

Save the date!

When: **February 18-20, 2005**
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