



Santa Clara Libertarian

June, 1993

Volume 21, Number 6

Sacrifice might be demanded of the individual, but never compromise: for though only the society can give security and stability, only the individual, the person, has the power of moral choice.
—from *The Dispossessed*, by Ursula K. LeGuin

Update on the County Transportation Initiative

by Jon Petersen

Two court suits are challenging November 1992's Measure A. One is ours (with the Howard Jarvis and Richard Gann taxpayer groups and many local organizations). The other is the County against itself, with our many groups as "Real Parties of Interest" (which lets us participate in the arguments).

Our original suit in Superior Court is on hold while the County's is moving forward at the appellate level. Good! We want a quick decision to get this foolishness over and done with.

The County is anxious. They need a favorable ruling to sell bonds. We don't think they will get it.

We responded to the County in the Court of Appeal on April 16th. The case is in court. The skirmishes are over; the battle begins.

The good news is that we have great lawyers and excellent arguments to show that the Local Transportation Authority created by Measure A does not pass muster in light of the Rider decision.

The bad news is that the argument is too good. The court will probably not need to consider the constitutionality of Proposition 62 to find in our favor, so another California taxquake similar to Rider is unlikely. Too bad! The arguments in support of Proposition 62 are beautiful and compelling.

To help the cause, send your donations to "NO on A Legal Defense Fund", 3249 Stevens Creek Blvd, Suite 207, San Jose, California 95117.

Why you received this newsletter

If you're a dues-paying member of the Libertarian Party of Santa Clara County, you'll receive this newsletter every month. We also mail it to people who we'd like to join the party.

If your mailing label says *Valued Prospective Member*, you asked for information about Libertarianism, and this newsletter is part of our reply; you have a 3-month complimentary subscription. We hope you'll register to vote Libertarian and become a dues-paying member.

If your mailing label says *Valued Former Member*, you were previously a dues-paying member, and we want you back! The newsletter is a reminder of what you're missing.

If you've registered to vote Libertarian but are not a member, you'll also receive the newsletter. In this case your mailing label is in all capital letters. You've taken the first steps, and we encourage you to become more fully involved in helping us spread libertarian principles.

Just One Call to my Local Cable Company

by Chuck Olson

This is the story of how one quick phone call resulted in 13 hours of libertarian television time. I recently received a flyer from Ron Paul's National Endowment For Liberty which asked the reader to "Become a local sponsor for AT ISSUE." AT ISSUE is the NEFL's series of 13 half-hour long television programs. Each program explores a different public policy issue from a libertarian perspective; for example, "The IRS and Taxpayer's Rights," "Casualties of the Drug Wars," "Crisis in Learning," etc.

After my first impulse, I pulled the flyer back out of the trash, thinking "This might take just one quick phone call." And that's just about all it took. [Actually it took two calls: one to the local cable company's Programming Director, and then one to NEFL. The cable company then mailed me a "local sponsor" form to sign and return.]

Each program will be shown twice: on the 2nd and 4th Saturday of each month (9PM). The viewing area includes: Palo Alto, East Palo Alto, Stanford, Menlo Park, and Atherton.

Thus, I got 13 hours of Libertarian television time for my efforts -- that's what I call "high-leverage activism".

I wish to thank Ron Paul and the NEFL for making their programming available. Below is their address and phone number, in case you also want to make "one quick phone call:"

National Endowment For Liberty
18333 Egret Bay Blvd, Suite 265
Houston, Texas 77058
Tel: (713) 333-1988

Santa Clara County Libertarian Party Officers

Chair	Jon Petersen
Vice Chair	Jim Switz
Secretary	Thea McLean
Treasurer	Ed Wimmers
Newsletter Editors	Don Cormier Sam Aurelius Milam III
Activities Chair	Eric Harlow
Membership Chair	John Inks
Fund Raising Chair	Mark Hinkle
Publicity Chair	Alan Hoffman
Wheel Chair	Lupe Walker
LPC Executive Committee Representative	John Webster

State Executive Committee

by Jon Petersen

The state Executive Committee met in Long Beach on March 13th. A very ambitious agenda was trimmed down to nearly manageable size, so it only took a little over 9 hours.

The Contract Services Committee is overseeing the Database, Newspaper, 800 Number, and Convention contracts, and will make sure specifications exist for each, even if they have to write them themselves.

Bidding on a new Database contract is targeted for this summer, the 800 Number moved to San Francisco on April 1st, the Convention contract is not yet formalized, and no Newspaper contract exists yet.

The PAC for California campaigns is being revitalized. A Federal PAC may be created as well.

George O'Brien represents us on the None-of-the-Above initiative that the Green Party is preparing for the 1994 ballot.

Ed Moss represents us on a Unity Panel of political parties working to identify commonalities. NOTA, proportional representation, repeal or reduction of ballot access requirements, and the repeal of confiscation and forfeiture laws are the areas of agreement identified in principle so far.

The next meeting is June 12th in Sacramento.

Honorable Discharge?

from the San Jose Mercury News, April 6, 1993

The Pryor, Okla., Daily Times reported recently that autopsies on a minnow and a flea, which the city used to test the quality of discharge from its waste-treatment plant, might cost the city from \$100,000 to \$200,000. Tests are required by the state and federal governments to ascertain whether the minnow and the flea died from natural causes or from a problem with the discharge.

Buck Hunter Shoots Off His Mouth

Dear Buck

How can I tell a dead animal in the road from a dead lawyer in the road?
—Uneasy Driver

Dear Uneasy Driver

There will usually be skid marks leading up to a dead animal.

Cornered and Apologizing

by the editors

We made several mistakes last month:

1. We printed the wrong zip code for Donald Cormier's address on page 4. The correct zip code is 95127.
2. We misspelled Peter Pauly's last name.
3. We printed a wrong phone number for Terry Savage. The correct numbers are 920-2193 and 441-1913.

Privatize Transit

This letter appeared in the San Francisco Chronicle on March 28

Muni's recent requests for price hikes and service cuts highlight the inability of government to solve San Francisco's transportation crisis.

While Muni costs continue to skyrocket and the quality of services continues its descent beneath the point of mediocrity, no one has either a clue to the causes or an idea of any practical remedies.

The typically myopic responses have called for no cuts in Muni services, no price increases on fares and monthly "fast-passes," more tax increases and more proposals to force people onto "public transit."

The libertarian alternative is transportation choice. We must begin by ending the government Muni monopoly.

This can be achieved through the full privatization of Muni and the removal of all barriers to competition with Muni.

Further free-market reforms would include ending the government-enforced cab cartel and the removal of all barriers to competition by new taxi firms, shuttle firms and jitneys.

The result would be more alternatives, lower taxes, lower costs, more competition and an increase in service and quality. For a great city like San Francisco, is this really too much to ask for?

Mark Valverde
San Francisco Libertarian Party

Katz's Law

Men and nations will act rationally when all other possibilities have been exhausted.

Free and Clear

by Sam Aurelius Milam III

Donald Cormier and Jonathan Steele host the radio "talk show" *Free and Clear* on alternate Wednesdays. The program is on the air from 6AM to 8AM on KKUP, 91.5 FM. Free and Clear has proven itself by surviving all hazards and remaining on the air for more than 2 years. Tune in, and Don and Jon (unincorporated) will stimulate the organ between your ears.

Santa Clara Libertarian

This newsletter is the monthly publication of the Libertarian Party of Santa Clara County, a non-profit organization. A membership application may be found in this issue. Interested persons may contact our office or visit one of our scheduled meetings (listed in the Calendar of Events) for more information. You may also log onto the Liberty Bell BBS at 408 243-1933, or send comments to newsletter editor Donald Cormier at 439 S. White Road, San Jose, California 95127. (408) 254-2746

Subscriptions

A subscription to the Santa Clara Libertarian costs \$15 per year. A subscription is included with any membership available on the Membership Application.

Advertising Rates

A business card size ad in the Santa Clara Libertarian costs \$15 per month or \$150 per year. A full page ad costs \$100 per month. Classified ads are 15 cents per word, with a minimum of \$5

Fear of Crime and the Justice Famine

by Don J. Cormier

It's completely natural for people to fear crime, and to do things to protect their persons and property. However, fear of crime has led people to support laws and policies which overstep the bounds of justice, and which put the government in the position of behaving like a criminal organization.

There are currently two outstanding areas in which the government is engaging in unjust repression. These are the areas of civil asset forfeiture, and mandatory minimum sentencing.

A flyer put out by the Freeman Education Association concisely describes the civil asset forfeiture problem:

"Today, any police agency may allege that your property is somehow 'guilty' of a crime--and then seize it. No trial or conviction is necessary If this sounds unbelievable, consider what happened to Donald Scott. In Oct. 1992, Mr. Scott heard his outside door being battered down and a cry for help from his wife. He rushed downstairs with a handgun. An armed man ordered him to lower the gun. Scott did so, only to be shot twice in the chest. He died instantly. Scott's killers were members of a task force consisting of officers and agents from five separate state, county, and federal agencies. They claimed that the search resulted from a tip they had received that Scott was growing marijuana on his 200-acre estate. No drugs were found--but Donald Scott lay dead.

"But the real motivation for the search, according to the Ventura County District Attorney, was so that the property could be seized by the government. Scott's estate, which lies adjacent to land owned by the National Park Service, has long been coveted by the government.

"The police would not have needed to charge Scott with any crime to seize his property. The mere use of property for an illegal purpose, even one you know nothing about, is sufficient cause for its forfeiture.

"Since 1984, government seizures have soared over 2,000%, a recent congressional report noted. Yet 80% of the people who have assets seized are never charged with a crime, according to The Pittsburgh Press. They are simply presumed guilty, and forgotten. Imagine facing the forfeiture squads at your front door--or calling your bank and having a clerk inform you that your account has been frozen. Hundreds of millions of dollars are confiscated from innocent Americans every year--and it's up to you to prove yourself innocent!"

The insidious thing about these laws is that they are part of the civil code, not the criminal law. This means that the wronged, innocent property owner must sue the state to recover his or her property. Of course, if the government has seized someone's life savings on the "probable cause" theory, that person may not have enough money to hire a lawyer.

Astonishingly, the government is not satisfied with the breadth of its power. The Justice Department is

supporting bills which would increase the number of criminal acts justifying forfeiture. Remember, in each case, the owner of the property need not be guilty of a crime. The government need only demonstrate "probable cause" that the property was connected with a crime. How the Supreme Court has been able to reconcile these unreasonable seizures with the Bill of Rights is a mystery.

Another area of government injustice involves mandatory minimum sentences for certain crimes. A pamphlet put out by FAMM (Families Against Mandatory Minimums) explains the situation this way:

"In 1986, Congress passed laws that impose mandatory minimum sentences for drug and firearm offenses. These sentences require an offender to serve a predetermined number of years in prison based solely on the weight of a drug or the presence of a firearm. The offender is not eligible for parol and must serve the full term of his sentence The tax burden created by these sentences is enormous At the federal level, taxpayers pay \$3.6 million per day to guard, feed, clothe, and house 65,000 inmates In California, taxpayers dole out \$6.9 million per week, or \$5.2 billion per year . . . to accommodate the burgeoning prison population."

According to Uniform Crime Reports, 1991, mandatory minimums have not reduced the crime rate. Since 1986, the number of known offences has gone up 10%

Obviously, mandatory minimum sentences are rigid and punitive. They allow for no consideration of extenuating factors which may arise in various cases.

There is a simple solution (for once!) to these governmental abuses. All we have to do is repeal these civil asset forfeiture laws, and the mandatory minimum sentencing laws. A first step might be to write or call your congressional representatives and explain the evils of these laws. A second step might be to support groups working to overturn these laws. F.E.A.R. (Forfeiture Endangers American Rights) can be contacted at 1735 N. Broadway, Walnut Creek, CA 94596, tel (510) 930-3298. FAMM (Families Against Mandatory Minimums) can be contacted at 1683 York St., San Francisco, CA 94110, tel (415) 282-5106.

You know, this may be the first time in history there's no escape. Jews in Europe, if they were lucky and they had somebody helpin' them, could escape to South America, England, Switzerland, America, even Palestine. Central Americans, Mexicans, boat people from Vietnam, an' Cambodia, Haiti, legally or not, there was always someplace to go. There was always some place of hope, even when it wasn't the U.S., that they could go to. And it was, in part, because of America. The idea. Now, there are no more safe places. In a funny way, it's become one world. Too bad. So, if a safe place is going to exist, I guess it'll have to be built somewhere. Maybe here.

—from the mini-series Amerika
by Donald Wrye

Book Review

On Human Nature

by Edward O. Wilson

Harvard University Press, 209 pages, \$10.95

(paperback)

Reviewed by Lloyd Licher

Although first published 15 years ago, this is a very important book for all humanists and everyone sincerely interested in the real nature of our species. Wilson is an eminent biologist at Harvard University who has delved deeply into the natures of many species. He describes this book as the third in a trilogy that developed in an unintended logical sequence. The Insect Societies in 1971 led him to further study of vertebrate social behavior, resulting in Sociobiology: The New Synthesis, in 1975. It, in turn, prompted more study of human behavior, and now we have On Human Nature, which explores how the gap between social theory and the natural sciences might be closed.

There are nine chapters, the first four of which are titled "Dilemma", "Heredity", "Development", and "Emergence". These chapters establish the author's purpose and show how our genetic heritage developed, to account for most of what we observe in human interactions in our societies. Each of the next four chapters considers an elemental category of human behavior. They are titled "Aggression", "Sex", "Altruism", and "Religion." The final chapter is called "Hope," and in its 15 pages are one profound statement after another, begging to be copied in note form. The final hope is that we proceed in our quest to know as much as we can about our nature, and be kept strong, knowing "that the journey will be farther and better than the one just completed."

♪ *Editor's Note:*

As part of his review, Mr. Licher included an excellent three page digest of Mr. Wilson's book. Unfortunately, space considerations prevent printing it in full. Anyone interested in reading Mr. Licher's complete essay should send a stamped, self-addressed envelope to me, and I'll mail out a copy — Don

We owe it to our ancestors to preserve entire those rights, which they have delivered to our care: we owe it to our posterity, not to suffer their dearest inheritance to be destroyed.

—The Letters of Junius, No.20, August 8, 1769

Huh?

The paid membership of Washington, D.C.-based Zero Population Growth — the offspring of Paul Ehrlich's 1968 doom-and-gloom book "The Population Bomb" — is surging: from 12,000 to 50,000 in the last four years.

—the San Francisco Examiner
Sunday, March 28, 1993

Human Nature

Author unknown

Two little children, five years old,
Marie the gentle and Charlie the bold.
Sweet and bright, and quaintly wise,
Angels both, in their mother's eyes.

But you, if you follow my verse will see,
That they were as human as human can be,
And hadn't yet learned the maturer art
Of hiding the *self* of the finite heart.

One day they found, in their romp and play,
Two little rabbits, soft and gray.
Soft and gray, and just of a size,
As like each other as your two eyes.

All day long the children made love
The the dear little rabbits, their treasure trove.
They kissed and hugged them until the night
Brought to the coneys a glad respite.

But too much fondling doesn't agree
With a rabbit's nature, as we shall see.
For ere the light of another day
Had chased the shadows of night away,

One little pet had gone to the Shades,
Or, let us hope, to perennial glades,
Brighter and softer than any below,
A Heaven where good little rabbits go.

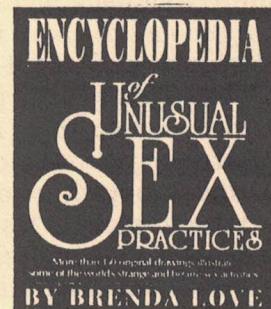
The living and dead lay side by side,
And still as alike as before one died.
And it chanced that the children came singly to view
The pets they had dreamed of all the night through.

First came Charlie, and with sad surprise,
Beheld the dead with streaming eyes.
Howe'er, consolingly, he said,
"Poor Marie! Her rabbit's dead!"

Then came Marie, and stood aghast,
And kissed and caressed it, but at last
Found voice to say, while her young heart bled
"I'm sorry for Charlie. His rabbit's dead!"

Encyclopedia of Unusual Sex Practices

Over 700 entries and 150 illustrations. Available at bookstores or by sending a \$33.00 check to Brenda Love, 101 First St, #155, Los Altos, CA 94022.



Link of Gold

by Sam Aurelius Milam III

When I was a child, I spake as a child, I understood as a child, I thought as a child:
but when I became a man, I put away childish things. —1 Corinthians 13:11

I don't remember exactly when it was, but at an early age I realized that God hadn't created the world in September of 1946, with the adults already in it. Later, it occurred to me that my generation hadn't been the first to discover sex, and that maybe (God forbid!) my parents might have been just as interested in it as we were. Those innocent observations of a child were for me the beginning of a life-long struggle to comprehend the historical character and stability of human endeavor.

I marvel at the spontaneous rediscovery performed so identically by each generation. A little 5 year-old girl, her eyes filled with wonder at a world that hasn't yet lost its magic, is acting out once more a drama that's been done millions of times before. We're not


fundamentally unique. We came from a mold that's been producing for aeons. There were others like us in all but the details ten thousand years ago. They grew, loved, and wondered, like us.

So far, every generation has bequeathed to the next a world in which it was possible to live and hope for the future. We have inherited from our parents a Sacred Trust. We're a link in the golden chain of human life and heritage. If we use our lives wisely and deliver our heritage undiminished to our children, then there can be others like us ten thousand years from now. They'll grow, love, and wonder, like us, and they'll prepare a place for their children as carefully as we did for ours.

Legacy of Garbage

The people in Los Angeles County produce 856 pounds of trash every second.


—the San Francisco Examiner

K_m *I'm staying young. Ask me how.*  **PATHWAY**
 Hugh & Rita Curley

MATOL BOTANICAL INTERNATIONAL
 Independent Distributors

6468 Purple Hills Drive
 San Jose, California 95119 (408) 629-9038

Energy/ Weight Management Program

 *Business &*
THE POSTAL CONNECTION
 ★★★★★★★★★★★★★★

PRIVATE MAIL BOXES
 NOTARY PUBLIC • FAX • SHIPPING
 SECRETARIAL & ANSWERING SERVICES

1556 HALFORD AVENUE (408) 247-6300
 SANTA CLARA, CA 95051 FAX# (408) 241-9860

Membership Application

Libertarian Party of California
 3249 Stevens Creek Boulevard, Suite 207
 San Jose, California 95117
 408 243-2711

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

Signature _____ Date _____

Name(s) _____

Address _____

City, State _____ Zip Code _____

Home Phone _____ Work Phone _____

- Basic Membership \$25
- Household Membership \$35 (requires each member to sign)
- National Membership: add \$20 per person
- I wish to pledge \$_____ per month
- or a one-time additional donation of \$_____ for the Libertarian Party of Santa Clara.

Payment by:

- Check payable to Libertarian Party of California or charge my: Visa or MasterCard

Number _____ Expires _____

Name on card _____

Signature _____

TOTAL ENCLOSED: _____

Calendar of Events

Discussion Groups

These meetings are for anyone who wants to learn about libertarian ideas.

San Jose—Thursday, June 3, 7 PM

Topic: *Starting a Libertarian Community*

Hosted by Terry Savage, 3021 Via Montez.

For more information call

408 920-2193 or 408 441-1913

Sunnyvale—Wednesday, June 9, 7:00-9:30 PM, (second Wednesday).

Coco's Restaurant, 1209 Oakmead Parkway.

Mountain View—Thursday, June 24, 7:00-9:30 PM, (fourth Thursday).

Harry's Hofbrau, 399 W. El Camino Real.

Save Our Liberties Meeting (Mountain View)

Thursday, June 10, 7:30-9:30 PM. (second Thursday)

Mountain View Community Center, 201 S. Rengstorff Avenue.

For More information, call S.O.L. at 415 964-3655.

"To be governed is to be kept in sight, inspected, spied upon, directed, law-driven, numbered, enrolled, indoctrinated, preached at, controlled, estimated, valued, censured, commanded, by creatures who have neither the right, nor the wisdom, nor the virtue to do so. To be governed is to be, at every operation, every transaction, noted, registered, enrolled, taxed, stamped, measured, numbered, assessed, licensed, authorized, admonished, forbidden, reformed, corrected, punished. It is, under pretext of public utility, and in the name of the general interest, to be placed under contribution, trained, ransacked, exploited, monopolized, extorted, squeezed, mystified, robbed; then, at the slightest resistance, the first word of complaint, to be repressed, fined, despised, harassed, tracked, abused, clubbed, disarmed, choked, imprisoned, judged, condemned, shot, deported, sacrificed, sold, betrayed; and, to crown all, mocked, ridiculed, outraged, dishonored. That is government; that is its justice; that is its morality."

—from *The General Idea of the Revolution in the Nineteenth Century*, Pierre Joseph Proudhon (1809-1865)

LPSC Business Meeting (Sunnyvale)

Thursday, June 17 (third Thursday)

Dinner—7:00 PM; Meeting—8-10 PM.

Coco's Restaurant, 1209 Oakmead Parkway.

If you want to have dinner or a snack and participate in the pre-meeting discussion, please arrive promptly at 7 PM.

Libertarian Hike (North Bay)

June 12 (Second Saturday)

For details, contact Lloyd Licher at 415 388-2808

Libertarian Party Party

Saturday, June 19, 7 PM, BYOB

Hosted by Terry Savage, 3021 Via Montez.

For more information call

408 920-2193 or 408 441-1913

If you started eliminating laws purely at random, you'd have about a 99% chance of improving things.

Milam's Notes, December 13, 1978

Libertarian Party of Santa Clara County
3249 Stevens Creek Boulevard, Suite 207
San Jose, CA 95117

Address Correction Requested

NON-PROFIT
ORGANIZATION
U.S. POSTAGE
PAID
PERMIT NO. 4040
SAN JOSE, CA

Just Say No!

On

Measure A
(School Bond)

and

Measure B
(Parcel Tax)

VOTE NO
on June 8

