

California Freedom

Sept/Oct 2009 — The official publication of the **Libertarian Party of California**

Lowering YOUR Taxes

I Fought City Hall

by Edward M. Teysier

In January 2005, I was a new attorney, having just received my wall certificate from the State Committee of Bar Examiners.

My landlord, Sidney Weisblat, a member of the San Diego Libertarian Party, called to say that he'd just received a different sort of certificate from the City of San Diego. The city had a new program to charge landlords a "processing fee" to collect the city's rental taxes.

Sidney wanted to know if I, as an attorney, could fight this fee. He felt it was double taxation when you're charged a "fee" to pay your "taxes."

I agreed. One reason I became an attorney was to more effectively fight unjust taxes just like this one. I took the case.

San Diego had been charging landlords a nominal tax (\$55 per year if you have one unit) for decades.

Until 1996, when voters passed Prop. 218 (which re-

quires voters to approve any new or increased taxes), the city had been increasing its Rental Unit Business Tax (RUBT). But now it was increasing this rental tax by \$25, and calling the increase a "processing fee" to bypass Prop. 218.

Legally, there are two kinds of levies that local governments can charge: fees and taxes. Taxes are levies imposed to pay for the general operational cost of government. Fees are imposed either to pay for services requested by the fee payer, or as a means of regulation.

Based on this, the city's new "fee," imposed on landlords to collect their rental taxes, is a tax and not a fee.

First, it's a tax because it funds a general governmental operation (e.g., tax collection), and the proceeds are put into the city's general fund, to finance all the other services the city provides to the general public.

Secondly, it's not a valid fee because it doesn't provide any service requested by landlords, nor regulate in any way the conduct of anyone required to pay this fee.

Remarkably, the trial court judge's ruling supported the city's claim that this was a valid fee. My client lost. This shows how difficult it is to win even a rock-solid case against the state in the state's courts.

That lower court's judgment is now before the state's Fourth District Court of Appeals. Oral arguments were heard in mid-July 2009. If the judges' questions and comments are any guide, the lower court's ruling will be reversed.

Unfortunately, many illegal taxes exist throughout the state.

Fortunately, if we get a favorable ruling, as we expect, that precedent will help Libertarians overturn similar illegal fees imposed by local agencies



Edward M. Teysier

throughout the state.

What's the big deal? Why should we, as Libertarians and good citizens, fight these protracted legal battles over fairly nominal amounts?

Firstly, over time, these fees will increase. If we don't dispute them when the amount is small, how are we going to defeat them when the amount grows large?

Secondly, as voters and as Libertarians, we must challenge the ever persistent forces that grow the size and cost of government. If we allow local

government agencies to ignore hard fought initiatives like Prop. 218, then we'll be surrendering solid ground in our fight against the growth and cost of government. That will make winning future battles even harder.

Thirdly, if we as Libertarians don't do it, who will?

Edward M. Teysier is an attorney practicing political law. He is the attorney of record in *Weisblat, et. al., v. City of San Diego, Appellate Case No. D052787*. He's a past Chair of the San Diego Libertarian Party. His contact info: edwardtLP@sbcglobal.net, and (619) 474-7500 x202.

YOUR Contributions Needed

An Election We Can Win!

by Norm "Firecracker" Westwell

Do you crave liberty in your lifetime? Here is your chance to make a difference.

I am trying to show by example how we can build our party from the bottom up. I am on the path of success and want to keep the ball rolling. Up to this point I have been able to accomplish everything myself, without help. I realize that to progress any further, I now must ask for help. I call on you, my fellow Libertarians!

We have talked the talk long enough. Now is the time to

walk the walk. I have made the commitment. I have laid the ground work. We have worked on too many losing campaigns over the years. I offer you a chance to participate in a *winnable race* for a change.

I am Norm Westwell. I am the only elected Libertarian in Southern California. I am currently serving taxpayers as President of the Ocean View School District in Huntington Beach, California: <http://tinyurl.com/5gsvkb>.

The OVSD comprises about 50,000 registered voters. We

operate 11 elementary schools and 4 middle schools, K-8, and operate with an annual budget of approximately \$77 million.

I am in my third year of governance. In 2008, I was re-elected, unopposed.

I am running a *winnable* campaign for a seat on the Huntington Beach City Council in November, 2010. This will be my fifth run for this office. The first four campaigns were paper campaigns—but over this time, I gained experience, campaign materials (e.g., a huge stockpile of signs), name



Norm "Firecracker" Westwell

recognition, and a record to stand on.

I already have seed materials: a webmaster, a website, a director of print media, a photographer, a campaign committee, and a treasurer.

The 2010 city council elec-

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UPDATE

On August 18, 2009, the Fourth District Court of Appeals ruled unanimously that the City of San Diego may not charge a fee to collect a tax.

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The Other War

Obama Embraces Afghan Blather

by Christopher Dowd

The American mainstream media is printing mountains of news stories and editorials and opinion pieces about the Afghanistan "elections." All blather.

Everything in our mainstream media about foreign policy is blather. Everything we read about Afghanistan and Iraq and Iran floats upon a sea of false premises and lies of omission and commission.

This is an election where no political parties are allowed. An election for a government that does next to nothing but serve as a propaganda tool for an occupying army. An election where no one opposed to the U.S./NATO occupation is allowed to run.

All stories and opinion pieces miss the fact that this "election" is being conducted under occupation, and is seen by probably next to no one in Afghanistan, regardless of their politics or ideology, as legitimate.

This election in Afghanistan is being staged more for Americans than Afghans. The election is meant to soothe a skeptical and impatient American public. Having lived with war and occupation propaganda of all types for 30 plus years, Afghans know better.

The U.S., at one time, espoused the principle that elections held under foreign occupation were automatically illegitimate.

But of course, elections under American occupation are never illegitimate, because we are America and America is inherently good and selfless. The rules don't apply to us.

We got the same out of the president. Obama went before the VFW in Phoenix and did some rote, costless, and meaningless denunciation of Pentagon waste a month after approving a \$636 billion "defense" budget. Then he told us why the Afghan war has to be fought:

"This is not a war of choice. This is a war of necessity. Those who attacked America on 9/11 are plotting to do so again. If left unchecked, the Taliban insurgency will mean an even larger safe haven from which al-Qaeda would plot to kill more Americans. This is not only a war worth fighting. This is fundamental to the defense

of our people."

Other than possibly Ron Paul, there isn't one person of renown in this country who would challenge that false justification for this meaningless war for war's sake.

Don't we have "those who attacked us on 9/11" in some dark dungeons somewhere awaiting super-secret special military trials? Who are "those"?

Well, "those who attacked us on 9/11" are "al-Qaeda," or just "Qaeda," which is becoming the fashionable appellation for that mysterious organization among our mainstream press stenographers now.

And what is "al-Qaeda"?

"Qaeda" is anyone the U.S. military, intelligence community, or major D.C. politicians say it is. "Al-Qaeda" is a catch-all term applied to enemies of the current interests of our Beltway ruling elite. When those interests change or shift, so does the definition of "al-Qaeda."

If you doubt that, witness the shifting blame for Lockerbie as the needs of the Beltway have changed over the past decade. Note the sickening history of blame for the Halabja gas attack as Washington's interests changed.

"Those who attacked us on 9/11" cannot and never will be defined. Anyone who picks up arms against the U.S. or its regional puppets will be called "al-Qaeda" or "Taliban."

Our "debate" on foreign policy is so far from reality that we accept preposterous statements like the Afghan war "is fundamental to the defense of our people" without comment. What can you even say to that? Where do you begin?

Do you point out the U.S. would not have been attacked on 9/11 if it were not for its self-serving entanglements in the Middle East and Central Asia for the past 60-plus years?

Do you point out that slaughtering hundreds of thousands, if not millions, of people all but assures this country will be attacked again by "terrorists"?

Do you point out the attack on 9/11 was the result of a comedy of errors on the part of a "defense" and "intelligence" community that even then cost us half a trillion dollars a year?

Do you point out that terrorists don't need a "safe haven"

to plot attacks?

Do you point out that even a moderately cautious and alert immigration policy would have prevented 9/11?

I could go on. But no one cares. Our Beltway elite barely even try to justify these elective wars with coherent rationales anymore. Obama could have gotten up on that stage and justified the Afghan war as the latest front in the war on drugs (which is now a sub-justification) and no one would have cared. Not one major politician would say boo about it.

They don't care about our opinion on these wars to treat our intelligence with respect. They know these wars are going to go on no matter what Americans think, and no matter which vetted mannequin of the two-party fraud occupies the White House. No matter what imbecilic justifications they advance for these wars, the wars will continue until the last nickel can be made from them.

I've seen commentary about how the Afghan war is not winnable. These columns miss the point. D.C. doesn't care about "winning." It has no definition of winning on purpose.

The war in Afghanistan is a war for war's sake.

What the Imperial City on the Potomac wants is a long, low-burning conflict with tolerably low casualties and extremely high overhead. It will end only when Americans are pushed to the precipice of real economic hardship and their two-party system is in genuine jeopardy. Only then will the Empire declare victory and come home.

And after a decade of holding a huge pity party for ourselves, in which we file into movie theaters to watch film after film showing how Americans were actually the victims of the weakling nations we destroyed on the other side of the globe, D.C. will plot the next round of wars against the next batch of "madmen" ruling over distant, impoverished countries that are absolutely no threat to us at all.

It will be the "Bantu threat" in 25 years. And, yeah, we will fall for even that.

Christopher Dowd's article is reprinted courtesy of Antiwar.com.

Oppose the Afghan War

Many view the August 20, 2009 election in Afghanistan as a fraud. The candidates are all approved by the U.S. There are no political parties. The Taliban cannot run candidates. The vote takes place under U.S. bayonets.

There have been reports of the presidential election sparking violence, corruption, vote buying, and alliances between Karzai and warlords.

One Member of Parliament, a woman who is the youngest Member, wrote that Afghans have "no hope" in this election. A fake election will not bring peace and stability.

President Obama has fully embraced the Afghan War, and done so when generals and DoD officials are acknowledging the U.S. is losing, deaths are mounting, and it's going to be a very long haul—measured in years not in months. One general is saying four decades.

Those who oppose this war must organize. We need more people informed about the facts. More people involved in ending the war.

Please urge people to take action. Take action yourself. Urge President Obama to end the Afghan War. The U.S. cannot succeed in the graveyard of Empires and cannot afford to continue this war.

The Pentagon is spending nearly \$5 billion per month in Iraq and Afghanistan, a pace that would bring yearly costs to almost \$60 billion.

Military fatalities are consistently rising. Civilian deaths are rapidly rising due to drones and air attacks. These deaths are undermining support for the U.S.

Military leaders in both the U.S. and Britain are saying troops will be needed for years in Afghanistan. State Dept. officials are describing a lengthy occupation lasting many years. The U.S. is showing its intention by building huge bases in Afghanistan. There are calls for a vast increase in troops.

The U.S. is repeating mistakes of the Iraq War with very high civilian deaths and abusive prison camps. Afghan insur-

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Letters to the Editor

Sexual Politics

Willing partners can enjoy sex most. Acquiescent partners who are obligated to cooperate can tolerate sex. Resistant partners who are obligated to cooperate can survive sex. People who force other people to cooperate rape them.

Rape looks like sex, and may even feel like sex. Rape is the motion of sex without the consent of all the movers. Look at rape as coercive management of another person's actions and property for the benefit of the manager.

People who obligate themselves to have sex with another person (or other people) believe they have a duty to cooperate. They may sometimes enjoy performing their duty. They may at other times wish they were doing something else. In either case, they do not doubt that another person has a legitimate claim to their cooperation. You could see this as collaborative management of action and property for the benefit of at least one person.

Both types of management are forms of socialism, in which human lives are managed resources for the "common good." Socialism mimics sex; it can be dreadful, even fatal, or it can be fun. But you cannot refuse to participate.

Lovers have sex because they want to enjoy the sensations that result from action. They want the feeling of closeness that comes from mutual satisfaction. They enjoy liberty to reach out to their partner(s) for satisfaction, liberty to respond to partner desires, liberty to say, "No."

Liberty is like the best sex you can have. You can cooperate, you can delay, or you can demur. It's all good. It's your life.

— Doc Ellis
Agua Dulce, CA

Saying No to Obamacare

I caught the last 15 minutes of the town hall meeting of my Congress critter, Zoe Lofgren, tonight, August 10th.

A capacity and standing room only audience was having none of her standard "I'm here from the government and I'm here to help" crap.

While not as rowdy as some of

the YouTube town hall meetings I've seen, these 40 to 70-year-old men and women were having none of the crap she was dishing out about how "good" Obama care was going to be. Every speaker spoke against big government, socialized medicine, and benefits for illegals. And all got rounds of cheers and applause.

The main part of the crowd was from Almaden Valley, a decidedly upscale part of San Jose, and they're pissed. It was glorious.

There appeared to be a lot of extra police in attendance. Guess she expected a rough crowd.... and she got one.

— Mark Hinkle
Morgan Hill, CA

It Began With Religion

Religion and government have without exception, and throughout history, been both nothing but the most familiar, ready-made, and persistent instruments of oppression and subjugation. One is a prelude to the other. One enslaves the individual to "God" and the other enslaves him to government.

Our founding fathers recognized this nexus, and made sure religion never became part of our government.

I don't know how Herb Peters [CF August 2009, LTEs] finds religion compatible with liberty, when it is only compatible with government and the oppression of our most sacred individual rights.

We have the example of the Republican Party suppressing all of our social liberties without exception to this day. If it weren't for the Republicans' religionist oppression, there would have been little need to invent the Libertarian Party.

— Aarde V. Atheian

YOUR Letters Welcome!

But we can't publish what we don't receive.

Please submit your letters to:

editor@ca.lp.org

Political Travelogue

Red China Diaries

by Laura G. Brown

I spent five weeks in China this summer, touring Beijing and Shanghai and staying a month in Xiaoshan, where I taught English to 8th graders. It was the first time I'd spent any length of time in a Communist country. I kept a sharp eye on my passport, down to finding a secret hiding place in my hotel room.

I was careful not to bring up Falun Gong or the plight of Muslim Uighurs. Uighurs had rioted in Urumqi on July 5, the day I arrived. Chinese officials immediately blocked Facebook, Twitter, and other websites. This lasted for the duration of our visit. Luckily, a computer whiz in our group bypassed the censors and accessed some of those sites.

My first impression of the Xiaoshan Middle School campus was a shocker: In the teachers conference room, a huge poster bore photos of Karl Marx, Friedrich Engels, Lenin, Stalin, and Mao. I felt revulsion over this rogue's gallery of evildoers presented as heroes to Chinese schoolchildren. What other misinformation are they getting?

They don't know much about the U.S. My students did not know the city of Los Angeles, or even Hollywood. They had never heard of our July 4th holiday.

China could make even an anarchist believe in traffic laws. In every Chinese city, there's the cacophony of car horns, day and night. The greatest offenders are the blue-and-gray government cabs. Their horns aren't defensive, but a warning: "I'm moving over! You better move over, too."

Thrill-seekers will love the crosswalks with no crossing lights. At first, it's terrifying. But you get inured to buses heading straight for you, and ambulances at the curb taking away people. Chinese take more traffic risks than do Americans. No car seats for babies or kids. People pile four on a motorcycle, no helmets.

At a bus terminal, I found a queue of about 200 people. So my Chinese guide found me an illegal cab. I was told to sit inside, and to say it was our private vehicle if asked. The driver walked up and down, shouting for more passengers. He

packed in six more besides me—some on the back "bench," which was 1) made of wood, and 2) not fastened down.

Did someone say safety belt? I laugh at your safety belt!

The door beside me was thin and battered, and wouldn't fasten properly. I locked it, hoping for the best. We got to Xiaoshan in one piece, with the driver dodging traffic and honking furiously, and the bench sliding.

I saw some small scale government graft. During summer vacation weeks, travelers throng outside the Beijing Railway Station in a huge courtyard that rivals Tiananmen Square, then push their way inside, loaded with luggage. A flowing river of people, elbows in your sides and wheels rolling over your feet.

I had no idea how we'd reach our train in this melee.



Photo: Laura G. Brown

bribed him. We all trooped off to our train, getting on before anyone else.

A brief item on page 2 of the August 8-9 *China Times*: "Airport Boss Executed." Seems that someone with a knack for large scale graft had received the Chinese penalty for stealing: death. The government didn't waste time. Mr. Li, the airport embezzler, was convicted in February.

Prostitutes are plentiful on the streets. Their cards were left by the door in our Xiaoshan hotel. You can find "happy" massage salons in every hotel.



Photo: Laura G. Brown

Then I spotted our tour guide, talking to a uniformed official. Our other guide said: "He pays him 30 yuan. We get on now."

Sure enough, the train official raised a flag for those who'd

I discovered this because the prices looked good for a massage, so I asked. Even in the fancy International Hotel in Hangzhou, I'm told it's men

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Photo: Laura G. Brown

Tiananmen Square

Because Ideas Matter

Libertarianism vs. Statism

by Jacob G. Hornberger

Put the poor Republicans. Having suffered massive losses in the political process, they are now searching for a "new message" that they hope will restore them to political power. Their problem is that, given their unwavering commitment to socialist, interventionist, and imperial programs, voters will likely see through the charade of a "new message."

Consider Republicans' post-Bush era return to their tried-and-true mantra favoring "free enterprise, private property, and limited government." Doesn't that mantra ring hollow, given that Republicans are just as fiercely committed to socialistic and interventionist programs as are Democrats?

When one considers all the federal socialist and interventionist programs that have come into existence during the past several decades, how many do Republicans oppose?

Answer: None.

Social Security, Medicare, Medicaid, welfare, the drug war, subsidies, education grants, bailouts, SBA loans, not to mention the multitudes of federal welfare state regulatory departments and agencies. The Departments of Labor, Agriculture, Energy, Education, Homeland Security, Health and Human Services, DEA, SEC, ICE, IRS, and on and on. Republicans support and em-

brace every one of them.

At most, they'll call for "reform" or for getting rid of "waste, fraud, and abuse." But with the exception of Ron Paul, a Republican who is libertarian by philosophy, hardly ever will you see a Republican calling for the repeal or abolition of any of those federal programs, departments, or agencies.

It used to work. Voters would focus on the free-enterprise mantra and forget that Republicans favored the socialistic and interventionist programs that violated the mantra.

Not anymore. Because now there are libertarians to contend with. Libertarians not only preach the "free enterprise, private property, limited government" mantra, they also call for the abolition and repeal, not the improvement or reform, of all those socialistic and interventionist programs favored by both Republicans and Democrats. Libertarians are the real deal.

In the foreign policy arena, what do Republicans have to offer, especially given that President Obama has co-opted their occupations of Iraq and Afghanistan and their war-on-terrorism infringements on civil liberties?

Republicans, like Democrats, continue to support the existence of a U.S. Empire, continue to deny that the Empire's presence and actions abroad

produce the threat of terrorist blowback, continue to support the international drug war, and continue to call for ever-increasing infringements on civil liberties.

They continue to deny that U.S. personnel torture, while, at the same time, continue defending torture because they say it works.

They continue defending the alternative kangaroo judicial system for trying accused terrorists, which the Pentagon set up to compete against the Constitutional system established by the Framers.

Meanwhile, federal spending continues unabated, with Obama likely to spend more money than even Bush and the Republicans did. Of course, now that Obama, rather than Bush, is doing the borrowing, taxing, spending, and inflating, Republicans rail against it—which they never did during the 8 years of the Bush era.

When you ask Republicans how federal spending can be reduced, while, at the same time, maintaining the occupations of Iraq and Afghanistan, and the entire U.S. Empire abroad—troops in over 100 countries—and all the socialistic and interventionist programs here at home, Republicans get angry, frustrated, and silent.

That's one reason they are so uncomfortable with libertarians. We remind them of what they aren't -- consistent defenders of moral principles, free markets, private property, the Constitution, and a limited-government republic.

In difficult times, people look to scapegoats. Republicans and Democrats are no exceptions. Republicans rail against illegal aliens, drug dealers, terrorists, and Muslims. Democrats rail against specu-

lators, greedy people, the rich, and businessmen.

Neither Republicans nor Democrats have the courage or fortitude to confront the truth and accept responsibility for it—that it is they and their socialist, interventionist, and imperial programs, not the scapegoats, that are responsible for the morass in which our nation finds itself.

While Republicans and Democrats wage wars against their scapegoats, the real war is between libertarianism and statism. Despite the massive control that Republicans and Democrats have on the mindsets, lives, and fortunes of the American people, I'm still putting my money on libertarianism to prevail.

If people decide they want morality, prosperity, harmony, and freedom, there is only one way to go—libertarianism. That requires a rejection of the statism embraced by those pitiful Republicans and, for that matter, by those pitiful Democrats.



Jacob G. Hornberger is founder and president of The Future of Freedom Foundation, publisher of Your Money or Your Life: Why We Must Abolish the Income Tax by Sheldon Richman. His email: jhornberger@fff.org.

Westwell's Election

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tion will have four ballot positions: one incumbent and three open seats due to term limits. It is anticipated that I will be the only non-incumbent holding a seat in public office.

I believe I can win this election with only \$50,000 (I've raised nearly \$7,000 so far!) due to my great name recognition, campaign signs already in hand, poor economy, and the huge amount of precinct walking and community activism I've done over the years and am currently doing.

Google my name, Norm Westwell, and you will see I am very active. I get things done.

Huntington Beach has a population of nearly 200,000 and is the 16th largest city in California. Boards and commissions are directly appointed by each council member.

The police, fire, and municipal employees will each spend tens of thousands of dollars to oppose me. This is why I call for your help.

If each of us contributes \$25, I can win this thing, and drag others up along with me.

Isn't this what we all talk about—getting Libertarians into office? Here is our big opportunity to get a Libertarian elected into the 16th largest city in California. I call on you to not turn you back on a active Libertarian in his hour of need.

My election campaign website: www.normwestwell4hbcc.com.

Thank you!

Norm "Firecracker" Westwell sits on the Board of Trustees of the Ocean View School District. His email: norm@normwestwell4hbcc.com.

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2009 November Elections

Running for a Non-Existent Office

by Lawrence K. Samuels

Too often the political elite fantasize about creating new layers of government while promising no extra costs to taxpayers—the typical political lie.

In this particular fantasy, a small, but powerful group is trying to turn a low-density, 44-square mile rural area of Carmel Valley, CA, into a bustling city of 12,000 residents.

The less enthused residents of Carmel Valley call this incorporation attempt “a hostile takeover.”

This heaven-on-earth scheme mimics Garrison Keillor’s fictitious Lake Wobegon, where community spirit and altruism reigns supreme. According to one leading incorporation proponent, the city would be operated by volunteers.

The city attorney and manager would get pats on the back instead of \$200,000+ annual salaries and retirement benefits. City staff will cheerfully work long hours for little or no pay. There will be no city hall, police stations, or public work buildings. No unions trying to get public workers higher wages and benefits. No redevelopment agency that would use eminent domain powers to subsidize and encourage development. No infighting. No disharmony.

A true utopia. That is the world the proponents of Carmel Valley envision. Fairy tales are fun to believe in.

But the main reason these agenda-pushers cite for cityhood is to obtain local control. Never mind that 50 - 60% of most California city budgets are controlled by federal and state mandates. Never mind that once a city is created, it

must comply with low-income housing mandates, storm-drain problems, and the likelihood of replacing septic systems with expensive public sewer systems.

But it is the budgetary problems of cities that make incorporation most unpalatable. Most California cities are bankrupt, due to high government salaries, obscenely generous CalPERS retirement benefits, and lifetime medical benefits.

The nearby city of Seaside, population 30,000, has over 40 city employees receiving well over \$100,000 a year. Many of these employees can retire at age 50, and receive for life up to 90% of their last paycheck with inflation adjustments.

Cities are bad news.

It took Carmel Valley proponents nine years to get their measure on the Nov. 3, 2009 ballot. Initially, the anti-incorporation group—Save Carmel Valley—opposed running anti-incorporation candidates for city council. But other anti-incorporation organizations around the state said it was vital to run our own slate—to provide a platform to oppose cityhood at public events.

I agreed. I became the first candidate to apply, and hand in my petition signatures.

This surprised the opposition, which includes mostly former politicians, lawyers, teachers, and government workers. They failed to realize that newspapers would give more publicity to the first few declared candidates.

The *Carmel Pine Cone* and *Monterey County Weekly* both identified me as a libertarian, and quoted me as the candidate who “hated politicians.”

My quoted motto created a stir: “Don’t vote for a city, and don’t vote for me.”

This anti-political sentiment rang true with many Carmel Valley residents. They kept telling me that a city government would be intrusive and expensive, and they simply “wanted to be left alone.”

This “live and let live” attitude, found in many rural areas, is the essence of our libertarian ideals. I plan to enjoy my politician-bashing campaign.

After all, how many candidates get to run for a political office and a city government that does not even exist?



Lawrence K. Samuels is Chair of the Monterey County LP. He runs the website: www.SaveCarmelValley.org. His email: lawsam1951@hotmail.com.

“During times of war, hatred becomes quite respectable, even though it has to masquerade under the guise of patriotism.”

~Howard Thurman, spiritual advisor to Martin Luther King, Jr.

Raise your Cup to Coffee Club Members!

We want to thank the following members who have stepped right up and joined the LPC Coffee Club since its kick-off. A Coffee Club member donates a minimum of \$42 per month or \$500 or more each year.

- | | | |
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| Suzanne Bell | Curt Cornell | Alan Pyeatt |
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Protesting Boxer



Photo: Mark Hinkle

Local Libertarians joined 400-500 other people at the Barnes & Nobles bookstore in San Jose, CA on August 15, 2009, to protest U.S. Senator Barbara Boxer and her health care policies during her book-signing.

Way more people were protesting outside than seeking Boxer’s autograph inside the store. Thousands of passing cars on this busy intersection honked for over three hours in support of the protesters and their signs. Almost all signs were hand-made, with a few pre-printed or done on home computers.

The protest was scheduled for noon to 2 p.m., but lasted till well after 3 p.m. due to the upbeat mood.

Libertarian participants included Mountain View City Council member John Inks, Gloria Strong, Alberta Brierly (Elizabeth Brierly’s mother), KKUP radio talk show host Don Cormier, and this author (above), who was interviewed by channel 11 news (the local NBC TV affiliate). One of his sound bites aired on Saturday evening, during their local news program.

~Mark Hinkle

Mark Hinkle is LNC Region 2 (CA) Representative. His email: mark@garlic.com



Photo: Laura G. Brown

Red China Diaries

continued from page 3...

only.

If you have a sex partner, you get a free condom with your toothbrush and shampoo, as we did in our Shanghai hotel. The Communist attitude toward sex seems to be: It’s something people do, so allow for it.

The West should take notice.

China is careening toward capitalism, contrasting the an-

cient and modern. In Beijing, donkey carts and bicycles, carrying loads of scrap metal and cardboard, weave through traffic. Merchants carry their wares in yoke baskets. Laundry hangs out to dry over Guess and Nike stores. Hammers and pickaxes do masonry work. Bamboo scaffolding supports emerging high-rises. Cranes are everywhere.

China pollutes on a grand

continued on page 6...

Because Ideas Matter

A Case for Legalizing Libel

by Walter Block

It is easy to be an advocate of free speech when it applies to the rights of those with whom one is in agreement. But the crucial test concerns controversial speech—statements which we may consider vicious and nasty, and which may even be vicious and nasty.

There is perhaps nothing more repugnant or vicious than libel. We must, therefore, take particular care to defend the free speech rights of libelers, for if they can be protected, the rights of all others—who do not give as much offense—will certainly be more secure. But if the rights of free speech of libelers and slanderers are not protected, the rights of others will be less secure.

The reason civil libertarians have not been involved in the protection of the rights of libelers and slanderers is clear—libel is ruinous to reputations. Harsh tales about lost jobs, friends, etc., abound. Far from being concerned with the free speech rights of the libeler and slanderer, civil libertarians have been concerned with protecting those who have had their reputations destroyed, as though that in itself was unpardonable.

But protecting a person's reputation is not an absolute

value. If it were, if reputations were really sacrosanct, then we would have to prohibit most categories of denigration, even truthful ones. Unfavorable literary criticism, satire in movies, plays, music or book reviews could not be allowed. Anything which diminished any individual's or any institution's reputation would have to be forbidden.

Civil libertarians would deny that their objection to slander and libel commits them to the view described. They would admit that a person's reputation cannot always be protected, that sometimes it must be sacrificed. But this, they might say, does not exonerate the libeler. For a person's reputation is not something to be taken lightly. It may not be damaged without good reason.

But what is a person's "reputation"? What is this thing which may not be "taken lightly"? It is not a possession which may be said to belong to him in the way, for example, his clothes do. A person's reputation does not "belong" to him at all. A person's reputation is what other people think of him; it consists of the thoughts which other people have.

A man does not own his reputation any more than he

owns the thoughts of others—because that is all his reputation consists of. A man's reputation cannot be stolen from him any more than can the thoughts of other people be stolen from him.

Whether his reputation was "taken from him" by fair means or foul, by truth or falsehood, he did not own it in the first place and, hence, should have no recourse to the law for damages.

What then are we doing when we prohibit libel? We are prohibiting someone from affecting, or trying to affect, the thoughts of other people. But what does the right of free speech mean if not that we are all free to try to affect the thoughts of those around us? So we must conclude that libel and slander are consistent with the rights of free speech.

Finally, reputations would probably be more secure without the laws which prohibit libelous speech! With the present laws prohibiting libelous falsehoods, there is a natural tendency to believe any publicized slur on someone's character. "It would not be printed if it were not true," reasons the gullible public.

If libel and slander were allowed, the public would not

be so easily deceived. Attacks would come so thick and fast that they would have to be substantiated before they could have any impact. Agencies similar to Consumers Union or the Better Business Bureau might be organized to meet the public's demand for accurate scurrilous information.

The public would soon learn to digest and evaluate the statements of libelers and slanderers—if the latter were allowed free rein. No longer would a libeler or slanderer have the automatic power to ruin a person's reputation.



Dr. Block is a professor of economics at Loyola University New Orleans, and a senior fellow of the Ludwig von Mises Institute. This article is excerpted from his classic book, *Defending the Undefendable*. His email: wblock@loyno.edu.

Red China Diaries

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scale. According to *The New York Times*, it surpasses the U.S. as the leading producer of garbage. Its toxic incinerators threaten the Pacific Coast. I saw dull, brown skies every day during the month I stayed in the industrial city of Xiaoshan.

China represses human rights. It engages in censorship, jailing of political opponents, and frequent use of the death penalty. They are slowly changing in some of these areas, particularly those that affect them economically. But they're no Western democracy.

Finally, China is a beautiful country with friendly people. I ask for sugar in my rice porridge? A bowl of sugar appears every day from then on. I want to swim in a local hotel pool? My school translator arranges a cab, takes me there, and arranges all the details, since I can't speak Chinese. At school, he helps me use the Chinese internet. He makes copies for me. I found this kind hospitality, time and again.

It's enough to make you want to return to China.

Laura G. Brown is a teacher and writer living in San Gabriel. She is a veteran candidate for State Assembly. Her email: lauragbrown@sbcglobal.net.



Outright Libertarians Meeting

Saturday, September 19, 2009 @ 12 noon

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7554 W. Sunset Blvd., Los Angeles, CA 90046

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All friends, supporters, and interested parties welcome. For more info about Outright Libertarians or Repeal Prop 8, please contact Elinor Brandt: ebelbrandt@gmail.com.

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Book Reviews

How Clean a Conscience?

(*The Conscience of a Libertarian: Empowering the Citizen Revolution with God, Guns, Gambling & Tax Cuts*, by Wayne Allyn Root, 400 pp, Wiley, 2009.)

👍 Thumbs Up: Conservative Outreach 👎 Thumbs Down: Closet Conservative

by Richard Winger

It seems to me that Root's major purpose with this book is to persuade conservatives to become libertarians in their thinking. This is not a book that seems to have the major purpose of persuading Libertarians to nominate Root for president.

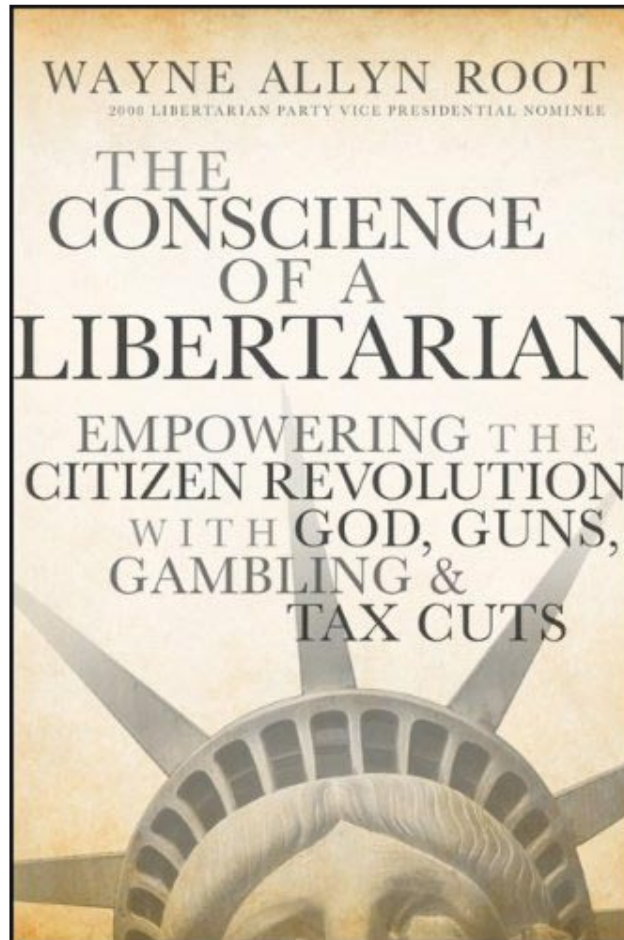
Root's technique for moving conservatives to a more libertarian thinking seems to be to show at the beginning that he has been a conservative himself, and that he still appreciates the values that conservatives value. So, as one reads through the book, Root seems to evolve.

For example, page 24 seems to indicate he is only opposed to drug prohibition when the federal government does it. If someone stops reading there, that is the impression one will have of Root's thinking. But, on pages 79-81, the book makes a strong case against any government (state or local, as well as federal) from blocking medical marijuana. Then, on pages 225-226, he makes a stronger, more emotional case against drug laws. Then, on pages 260-263, he talks about the horrible way in which Steve Kubby was persecuted.

Root's education policy also seems to change as one reads further into the book. Pages 164-167 seems to endorse the idea that state and local government should handle education. But, when one reads further, there is a big shift. Page 207 says, "As long as most of our children are educated in government-run public schools, the government bureaucrats running them will instill the idea into the heads of their captive audience (our children) that more government is better."

For a book to persuade, the reader must be open to persuasion. Root's technique probably works better than most books do to persuade conservatives toward libertarianism.

I have re-reviewed all the campaign books published by LP presidential nominees (all wrote a campaign book, ei-



ther before or after they were nominated, except for Andre Marrou). I believe that this is the best book for persuading conservatives toward libertarianism, of any of those books.

There are times when I was angry at Root's book, but those

moments came less and less frequently as I kept reading. It is not fair to the book to put it down without reading all of it. And it is never boring. I spotted a few factual errors but no non-fiction book of this length is ever perfectly accurate.



Richard Winger manages *Ballot Access News*. He may be contacted through: www.ballot-access.org.



Brian Miller is a former National Secretary for *Outright Libertarians*. His email: hightechfella@yahoo.com.

continued from column 5...

Existing libertarians will find little of value or interest in Root's book, other than mild entertainment value, plus a look into the public persona du jour of one of the "new generation" of LP political hucksters.

But be forewarned—

by Brian Miller

Wayne Root is a bit of a phenomenon in America's declining Libertarian Party. A longtime Republican whose prior book, *Millionaire Republican*, praised George Bush and foreign interventionism, Root traversed a road that got him nominated as the LP's vice presidential candidate, and down into an electoral performance that was no more impressive than the dark horse candidacy of the prior candidate.

This book represents the kickoff of his self-promotion efforts to try and win the party's nomination for president in 2012. As seasoned Root-watchers would expect, it's a horrid mish-mash of recycled right-wing talking points, body copy, and bizarre logic. While right-wing outrage in self-promotion books is nothing new (e.g., Coulter, Hannity, Limbaugh, O'Reilly), at least those authors could afford good copywriters.

The book is poorly written and disjointed, a mish-mash of talk-radioisms and painfully forced personal anecdotes, underscored by repetition of the "opinion as fact" fallacy.

Readers are regaled with Root's opinion on state-man-

dated prayer (good, because atheism is liberalism is bad). They learn that school prayer in public schools isn't objectionable, because liberals (who are also atheists) hate religion, America and apple pie.

They also learn that *federal* government regulation of personal morality is statism, but *state* regulation based on voter referenda is apparently liberty.

They further discover that regulations on gambling are uniquely bad on *both* a federal and state level (likely because Root's livelihood has long grown from gambling).

What readers never learn is just what libertarianism actually is. That's because Root himself cannot tell them—he doesn't know.

If you're interested in understanding libertarianism, and examining solid, practical policy prescriptions from the point-of-view of a learned world traveler, the late Harry Browne's *The Great Libertarian Offer* is a much better choice.

If you're seeking a burlesque take-down of all that is not fringe-right and overtly religious, any of Ann Coulter's books is better written (and funnier).

continued in column 2...

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Understanding Economics

Announced Recovery is Bogus

by Jason Gonella

The economy continues to decay, but people in various media and government outlets were cheering the fact that the economy only shrank by 1% in the prior quarter, unlike the over 6% shrinkage in previous quarters.

That the economy worsens is considered good news—because it worsened only a little, instead of worsening much.

Some, such as Bernanke, conclude that the economy will recover by the end of the year. However, Bernanke was saying the same thing back at the beginning of the year, so his real strong point is consistency. While unable to foresee the recession, he sees that it will soon be over.

Anyone familiar with Austrian Economics can poke holes in the pronouncements of recovery.

The GDP only shrank by 1%,

in a quarter which saw phenomenal increases in government spending. Unfortunately, government spending is considered a contributing factor to the GDP, instead of either an outside factor, or a subtractive factor.

The basic equation for the GDP is: $GDP = \text{private consumption} + \text{gross investment} + \text{government spending} + (\text{exports} - \text{imports})$.

A corrected equation for the GDP would be: $GDP = \text{private consumption} + \text{gross investment} - \text{government spending} + (\text{exports} - \text{imports})$.

The second formula accurately represents the *drain* on the economy that is the government. But that may be too controversial for most economists.

Just leaving out government spending as a whole would still give a clearer picture of the GDP. $GDP = \text{private consump-$

$\text{tion} + \text{gross investment} + (\text{exports} - \text{imports})$.

In either case, the GDP is smaller than actually reported. And that smaller GDP would indicate a larger decay of the economy, considering how rapidly the federal budget is growing.

But suppose that Bernanke is right, that the economy is starting to recover. According to Austrian economics, that means the U.S. will have to deal with the negative effects of government efforts to stave off the inevitable liquidation of malinvestments. Since this was done by doubling the money supply, the negative effect will be a halving of the value of the currency.

That means if the recession does indeed end in 2009, the next one begins in 2010.



Jason Gonella is Chair of the Antelope Valley LP, one of the Los Angeles LP's eight internal regions. His email: AynRKey@aol.com.



Oppose Afghan War

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gents are winning and holding land. They are a very difficult enemy for U.S. troops. The Taliban is stronger than any time since the war began.

Afghanis are increasingly angry with the U.S. presence. In some cases, overcoming Afghan resistance seems insurmountable and the U.S. is considering pulling troops from some regions.

It seems as if the U.S. can neither define victory, nor measure success, nor does it have a clear objective in the Afghan War.

The Afghan War is increasingly unpopular at home, with only 41% supporting the war. Throughout the world, opposition to the war is increasing. Even soldiers see the war as futile.

The Obama administration is at a critical crossroads regarding Afghan policy. Please write the president and urge him to end the Afghan War. And urge everyone you know to do so.

Kevin Zeese is Executive Director of www.VotersForPeace.us.

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