

# Santa Clara Libertarian

401 East Taylor Street • San Jose, California 95112 • 408/279-3733

October 1981

Volume 9 No. 10

## *Martin Buerger Will Share Ideas on Strategy for 1982*

On Thursday, October 15 at 8:00 p.m. members of the Libertarian Council of Santa Clara County will hear Northern California Libertarian Council Vice Chair Martin Buerger discuss strategy for the 1982 California political campaigns. He will be amplifying on remarks prepared for a panel discussion on strategy October 11 in San Francisco.

Strategic issues in question include what levels of emphasis to place on various local campaigns, what issues will be important next year, whether to run LP candidates for all available positions, and whether to run Libertarian candidates for nonpartisan positions (e.g., State Superintendent of Schools, local school boards, county boards of supervisors, etc.). For a report on the current thinking of CLC leaders on these and other important issues, don't miss the October meeting.

The Libertarian Council of Santa Clara County meets regularly the third Thursday of each month at our county headquarters meeting room at 401 E. Taylor in San Jose. There is no admission fee and the public is welcome.

## **Libertarian Candidates Meet in San Jose Saturday, October 31**

All Libertarian Party members who intend to be candidates for public office in 1982 are invited to participate in a workshop for candidates sponsored by the Libertarian Councils of San Mateo and Santa Clara Counties. The workshop will be held Saturday, October 31, from noon to 5:00 p.m. at our San Jose headquarters, 401 E. Taylor. It will feature lectures by **Alicia Clark**, LP National Chair, and **Ed Clark**, 1980 LP Presidential Candidate.

In addition to the above mentioned guest lecturers, the workshop will have a regular staff of instructors including **Martin Buerger**, **Mark Hinkle**, **Hal Jindrich**, **John Redding**, **Ray Strong**, and **Bill White**. The program will include practice in public speaking, practice in handling questions, elements of basic libertarianism, and suggested reading. This will be the first of several workshops planned for candidates and their campaign staffs. Each will be designed to improve our candidates' ability to present libertarianism to the general public.

The workshop will be free for those who intend to be Libertarian Party candidates in 1982. Others, including campaign staff who attend, will be asked to make a small (\$10) contribution to help defray expenses. Each participant must register in advance by providing the information on the enclosed registration form to our headquarters office (Libertarian Council, 401 E. Taylor, San Jose, CA 95112) by Friday, October 23, so that individualized workshop materials may be prepared.

## *Alicia Clark Visits San Jose October 31*

by Ray Strong

Delivering her promised support for local organizations, our most recently elected National Chair, Alicia Clark, will visit San Jose on Saturday, October 31, to give a guest lecture to participants in a workshop for local candidates and to attend the subsequent festivities at our Halloween Party.

Alicia is a native of Mexico where she was a founder, organizer, and officer of one of the largest business associations, the Mexican Fashion Institute, from 1966 through 1969. In 1972 she helped her husband, Ed Clark, found the Free Libertarian Party, the New York State affiliate of the National Libertarian Party. Since then she has attended libertarian meetings and conventions and played an important role in Ed's campaigns for Governor of California in 1978 and for President of the United States in 1980.

In 1981 Alicia entered the race for National Chair of the LP and won a close election contest over rivals John Mason of Colorado



**Alicia Clark.**

and Kent Guida of Maryland. In her campaign literature, she pledged to emphasize grass roots organization, public relations, and volunteer work as a full-time National Chair. She will be speaking on these subjects to our local candidates, as she has spoken to local LP organizations around the country.

All libertarians are invited to come to our Halloween Party (Saturday night, 7:30 p.m.) and meet Alicia, her husband Ed, and their son Neddy. Join us in extending a big Santa Clara County welcome to all the Clarks.

## The Perils of Challenging the County

by Patrick Hazel

*Ed. Note: In past issues we have reported on the trouble Pat Hazel has had with our county government. We print here a summary of events to date written by Mr. Hazel. The appearance of this article should not be construed as an endorsement of Mr. Hazel's candidacy for public office, but rather our sympathy in principle for his cause of rebelling against the regulators who infringe upon his rights. Hazel's war is just as real and just as libertarian as Harry's War and for us perhaps more real because Pat Hazel lives here in Santa Clara County.*

In the fall of 1978 I chose to challenge Santa Clara County's administration of state building codes and regulations. My method of challenge was to begin construction of my family residence, and at the same time to notify the county of my intentions by complying with the state codes but refusing to participate in local administrative procedures which I consider to be both illegal under state law, and unconstitutional.

In February of 1979, after completing roughly 40 percent of the house, I was served a restraining order prohibiting any further construction, a civil action; followed by a parallel criminal action from the District Attorney's office.

In the ensuing period I have appeared eleven times before seven different local judges in an attempt to reverse the restraining order on the grounds that the county is not immune from those laws imposed upon the people. Without exception, the courts have agreed with our arguments, but have refused to rule against the county. Instead, they have all recommended that the issues be pursued through higher courts. I consider this classic passing of the buck ethical corruption.

In March of this year the county prevailed upon the court in the civil matter and secured a permanent injunction prohibiting any further construction without my first having secured a valid building permit.

The criminal action is currently in the hands of the State Appellate Court.

The civil ruling was interesting in that it did not include any of the penalties sought by the county. My opinion is that the court knew that if these penalties had been included, the ruling would have resulted in an appeal that would have certainly overturned the local ruling. By limiting the scope of the ruling the court headed off an appeal and gave the county a judgment. This is justice?

I subsequently attempted to begin the permit process as specified in the injunction. In a conference with the building department, the health department, and county counsel, I was informed that I would not be prohibited from applying for a permit, but that no permit would be issued because of a new septic tank ordinance that classified my building site as unbuildable.

My plan is to apply for the permit for an initial nonrefundable fee of \$1600.00; appeal the building department's refusal to issue to the Planning Commission and to the Board of Supervisors; and then to appeal to the courts. In this case, however, I will be approaching the court as a plaintiff rather than as a defendant.

Incidentally, in typical Catch 22 fashion, the County Assessor's Office has levied taxes on the property for "improvements" on a structure they won't allow to be completed.

In addition to all of this court activity, I have drafted legislation to correct these abuses in the administration of building codes in the form of Assembly Bill 2265, and Senate Bill 863. So far the Assembly Bill has been killed in committee and the Senate Bill has been stymied in Senator O'Keefe's office.

As a result of these exercises I have arrived at three basic conclusions: one, to argue the merits of an issue based on legal law before a political body philosophically opposed to that law is a

## Legislative Log

The last Legislative Log began with bad news and ended with good news: i.e., the Assembly and the Senate were in recess. This time we're going to start with some good news. Yes, and end with more bad news.

**The Good News:** Assembly Bill 2131, which would have effectively knocked the Peace and Freedom Party off the ballot here in California, was tabled on a bipartisan 7-0 vote by the Senate Elections and Reapportionment Committee.

The following 3 bills involve tax credits and tax deductions. To the extent that tax credits reduce our tax burden, we should support them wholeheartedly.

**SB 1271** by Marz Garcia (R-Menlo Park) would allow personal income deductions for fruit and vegetables lost during mandatory stripping for the Mediterranean Fruit Fly.

**AB 2282** by Ray Johnston (R-Chico) would permit a tax credit for 50 percent of the value of agricultural wastes or byproducts used for conversion into alternate energy sources or sold for that purpose.

**AB 2277** by Leo (Boo Hiss!) McCarthy (D-San Francisco) would allow up to a \$100 tax credit to repair damage done during spraying for the Med Fly.

And now as promised, **the bad news:** the State Legislature, back in session, passed a 2 cent per gallon gasoline tax increase, which Governor Brown has already signed into law.

**In Santa Clara:** supervisors wanted to allocate CETA monies to local groups on an impartial basis. The Board directed their staff to rate the groups seeking funds. The results:

1. It gave \$130,000 to the San Jose GI Forum despite the fact that it scored only 74 out of a total possible 365 points.
2. \$153,000 to the United Auto Workers on-the-job-training program. They have been troubled by poor performance according to the the San Jose *Mercury News*. (Twelve of the 15 programs rated were rated higher.)
3. \$21,000 to Retirement Jobs which didn't even submit fiscal or management records needed to evaluate it.
4. Casa Libre, which was given the highest rating, for placing 89 out of 90 ex-cons in jobs, had its funds reduced to fund the above programs.

Supervisor Susanne Wilson was quoted as saying, "We thought we needed to have criteria to assist us, but some of the programs fell between the cracks."

waste of time and energy; two, the local courts are politicized and will not provide the checks and balances demanded by our federal and state constitutions; and three, my only realistic chance to reverse these circumstances is to become part of the lawmaking process through the elective system.

It is my intention, therefore, to be a candidate for the First Supervisorial seat now held by Susanne Wilson. This decision is based on my contention that this particular office will provide me, as an individual, with the best opportunity to program a creative and effective change in the local political atmosphere, and to reduce the scope and the impact of county government.

Many thanks for your continued interest.

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# Halloween Party and Fund Raiser (for Libertarian Candidates)

at 401 E. Taylor  
San Jose

Saturday, October 31  
7:30 p.m.

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## Candidate Workshop Registration Form

- I plan to attend the Candidate Workshop on October 31 at the San Jose Headquarters.
- I intend to be a candidate of the Libertarian Party in 1982.  
Office: \_\_\_\_\_  
District: \_\_\_\_\_  
This is a  Federal  State level candidacy.
- I will not be a candidate for partisan office (enclosed is \$10 to help cover expenses); in 1982 I will be a
- candidate for nonpartisan office
  - campaign manager
  - treasurer
  - member of a campaign staff.
- I cannot attend the October 31 workshop but I would like to receive materials and be on the mailing list for future workshops.

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Legal Residence: Precinct No. \_\_\_\_\_

County \_\_\_\_\_ State \_\_\_\_\_

Phone: Home \_\_\_\_\_ Office \_\_\_\_\_ Other \_\_\_\_\_

SANTA CLARA LIBERTARIAN is published monthly by the Libertarian Council of Santa Clara County, and is distributed to all members of the Libertarian Council of Santa Clara County.

Subscription price for non-members is \$10 per year. Send all correspondence to the Libertarian Council of Santa Clara County, 401 East Taylor Street, San Jose, CA 95112.

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Mild-mannered Reporter ..... Dante DeAmicis

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# NOTES

• **Libertarian Supper Club** of San Francisco meets monthly at various San Francisco restaurants. If you would like detailed information on the upcoming dinner please telephone the sponsor, Beverly Locke, at 415/864-3969 or write to her at 117 Pierce Street, San Francisco, CA 94117.

• **Eight hundred signatures** (so far) have been collected by Santa Clara County libertarians for the CAST (Citizens Asserting Supremacy over Taxation) petition drive. 125,000 have been collected statewide. The deadline of September 15 printed on the petitions is an early one. The official turn-in date is December 1st. If you have not received one or would like to have more of them please call 408/CRY-FREE or come to our local headquarters at 401 East Taylor Street in San Jose.

• **Advertising wanted** for the SANTA CLARA LIBERTARIAN. Many local libertarians would like to patronize area businesses that are owned or operated by local libertarians. This newsletter circulates to over 400 members, subscribers and new inquiries every month. Your advertising would help to support our outreach to more potential libertarians living in the Santa Clara County area. Business Card Rates (camera ready copy): \$10/month, \$100 for 12 months. Full Page: \$100, \$200 for 3 months. Half Page: \$50, \$100 for 3 months.

• **Lisa Hosbein** became a full-time paid employee of the CLP working in the Oakland office on September 1, 1981. According to CLP Northern Vice Chair, Carolyn Felton, "Lisa is from a Grass Valley family with a long record of activism in the libertarian movement. . . an excellent organizer, well versed in libertarian principle, and a delightful person to work with."

• **San Mateo will bid** for the 1983 Convention at the October 10 meeting in South San Francisco. Lyn Sapowsky, director of San Mateo's convention steering committee, has announced that she plans to make a proposal to the California Libertarian Council Executive Committee to host the 1983 CLC Convention. Since the previous three conventions will have been held in Southern California, it is very likely that the Executive Committee will choose a Northern California location.

## The United Libertarian Fellowship



1220 Larnel Place  
Los Altos, CA 94022  
(415) 961-4837

The United Libertarian Fellowship is a Religious Order whose members are organized to promote the belief that "God is the supreme universal reality; all that has ever existed or will ever exist; the fundamental force of the universe."

Our members are dedicated to the spiritual and moral development of free, independent, and self-responsible individuals. We emphasize knowledge and self-improvement as the path to spiritual fulfillment and human freedom.

*"Know the Truth . . . and the Truth shall set you Free."*

*eulipia*

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## California Libertarian Council

401 East Taylor Street, San Jose, CA 95112

### Membership Application

Name \_\_\_\_\_

Address  h  w \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone  h  w (\_\_\_\_) \_\_\_\_\_ Please do not release

- Please do not release my name and address for non-CLC purposes.  
 I wish to be a member of the local region or region \_\_\_\_\_  
 I am eligible to vote in \_\_\_\_\_ County.  
 I am  I am not) registered to vote in the Libertarian Party.

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

Signature \_\_\_\_\_ Date \_\_\_\_\_

Please allow six weeks for processing your application.

Membership Category	California Only	Combined Membership CLC/National*
Student	<input type="checkbox"/> \$9.00	<input type="checkbox"/> \$13.00
Regular/Basic	<input type="checkbox"/> \$25.00	<input type="checkbox"/> \$33.00
Sustaining	<input type="checkbox"/> \$40.00	<input type="checkbox"/> \$56.00
Sponsor/Patron	<input type="checkbox"/> \$100.00	<input type="checkbox"/> \$180.00
Associate	<input type="checkbox"/> \$200.00	<input type="checkbox"/> \$400.00
Life/Benefactor	<input type="checkbox"/> \$500.00	<input type="checkbox"/> \$1300.00

A subscription to the newsletter of the California Libertarian Council (CLC) is included in all the above membership categories.

California Libertarian subscription (non-member) \$10

- Donation for regional newsletter (Suggest \$2-\$10) \_\_\_\_\_  
 Donation to assist regional activities \_\_\_\_\_  
 Donation to help support the California Libertarian Council \_\_\_\_\_  
 Membership dues only—no California Libertarian—minus \$8  
Total \_\_\_\_\_

\*This includes a 20% discount off the Libertarian National Committee dues.

# Letters

The following letters written by Santa Clara Libertarian Party members have been reprinted from local newspapers.

## Padding the List

I am furious! Now I am behind the concept expressed by the Libertarian, Bill Evers, as described in Roy Hurlbert's column of July 24, "The Medfly is bugging the Libertarians, too."

I live in Palo Alto and from the radio and newspapers I learned that all fruits, nuts and vegetables except berries and other non-host fruits had to be used or bagged. So all the fruits, nuts and vegetables were bagged except my vine of blackberries.

On July 25, after eating a few blackberries with lunch, I received a Palo Alto Medfly Ordinance violation notice for the blackberries. I soon learned the city of Palo Alto had created their own ordinance and in their haste had included all fruits. The city had enlarged the number of fruits to be bagged beyond the emergency law set forward by the state of California.

I was given 24 hours to remove the blackberries and after searching through the thorns, I am furious! Who gave the city of Palo Alto the right to implement their own ordinance including the berries after the berries were already excluded by the state of California? Did the city of Palo Alto make a more extensive study of the Medfly and fruit?

I must back Bill Evers and the Libertarian philosophy. The residents must maintain the right of ownership of their property while the growers should spray themselves out of the dilemma with the use of their own money!

**Stephen J. Holly**  
Palo Alto

*The Peninsula Times Tribune, July 30, 1981*

## The Separation of Business and State

One thing this endless debate on the safety of malathion spraying has accomplished is to obscure the main issue: What is the state doing in the farming business in the first place?

Agriculture is an industry just like any other industry and should therefore be conducted in a businesslike manner.

Spraying is a cost. Responsibility is a cost. Destroyed backyard fruit is a cost. It is not fair to transfer some of these costs to people against their will.

The most obvious alternative farmers have to this particular government boondoggle is for the farmers themselves to form a co-op for the purpose of spraying or whatever.

When my family farm was infested with earwigs we sprayed them ourselves. We did not demand that the state spray all the orchards and homes in the county. We used something a lot more powerful than malathion but we were the ones who had the responsibility for its effects on surrounding people and property. We did not pass the buck to the government. The taxpayers did not have to pick up the tab for our business problems.

We should not turn agriculture into another Chrysler where bad management decisions are paid for by the taxpayers and the responsibility for them assumed by the government where more bad management decisions are made.

If an industry is shielded for the effects of mistakes the same mistakes will continue to be made.

If the farmers themselves assume all the costs and liabilities there is always the possibility that they will find that all these heroic methods are not the way to go.

As a last resort they could always turn to more intensive organic practices. This will be done only if the extra costs involved are less than all the real costs of spraying by all methods.

Pretending that the costs that are picked up by that amorphous entity called the public aren't really there doesn't make them go away.

There is a word for partnerships between select businesses and government where expenses and responsibility is shared with everyone. That word is not free enterprise.

**Dante DeAmicis**  
San Jose

*San Jose Mercury, Monday, August 3, 1981*

## The Proof Is in the Teaching

Dr. Scott Rice's apologia in the last Monday's *Mercury News* for the failure of the public education system to plead the case for public education misses the real point for the disenchantment of the public with the educational system.

He spent much of his column complaining of "... the ignorance and misunderstanding about the nature and purpose of education in a free society." Although he properly blames educators for their failure to communicate to their pupils and to the public concerning the nature and purpose of education he touches very lightly, if at all, on the almost criminal negligence of these very same "educators" in accomplishing their one and primary mission, i.e., educating the young.

Any so-called education system that allows perhaps one-quarter or more of its pupils to be functionally illiterate, to be grossly ignorant of how their government operates and of the ages, is a complete and utter failure.

It is a demonstrable fact, in the all-too-few cases that "maverick" educators are permitted to show it, that the vast majority of normal children, regardless of their color, heritage or socioeconomic status, can be taught to read, write, calculate and thirst for more things to learn.

It is the failure of educators to *teach*, not to communicate about its "higher" goals, that Dr. Rice and others in the education field ought to be devoting their attention.

**Harold L. Newman**  
San Jose

*San Jose Mercury, September 7, 1981*

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# Calendar

## SAN MATEO COUNTY LIBERTARIAN COUNCIL MEETING

**Monday, October 12. 7:30 p.m.**

This month's meeting will feature Nan Bostick, an independent consultant for Planned Parenthood, speaking on "Free Choice in Abortions." Meetings are held the second Monday of each month in the Seven Oaks room of the A.P. Giannini branch of the Bank of America at Third Avenue and El Camino in San Mateo. Information phone: Don Smith at 415/368-8148.

## EASTBAY LIBERTARIAN COUNCIL MEETING

**Wednesday, October 14. 7:30 p.m.**

Meetings are held on the second Wednesday of each month. For information on the speaker and the location telephone Mark Tarses at 415/843-4019.

## SANTA CLARA COUNTY LIBERTARIAN COUNCIL MEETING

**Thursday, October 15. 8:00 p.m.**

This month's meeting will feature Martin Buerger, Northern California Vice Chair of the Libertarian Council, speaking on "Strategy for 1982." LOCATION: 401 East Taylor Street (corner of 10th & Taylor) in San Jose. Meetings are held the third Thursday of each month. For more details about the speakers or the meeting telephone 408/CRY-FREE.

## EIGHTH ANNUAL LIBERTARIAN SCHOLARS CONFERENCE

**Friday, October 30th thru Sunday, November 1st.**

Some Santa Clara County Libertarian Council members will be featured speakers or moderators including: Gerry Sauer and Bill Evers on "Law and Economics," Murray Rothbard on "Religion and American Politics," Bill Evers and Murray Rothbard on "The Libertarian Movement and Scholarship," and Leonard Liggio on "Education and the State." Location: New York Sheraton Hotel at 7th Avenue and 56th Street in New York. Fees: Conference only \$140, Conference plus hotel accommodations \$200. Sponsor: Center for Libertarian Studies, 200 Park Avenue, Suite 911, New York, NY 10003. Information phone: 212/533-6600.

## CANDIDATES' WORKSHOP

**Saturday, October 31. 12 noon to 5:00 p.m.**

Alicia Clark, Chair of the National Libertarian Party, will be a featured speaker. Location: Santa Clara County Libertarian Headquarters at 401 East Taylor Street in San Jose (corner of 10th and Taylor). Information phone: 408/CRY-FREE.

## HALLOWEEN PARTY

**Saturday, October 31. 7:30 p.m.**

Costumes encouraged (Alicia is planning to wear hers). Children welcome. Admission free to LP candidates; others will be expected to make a contribution. Location: 401 E. Taylor St. in San Jose. Information phone: 408/CRY-FREE.

## LIBERTARIAN COUNCIL BOOTH AT THE DE ANZA FLEA MARKET

**Saturday, November 7. 8:00 a.m. to 4:00 p.m.**

Volunteers are needed, especially in the morning to staff our permanent information and merchandise booth at the De Anza Flea Market in Cupertino. Help us raise money to support our many local projects and educate yourself and others on the issues by talking to the public about libertarianism. Donations of books and other fast-selling items are needed and may be dropped off at the flea market or at our Taylor Street office. Location: De Anza College Parking Lot C, Stevens Creek Boulevard and Stelling Road in Cupertino. For more information or to volunteer call 408/CRY-FREE (12-5 weekdays).

## EIGHTH ANNUAL NCMR (NATIONAL COMMITTEE FOR MONETARY REFORM) INVESTMENT CONFERENCE "New Orleans—'81"

**Wednesday, November 18 thru Sunday, November 22.**

NCMR is presenting a rare opportunity to hear **Ayn Rand** as the featured speaker at her first appearance at an investment conference. A question and answer session will follow her speech entitled "The Sanction of the Victims." Other well known hard-money, investment and economics experts that will be speaking include: Louis Rukeyser, Paul Erdman, "Adam Smith," George Gilder, Harry Browne, Harry Schultz, Doug Casey, Jim Sinclair, Alexander Paris, Jerome Smith, Howard Ruff, Gary North, Vernon Jacobs, Venita Van Caspel, etc., etc. (52 speakers in all). Plus 21 workshops and 180 exhibitors. Location: New Orleans. Fees: (Prior to Nov. 6) \$495 single, \$695 couple. Sponsor: National Committee for Monetary Reform, 4425 W. Napoleon Ave., Metairie, LA 70001. Information phone: 505/456-0040.

## SANTA CLARA COUNTY LIBERTARIAN COUNCIL MEETING

**Thursday, November 19. 8:00 p.m.**

Location: 401 E. Taylor St., San Jose. Meetings are held the third Thursday of each month. Information phone: 408/CRY-FREE.

*Additional announcements of events sponsored by and/or of interest to Bay Area Libertarians are requested. Deadline is the first of each month. Send announcements to SANTA CLARA LIBERTARIAN, 401 East Taylor Street, San Jose, CA 95112.*

## Giant Flea Market

at

## De Anza College

**Stevens Creek Boulevard and  
Stelling Road in Cupertino**

**November 7  
8 a.m. to 4 p.m.**

For information or booth reservations call 996-4946

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