

# The South Carolina LIBERTARIAN



VOL. XIII

OFFICIAL NEWSLETTER OF THE SOUTH CAROLINA LIBERTARIAN PARTY

FALL 1989

NO. 1

## Agencies Block Competition By Small Firms

by John R. Emshwiller

*Staff Reporter of THE WALL STREET JOURNAL*

All they ask for is a chance to compete.

But when Alfredo Santos tried to start a jitney-cab service in Houston, he says, the city told him he was breaking a 60-year-old ordinance restricting competition in municipal transit.

Marlene Young violated no laws in trying to set up a minibus line in the suburbs of Syracuse, N.Y. She even had the strong support of local officials. But state regulators blocked her plan, saying it might take too much business away from the existing privately owned bus company.

Wilfred Allick, Jr. for years operated a charter-boat service in the U.S. Virgin Islands - until the National Park Service closed it as part of an effort to reduce the number of competitors in the area.

Like thousands of others, these three entrepreneurs have learned firsthand one of the uglier truths of this nation's free-enterprise system: It's a lot freer for some businesses than others. In industry after industry, government bodies have erected obstacles or outright bars to competition. Though most are wrapped in the banner of protecting the public, they often simply protect existing practitioners, critics say.

"For the guys with the inside track, government can be your best friend," says Richard Givens, a New York City lawyer and former regional director of the Federal Trade Commission. With government as a shield, a company "can protect its own turf to the detriment of other businesses and the public," he says.

Though there are no firm estimates, the economic costs of such government-sanctioned anti-competitiveness probably run into the tens of billions of dollars a year, says Paul Paulter, deputy director of economics at the FTC.

In 1986, for instance, the FTC studied state laws limiting the number of auto dealerships that can be opened in a given area. Some three dozen states had passed such laws, usually at the urging of auto dealers, the FTC found. It estimated that the reduced competition cost consumers \$3 billion annually in higher car prices.

Many government-restricted occupations - such as owning a cab or a beauty parlor - are just the kind of relatively low-skill, low-capital business opportunities that should be within reach of poor people, says Walter Williams, an economics professor at

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## FREEDOM AND DEMOCRACY

As Americans, we cherish our democratic process and our constitutional rights. Recently in Poland, the Soviet Union, and China, men and women have faced great odds to struggle for this same freedom. Our ability to vote and affect our government serves as a very powerful symbol to people throughout the world.

But here at home the fairness and openness of our own democratic system is being severely diminished by ballot access laws which make it unfairly expensive, difficult and even impossible for third party or independent candidates to get on the ballot and compete for your vote.

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## Leon Louw gives progress report

by Tom Tanaka

**L**eon Louw, a nominee for the 1989 Nobel Peace Prize stopped in Seattle during a U.S. tour. He spoke before a small group of 30 or 40 listeners at the University of Washington and was interviewed on a Seattle radio talk show. Louw and his wife Frances Kendall are the authors of *After Apartheid*, the highest non-fiction bestseller in South African history.

Louw and Kendall have been advocating a radical reorganization of the South African government using the Swiss cantonal system as a working example. They advocate a severely curtailed and decentralized government. The bill of rights proposed by Louw is more thorough than the U.S. bill of rights. For example the right to private property and protection against government seizure would be explicitly stated. Louw explained that such a radical position is not lightly dismissed in South Africa where whites fear redistribution of land should a black takeover occur and where blacks are only recently enjoying the rights of land ownership.

This bill of rights would also explicitly guarantee the right of disassociation with others, both in business practice and in politics. Thus the radical right could continue to proactice apartheid with voluntary participants in their own communities and other political entities could withdraw to form their own countries, provided they observed this bill of rights. All citizens would be guaranteed the right to move freely within the country.

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# COMMENTS

**The Honorable Ron Paul Reports**

(Member of Congress 1976-1984)

**Libertarian Presidential Candidate 1988**

**National Service:**

**New Method to Take Away  
Our Freedoms**

Sometimes I think the Establishment politicians in Washington will use any pretext to expand the role of the Federal government in our lives.

For the latest example of that, consider what the Democratic Leadership Council is now proposing. Noting that college tuition is becoming more expensive, this prominent Capitol Hill organization wants to establish a vast new bureaucracy which will, as if by magic, make the problem of educational costs go away.

That's the least this new program will accomplish. It will also promote vocational training, boost home ownership, combat illiteracy, improve health care, lower crime rates and fight environmental pollution.

And that's just the beginning. This initiative will also create a more equal society and engender a new sense of "national purpose" - and, if its proponents are to be believed, at a considerable savings to the taxpayer. If this sounds too good to be true, it is.

What the DLC is pushing is nothing less than a universal G.I. bill for civilians in peacetime. Under this proposed "Citizens Corps", youngsters could "volunteer" to serve their country in either a civilian or military capacity for up to two years at a hitch, receiving each year a \$10,000 tuition "voucher" in return.

Presumably, these "volunteers" would be paid some wage while they worked and their living expenses taken care of, though the DLC's plan doesn't spell this out. This makes putting a price-tag on the program almost impossible. One of the group's glossy publications admits as much, saying costs would be "difficult to calculate".

I'm not surprised. The program is so comprehensive, its promise so outlandish and its reassurances so glib that there's no way even to figure out how it would be administered and by what standards its success - or failure - would be measured.

But that, I suspect, doesn't much worry its promoters. Their real intent, whether they know it or not, is clear enough. And it has very little to do with education, health care, or the environment.

What they'd accomplish with such a program, consciously or otherwise, is the effective regimentation of our entire society, starting with our youth.

As they well know, there's nothing new here. American "progressives" have been smitten with the notion of applying wartime measures to peacetime conditions ever since World War I, when they saw how the nation's resources could be mobilized for a common purpose. The experience of the Great Depression and World War II only whetted their appetites for more such

mobilization, whether an emergency exists or not.

Interestingly enough, the model for this program is the Civilian Conservation Corps, a New Deal program rammed through Congress as an emergency measure at a time of severe unemployment.

Today, of course, there's no such joblessness, which means that those who favor programs of this kind have to come up with new justifications for them. That is why they've started talking about the college costs - and linking tuition "vouchers" to government service.

If you ask me that's a form of bribery. It's worse than that, in fact. Since the program's supporters say the "vouchers" would ultimately constitute the "primary" way to earning money for college, this means that lower-income youngsters would be required to "volunteer", or face not attending college at all.

That, to me, represents a very bad bargain, bad for our young people and bad for our society. Because it is through bargains like these that we trade away our freedoms. College may be expensive, but it need not cost that much.

## OPINIONS

### from the Libertarian Press

**Start using the word Libertarian** in everything you write or say. Stick it on your car, pin it on your shirt, live it and breathe it. Become an ambassador to the country you want to live in.

—Wayne Harley  
FLORIDA LIBERTY

**When countries have turned away** from citizen armies to professional armies, they have moved towards despotism. When people allow their government bureaucracies to grow out of control, they find their lives stifled. And when governments extort money from the general population to provide "bread and circuses" for the masses, freedom has vanished. Is America doing these things? I say yes! (And) from my perspective, the Libertarian Party is the only force in America fighting the fall of this great country.

—Stephen Hueston  
NORTHWEST LIBERTARIAN  
(Washington State)

**If the Libertarian Party is anything**, it is a group of concerned people. Many of you share the concern, but are unwilling to act on it. The latest wave of repressive legislation and government action against women, motorcycle riders, gun owners, sav- ings and loan depositors - to mention just a few - requires that we stand up for our rights in opposition. Many people sense that the situation will get worse, but ask: what should we do? Help the local Libertarian movement by volunteering your time and skills!

—Bruce McKay  
FREE ORANGE COUNTY  
(California)

**We hear quite a bit** of propaganda about how free we are, and how grateful we should be to the government that allows us all this freedom. Our ears are filled with statements about the creation - by the Constitution and courts - of an array of rights that elevate the United States above all other nations. Thus has the concept of rights been destroyed. Rights cannot be created by a political body, no matter how that body is constituted.

—Francis W. Porretto  
BIG APPLE LIBERTARIAN  
(New York)

## **GRESHAM'S LAW OF ACTIVISTS: "Bad Activists Tend To Drive Out The Good Ones."**

by George O'Brien

There are some people in the libertarian movement who are bad activists. even though they be 'O.K.' ideologically, they do not forward the cause of freedom. Even if they do make positive contributions, on balance they actually harm the Movement.

It is not always easy to spot a bad activist at first glance. No one is perfect and many outstanding activists slip into bad habits from time to time. Nonetheless, the bad activist tends to be remarkably consistent.

Virtually every bad activist puts his or her personal (or factional) interests ahead of the purpose of the organization or cause. The good activist expresses his or her individuality through the choice of joining the organization if it identifies with his or her personal interests. The bad activist will sacrifice the interests of the organization for power, status, enrichment, or some other form of short term ego gratification.

There are ways to spot a bad activist as opposed to a good activist:

### **BAD ACTIVIST VS. GOOD ACTIVIST**

**BA:** Tends to be argumentative, insulting, obnoxious, and is indifferent to the effect he or she has on others.

**GA:** Tries to be reasonable, polite and considerate.

**BA:** Tries to take credit for any accomplishments even ones which are primarily the result of someone else's efforts.

**GA:** Is more concerned about getting results and is anxious to give credit to others as a way to encourage them to continue what they are doing.

**BA:** Has delusions of grandeur and makes sure everyone is aware of his or her titles and status.

**GA:** Is basically modest and recognizes the importance of the cooperation of others.

**BA:** Tends to be secretive and cliquish.

**GA:** Wants other activists to participate in the decision process whenever possible and to understand what is being done and why.

**BA:** Never listens to what other people have to say.

**GA:** Is always interested in new ideas and encourages involvement by others.

**BA:** Reacts to any disagreement with angry outbursts, condemnations, or personal attacks. Is quite willing to disrupt meetings and alienate bystanders in the process.

**GA:** Tries to disagree without becoming personal or being disagreeable.

**BA:** Tends toward factionalism and is inclined to purge activists who are not included in the faction.

**GA:** Is very uncomfortable with factions and is reluctant to condemn even the worst bad activist, but will do so if necessary to limit the damage.

**BA:** Is constantly critical of anything done by people in opposing factions.

**GA:** Is inclined to recognize good work by anyone and ignore the rest.

**BA:** Devotes considerable time and effort to criticizing other people in the organization.

**GA:** Keeps criticisms to a minimum and always has positive suggestions.

**BA:** Is constantly being 'offended' and is inclined to hold grudges.

**GA:** Is inclined to give people the benefit of the doubt, does not get upset with inadvertent and unintentional slights, and will forgive even intentional acts if the person shows he or she regrets the action.

**BA:** Tends to be excessively serious to the point of being hostile in most interactions with other people.

**GA:** Tries to be friendly and relaxed toward others.

**BA:** Gets upset with 'frivolous' activities.

**GA:** Recognizes there is no reason why activism cannot also be fun.

**BA:** Expects others to follow him or her blindly.

**GA:** Has a well-thought-out plan which is used to sell others on why they should take the proposed line of action.

**BA:** Makes numerous commitments and then gives excuses when they are not met.

**GA:** Is cautious about making commitments, but does what is promised.

**BA:** Treats ideas as a kind of religious dogma and treats any disagreements as signs of 'heresy.'

**GA:** Knows what is important and has the patience to discuss disagreements over philosophy or strategy without becoming personal or failing to listen to what the other person has to say.

It is harder to be a good activist than a bad one. But if the Libertarian Party is going to accomplish anything, we need a real 'gold standard of activists' to defeat Gresham's Law of activists and not put up with bad behavior.





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**Competition**

George Mason University in Fairfax, Va., and author of a book on the subject. But with stringent entry requirements that can cost thousands of dollars, these opportunities are denied many people, he argues.

Beyond dollars and jobs, adds Mr. Williams, "what is the moral basis in a free society for government to tell one person he can drive his own cab and another person that he can't?"

State-imposed barriers to entry are nothing new, dating back to at least the Middle Ages, when governments began sanctioning guilds in various crafts and started setting minimum competence requirements in such fields as medicine, according to S. David Young, author of a book about occupational licensing.

And some barriers clearly are necessary. Nobody wants to be operated on by a brain surgeon whose only previous experience came carving the holiday turkey.

On the other hand, not everybody agrees on the need for government to restrict who can be a tree surgeon or a barber or a masseur or a landscape architect or many of the nearly 500 occupations that are licensed by one or more states. Some states also set minimum fees for practitioners in some fields, such as moving companies. The justification for all this regulation is "sometimes hard to understand," says Jeffery Zuckerman, director of the FTC's bureau of competition.

Congress and the courts have given states and, to a lesser degree, local governments exemptions from federal antitrust laws, as Robert Fellmeth learned when he tried to attack the garbage-hauling monopoly in Chula Vista, Calif. Mr. Fellmeth, a

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**Louw**

Although Louw and Ken All's ideas are garnering widespread support in his troubled country, the American media remains largely disinterested in his proposal. Louw theorizes that the American media focuses on contention and conflict and that his proposal is the equivalent to showing up at a major sporting event with a proposal to call off the game and declare a draw. He is chagrined that a book which has received many important endorsements in South Africa, including Winnie Mandela, is ignored by the American press.

Regarding the press, Louw commented on the recent scandal brought on by the gruesome murder of a teenaged boy by Winnie Mandela's bodyguards. Mandela is a friend of Louw and his wife. Louw said that there has been no evidence offered or alleged to exist, in his knowledge, that Winnie Mandela had any involvement in the incident. The incident was played up by the South African government which has a policy of ferreting out and creating scandals against its enemies. The murder victim is alleged to have been a government informant and according to Louw, the torture executions of spies and traitors is common practice among political extremists in his country. Mandela, Louw stated, is very independently minded. She does and says what she wishes and has aggravated people on both the left and right.

Louw evaluated his chances of winning the Nobel Peace Prize as "zero." The winners are chosen by the Norwegian Parliament which is presently dominated by the Socialists. The main contender for the prize this year is Mikhail Gorbachev who is in a favorable and timely position to receive it. Louw stated that it is always possible that he and his wife will be nominated in a forthcoming year.

## Federal Farm Credit Policy Is A Flasco, Study Argues

Washington, July 27, 1989 — Loans from the Farmers Home Administration "have helped wreck thousands of subsidized farmers' lives and created unfair competition for unsubsidized farmers," according to a new study from the Cato Institute.

Farm policy expert James Bovard argues that in responding to the farm credit crisis, policymakers "avoided fundamental structural reform and instead simply injected cash and vastly expanded taxpayers' liability."

Following are some highlights of the study:

- \* "Since the 1880's, when many farmers borrowed money at justifiably high interest rates to buy land and plant crops, the remedy prescribed for every farm crisis has been more credit on easier terms."
- \* "Between 1975 and 1984 FmHA's loan portfolio increased from \$5 billion to \$27 billion. Its 1979 loan volume was 50 times large as its 1960 loan volume."
- \* The definitions of "economic stress" and "unavailability of credit" in a 1978 act authorizing FmHA to make economic emergency loans "were so loose that almost every farmer who had been denied federal credit in the past could qualify for it."
- \* According to FmHA's records, the most frequent cause of farm bankruptcy is poor agricultural practices, but "FmHA's records also indicate that almost one-quarter of the bankruptcies among its borrowers were largely due to their having received too many loans."
- \* "The federal government's farm credit policy is one of the clearest refutations of the notion that politicians can manage the economy better than private citizens." A 1986 General Accounting Office report estimated that half of FmHA's \$28 billion loan portfolio was being held by farmers who would default on their loans.
- \* FmHA loans penalize farmers who do not receive them. "Congress has created two classes of farmers: welfare farmers and self-reliant farmers. Every dollar of aid the government gives to welfare farmers makes it more difficult for self-reliant farmers to survive."
- \* Subsidized loans to near-bankrupt U.S. farmers result in fewer loans for other Americans. "The government is crowding private citizens out of the credit market - which means that politicians and bureaucrats are gaining more control over everyone else's lives."

"The Farm Credit Quagmire" is no. 122 in the Cato Institute's Policy Analysis series. The Cato Institute is an independent public policy research organization.





# LIBERTV

*A plan to bring the vision of Liberty to the American people.*

Television is the most powerful force in America today, in terms of shaping the social and political agenda. The average American watches nearly *five hours* of TV every day, and gets most of his or her information about the world through this medium.

And because television is a highly visual, highly emotional medium, TV news tends to focus on "human interest" stories, and to encourage simplistic thinking.

Each time some lunatic shoots up a schoolyard or hamburger stand, it's splashed all over the evening news, and the cries for gun control grow more intense. Every time someone is shown huddling over a heat vent to keep warm, the advocates of socialized housing gain ground.

TV does not lend itself well to lengthy, complex, cerebral arguments. The typical TV news story is about 90 seconds long, and relies primarily on visuals. It is the absolute antithesis of the abstract, verbal style that most Libertarians are comfortable with.

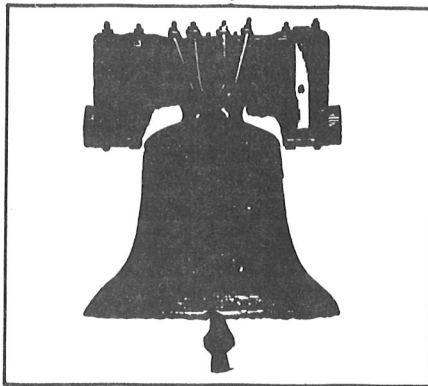
By its nature, TV focuses on the here-and-now. It can show Lee Iacocca asking Congress to bail out Chrysler, but it can't show the enterprises that don't exist because the Feds sucked up investment capital to keep inefficient companies in business.

Likewise, TV reporters can interview people who have been harmed by Thalidomide, but they can't interview those who died because the drug that would have saved them was kept unavailable by the FDA.

And TV news increasingly dominates the electoral process. The three major TV networks effectively define who is a "real" and "serious" candidate. By simply ignoring Libertarians, they shut us out of the national consciousness. Then, having done so, they can conspire on Election Night to black out any reporting of the Libertarian vote ... and get away with it!

*The bottom line is this: until Libertarian ideas are presented credibly and effectively on TV, we will continue to lose ground!*

LIBERTV has been established to meet this challenge.



Our purpose is to produce and run a series of high quality 30 second TV spots which address key issues from a Libertarian perspective.

These will be ads with emotional impact, produced to the same standards of excellence as commercials for cars, cereal, beer, and other consumer goods. They won't be the same old shoestring-budget "talking head" spots that Libertarians have been producing and running for years.

In 1990, we will produce as many ads as funds permit, and make them available to LP candidates and anyone else who will air them. In 1992, we will attempt to buy spots on national network news shows, during the election campaign period.

We are asking Libertarians who support the idea of LIBERTV for "seed money" to begin the fund-raising process. Any amount is welcome, but to encourage larger contributions, we make the following pledges:

1) If you contribute \$50 or more, you will be sent a Progress Report in the Fall of 1989, and another in mid-1990, to keep you posted on how much has been raised and spent. If support is insufficient to justify its continuation, we will terminate this project and funds on hand will be disbursed to \$50-and-up contributors on a pro-rata basis.

2) Those who contribute \$500 or more will be consulted on an ongoing basis, and, if they wish, will be listed on LIBERTV's Board of Advisors.

Your support is needed! Please send your contribution today.

David F. Nolan  
Chairman, LIBERTV

## LIBERTV

Suite 101-358 4330 Barranca Parkway Irvine, CA 92714

Yes! I agree that we need to get our ideas on TV! Enclosed is my contribution of \$ \_\_\_\_\_.

(Make checks payable to LIBERTV)

NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

I would especially like to see ads on the following topics:

\_\_\_\_\_  
\_\_\_\_\_

## INITIATIVE, RECALL, AND REFERENDUM

### INITIATIVE

The procedure by which citizens can propose a law by petition and ensure its submission to the voters.

### RECALL

The procedure by which a public official may be removed from office by a popular vote.

### REFERENDUM

The submission of a proposed measure or actual statute to the people for a direct vote.

### MYTH #1

We already have the initiative/recall/referendum process in South Carolina.

### FACT

None of these ballot access methods have been passed in South Carolina.

### MYTH #2

Initiatives are 'poorly written' and 'often unconstitutional.'

### FACT

To win voter approval, initiatives must be carefully written: any flaw would provide the opposition with a campaign issue.

### MYTH #3

The side that spends the most money wins.

### FACT

In a recent study of 189 initiative campaigns, spending could be judged the decisive factor in only 23 - approximately one-eighth of the total. These later campaigns were characterized by one-sided "VOTE NO" spending.

### MYTH #4

The initiative/recall/referendum process only serves 'special interests.'

### FACT

The initiative/recall/referendum, unlike the political decision-making process, puts the public interest first by letting the people decide their own interests. The non-partisan nature of the initiative/recall/referendum process ensures that both liberal and conservative sponsors have about the same success rate at securing voter approval.

### MYTH #5

The people are too ignorant to vote on many subjects.

### FACT

Thomas Jefferson said: "I know of no safe repository of the ultimate power of society but the people, and if we think them not enlightened enough, the remedy is not to take the power away from them, but to inform them by education."

## SOUTH CAROLINA

STATEWIDE: No provisions for statewide initiative, referendum, or recall.

LOCAL: All 266 cities allow initiatives and referendums on ordinances, by petition of 15% of the registered voters (S.C. Code, Sec. 5-17-10, 5-17-20). There is no provision for recall, nor are initiative charter amendments possible, since cities do not have home rule charters according to the South Carolina Municipal Association. All counties allow initiatives and referendum on ordinances, by petition of 15% of the registered voters (S.C. Code, Sections 4-9-210 and 4-9-230). As in cities, there is no recall or initiative charter amendment procedure.

## BOOK REVIEWS

### HOMESCHOOLING FOR EXCELLENCE

by David & Micki Colfax

from a review by Leslie Graves

David and Micki Colfax are the parents of four boys, whom they raised while homesteading a ranch in northern California over the last fifteen years. Their three oldest boys attended Harvard, while the youngest is still at home with them.

The unusual part of the couple's story is that their scholastically successful sons were all homeschooled. HOMESCHOOLING FOR EXCELLENCE is their personal story, and an account of both the whys and hows of homeschooling.

This book is a must-read for parents of pre-schoolers or school-age children who haven't yet considered homeschooling and for anybody interested in the challenge our schools can't meet of rearing happy, bright, creative people capable of living a fulfilling life.

The appendices alone are worth the price of the book, including a guide to indispensable reference materials for homeschoolers, a compilation of support groups, addresses for useful materials and supplies, and a charming list put together by the Colfax boys of their favorite books, ranging from *The Caboose Who Got Loose* to *The Iliad*.

This book is an inspirational introduction to homeschooling, a positive affirmation with excellent practical ideas for those who already homeschool, and a perfect gift to present to the grandparents of those lucky kids who are being loved and "larned" at home. 142 pages

### OUR ENEMY THE STATE

by Albert Jay Nock

from a review by Sheldon L. Richman

How wonderful to have this book back in print! If any libertarian work is to be graced with the word "classic," this is it. Nock was without a doubt one of the most learned and eloquent spokesmen for individual liberty who ever lived. OUR ENEMY, THE STATE, published in 1935, combines history, politics and social theory into a poignant appeal for natural rights, free markets, and peace. The style soars. The power of this work has never been matched.

This edition includes an extra treat, Nock's wonder essay "On Doing the Right Thing," a profound affirmation of man's fitness for freedom and nobility. Also included here are two stunning pieces from **Walter E. Grinder** of the Institute for Humane Studies: an introduction on Nock's life and the meaning of his work, and a bibliography that anyone interested in liberty should be familiar with.

For Nock, the state is not some faceless institution that somehow appears and works its will mysteriously. Drawing on Franz Oppenheimer's *The State*, Nock notes that "the State invariably had its origins in conquest and confiscation" and is a tool used by one class to exploit another. Here he stands foursquare in the tradition of the earlier French classical-liberal class analysts Comte and Dunoyer, who originated the view that the State is the source of the classes that later came to be called taxpayers and tax-eaters.

This barely touches the surface of Nock's analysis, however, which is endlessly rich and powerful. Buy OUR ENEMY, THE STATE; be inspired by it. You will read it many times.

## Marlon Migala Interview

Some people were born to be bricklayers, some were born to be musicians, some were born to be your standard republicrat politicians and some, a very few, were born to be champions of freedom and run for office as libertarians. Mr. Marlon Migala fits in this last category.

The task of achieving ballot status is difficult enough. The task of raising enough money for an effective campaign will be at least as, if not more difficult. Nevertheless, an undaunted Marlon Migala is going to tackle this formidable task and in his own words he describes why and how below.

*F. Liberty:* "Mr. Migala, could you please tell us about your upcoming candidacy, the issues you want to address and how you feel your campaign will help the people of your district?"

*Mr. Migala:* "I feel that it is very important to challenge Florida's restrictive ballot access laws. These laws must change so that the American people will have some real choices for whom to vote. I am a Libertarian Candidate in order to promote minimal government and to bring the injustice of the electoral system to light.

I am very excited because I hope to also bring the people back into government by introducing them to libertarianism and helping them better understand what it is about, government by, for and of the people. The Libertarian Party is a party of ideas, my campaign will be a campaign of ideas."

*Fl. Liberty:* "Mr. Migala, you were one of the announcers at the Woodstock festival back in 1969, I know you have been politically active for some time. Could you tell us a bit about how you formed your political opinions?"

*Mr. Migala:* "Well, I have always been one who viewed government as a necessary evil at best. As a result I have always challenged the system because it denies its citizens the freedom to be creative and realize their full potential. Theatre Politics has helped me get people back into the process of politics. I like to bring people energy and hope so they are not just walking around in some Fritz-Langian metropolis vision of an android, robotic society where a privileged few control the destiny of many. I want to give people hope and get them out of the rut they are in and back on the track of minimal government as outlined by our forefathers. It was Thomas Jefferson who suggested that continuous change is needed to ensure the continuation of the republic. I agree that this is the case and want to get people off this constant merry-go-round imposed by the omnipotent state so that we can all benefit from the sweat of our brows, our creativity, fellowship and compassion for our fellow men less fortunate, and our collective efforts toward these goals. This great nation was built collectively, but collectively we have let it be stolen from us by the descendants of the medieval robber barons of Europe. They have sold us a bogus bill of goods about what it means to be an individual by using sales schemes from Hollywood and Madison Avenue. I feel that the Libertarian Party is here to help the people reclaim this great land and I will continue to work for this goal until I hear everyone just saying no to the greedy politicians."

Editors Note: Migala was denied ballot access in late August

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## Competition

San Diego lawyer, filed suit against Chula Vista in federal district court in San Diego on behalf of two garbage haulers who, he says, wanted to compete for commercial customers with the private company chartered by the city.

Mr. Fellmeth won a summary judgment in 1983 but lost on appeal when the federal circuit court in San Francisco ruled the following year that the city had the power to grant an exclusive franchise.

Thomas Harron, Chula Vista's city attorney, says the city has stayed with one hauler because "we've had very good service, and the last thing we want to do is interrupt things when they are going well." Indeed, says Mr. Fellmeth, the city was so happy with the hauler that it granted every rate increase the company requested for seven years in a row. City officials don't dispute that statement.

Mr. Santos, the would-be jitney operator, filed suit in April in federal district court in Houston, charging the city with violating his "right to establish a business free from arbitrary, anachronistic

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## SOUTH CAROLINA LIBERTARIAN PARTY

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- 913-B Comanche Trail, West Columbia, S.C. 29169 (794-7662)
- University of South Carolina: Ed Underwood
- U.S.C. - Aiken: Tim Moultrie
- 2015 Whitepine Dr., North Augusta, S.C. 29841 (278-0686)

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Or Call 1-800-682-1776



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**Freedom****BALLOT RESTRICTIONS**

Ballot access restrictions are arbitrary and punitive. For instance, in Florida new political parties are required to register over 350,000 voters in their party before gaining ballot status. In Alabama a party must get over 20% of the vote for president in order to keep a place on the ballot. The State of Oklahoma requires a new party to collect over 58,000 petition signatures. The list goes on and on.

A new political party would require over 1.5 million petition signatures or voter registrations to get on every state ballot. In 1980 it cost independent presidential candidate John Anderson over \$6 million to do just that. Should it take \$6 million dollars just to take part in the democratic process? No way.

Every individual should have the right to vote for the candidate of his or her choice. Every individual should likewise have the right to run for office as a member of any political party he or she chooses or as an independent candidate. Fairness and the very meaning of democracy demand no less.

Voters deserve the additional choices that a freer, more open election system would offer. The right to vote is meaningless if there is no choice of candidates for whom to vote. In 1988, over 33% of the state legislative races and over 1 in 6 races for the U.S. Congress had only one candidate running. In major population states — Massachusetts, Texas, and Florida — over half of the legislators were elected without any opposition on the ballot.

**LACK OF CHOICE**

Why is there so little competition? The fault clearly lies with the Republicans and Democrats who control the state legislature in every state and thus make the ballot laws for other political parties — their own competitors. The Republican and Democratic Parties have too often attempted to monopolize their political position by restricting ballot access to other parties and independent candidates.

One can easily imagine how Ford and Chrysler might restrict General Motors if they could set the terms for GM's entry into the marketplace. The two older parties are today doing precisely this to their competition in the political "marketplace". It's not fair. Nor is it healthy for our political system.

No wonder voter turn-out continues to fall. There is no real choice. We need the competition that new parties bring to the political arena. "Political scientists invariably agree that the system cannot operate if the voters are denied an opportunity to form new parties, when the old one fail to represent them," says ballot access expert Richard Winger. "If it were impossible for the voters to organize new parties, then the two major parties would tend to become more and more like each other...each one striving to occupy the bland middle ground, and fearful of any bold new proposals. Only the threat that a new party will be organized can counteract this process."

**THIRD PARTIES**

Third parties are full of new ideas — ideas too often shunned by the major parties in their chase after the latest opinion poll and a 51% majority.

Certainly the most important political change in our history was the abolition of slavery by Abraham Lincoln and the Republican Party. In 1840 when neither of the major parties of the day, the Democrats and the Whigs, would take a stand against slavery, the Liberty Party was formed. In 1848 the Liberty Party became the Free Soil party, and in 1854 it was reorganized as the

Republican Party which elected Abraham Lincoln President just 6 years later.

It is sad to think that many Americans under today's ballot access restrictions wouldn't be able to vote for Abe Lincoln for President because he wouldn't be able to get on the ballot in their state!!

**THE TWO PARTY SYSTEM**

The so-called "two party system" was not the vision of the framers of our Constitution. "Originally there were no ballot access restrictions whatsoever in the U.S. - no filing fees, no loyalty oaths, no declarations of candidacy," according to expert Richard Winger. "As recently as 1930 no state required more than 14,680 signatures for a new political party to get on the ballot. How things have changed!"

Since the 1930's, state legislatures have dramatically increased barriers to ballot access for new parties. Most new party or independent candidates cannot afford the \$6 million dollars it cost John Anderson in 1980 to get on every state's ballot. The ballot access restrictions cost new parties a great deal of energy and money which should instead be used to spread their ideas to the voters.

**COST AND CLARITY**

Some worry that easing ballot access restrictions will clog the ballot with too many candidates. This has been shown to be a myth. The very slightest ballot access requirements — even 1,000 to 5,000 petition signatures — will block non-serious candidates.

In Florida, one of the toughest ballot access states requiring over 56,000 signatures, there were 4 presidential candidates on the ballot in 1988. Yet in Arkansas, where no signatures are required, there were only 6 candidates. Clearly, no ballots were clogged.

The difference between states with restrictive law and those without them is simply the amount of money and manpower expended to get a name placed on the ballot. You should not have to be rich or have a political machine to run for public office. Ballot access laws are a form of "poll tax" only new party and independent candidates. They must be changed.

Furthermore, the cost of large petition requirements is paid not only by new parties but also by you — the taxpayer. It costs state governments thousands of dollars to verify the signatures that new parties are required to gather. Fairer elections are also cheaper elections.

**NEW TREND**

Unfair ballot access laws are beginning to be changed! This year in Oregon the trend toward restricted access was reversed. For the first time in many years a state legislature voted to lower the number of petition signatures needed to get a new party on the ballot and at the same time they reduced the requirement to stay on the ballot. Oregon is leading the way to more open elections and a healthier political system.

**WHAT CAN I DO?**

Get involved. Help us change currently unfair ballot access laws in your state. We need you to contact friends, neighbors, legislators, talk show hosts and editors. America needs a free and healthy political system with fair access for every individual. Our freedom depends on it.

continued from page 7 **Competition**

anticompetitive and excessive regulation."

The 37-year-old Mr. Santos, a Houston cab driver, started using his cab as a jitney in 1984 after discovering such a service on a visit to Mexico City. A jitney is essentially a cross between a bus and a cab, usually following a relatively fixed route and charging a fixed rate per passenger.

Jitneys were very popular around the U.S. early in this century - too popular, in fact, for streetcar companies, which persuaded many cities, including Houston, to enact laws barring jitneys, says Clint Bolick, Mr. Santos's attorney and director of the Landmark Legal Foundation Center for Civil Rights, A Washington, D.C., group that focuses on attacking government barriers to entrepreneurs.

The streetcar companies now are largely extinct, but the anti-jitney laws remain. The Cab companies and bus lines like the laws because they "limit competition," Mr. Santos says. "I think people should have a choice." An attorney for the city of Houston declines to comment while the matter is in litigation.

Ms. Young, the Syracuse area minibus promoter, also argued for choice to the state of New York, but a state administrative law judge wasn't moved. In a written opinion turning down her application last month, the judge acknowledged that Ms. Young was "wholeheartedly" supported by local residents because the existing bus line "hasn't satisfied" users' needs. But he added that Ms. Young's service could damage the existing bus company economically and, in the long run, hurt overall transportation service in the area. He also questioned Ms. Young's financial capacity to operate the minibus service.

Ms. Young says she plans to appeal to higher state officials and is considering filing suit.

Mr. Allick, the boat operator, may have claim to the unkindest cut of all. For 18 years, like his father before him, he took tourists to the Buck Island Reef National Monument, near St. Croix.

But in the mid-1970's, the National Park Service decided that too many charterboat operators were going to Buck Island. So it began licensing operators and regulating charter rates to stop "predatory" price cutting, says Leonard Hall, who is in charge of concessions for the Park Service in the southeastern U.S., which includes the Virgin Islands.



The process has apparently worked. Where once there were 23 operators, only seven remain. In fact, the Park Service is currently more worried about "price gouging" than price cutting Mr. Hall says.

None of the operators whose licenses were terminated did anything to harm customers of the national monument, Mr. Hall concedes. He adds that Mr. Allick was one of the best operators around. Mr. Allick was one of the best operators around. Mr. Allick's transgression was that he needed a new mast on his sailboat and took longer to get his boat back in operation than the Park Service allowed. So in 1982, the agency terminated his permit.

Mr. Allick worked for other charterboat operators for while. Last year he reapplied for a Buck Island permit but was turned down; the Park Service says it isn't giving out any new permits. Now Mr. Allick is trying to start his own charter service to other sites in the area. He is also considering filing suit through the Landmark Legal Foundation.

"I get very frustrated," he says "I just want to make and honest living."

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## MEMBERSHIP FORM

The South Carolina Libertarian Party was certified as an official political party by the South Carolina State Election Commission in January, 1979. South Carolina law requires that all members of a political party in South Carolina hold valid South Carolina voter registration certificates.

I am registered to vote in \_\_\_\_\_ County, S.C.  
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\*Optional. Federal Election Commission requires we ask.

# The Libertarian Gospel of Marshall Fritz



**Q** You are one of the optimistic Libertarians around, and have consistently said that a Libertarian society is achievable in our lifetime. Why are you so sure about this?

**A** (Libertarianism) makes so much good sense to me that it seems that we should be able to explain it to enough other people that a large percentage of them should have Libertarian attitudes within a generation. I think if we can take it to two percent of society in 20 years, that two percent will take it to the rest of them in the next 20 months. I think that statism has proven itself wrong enough times, and it's been exposed by enough geniuses - Mises, Rothbard, etc. - that this time we've gone behind the wizard and we've seen that he's not a very good wizard. Rothbard is Toto and he's barking! The gig's up.  
So I guess that's the source of the optimism.

**Q** Your professional background is in sales, and you've applied these salesmanship concepts to promoting Libertarianism. But can political ideas really be marketed like refrigerators or computers?

**A** Yup. I think whatever you're selling, all you're ever selling is ideas, and the notion that some things are tangible and other things are intangible is probably a pile of hooey.

I've sold tangibles, such as computers, and I've sold intangibles, such as life insurance. A person buys a computer because he has a notion of himself being better off with that computer. He's not really buying that computer; he's buying that notion of himself being better off - that's an abstract, or intangible sort of a thing.

No one buys anything - not even a haircut - until you can visualize yourself benefiting from that purchase.

The upshot of it is that I don't see any distinction in selling the idea that you're going to be better off with these concepts of self government.

**Q** What is it about Libertarianism that has made you devote your life to promoting it?

**A** It's very valuable because it has so much to offer human beings; reducing human misery and improving the affairs of so many people, alleviating poverty, reducing the risk of war. So there is a value there, and there is difficulty in that we don't know how to explain Libertarianism very well yet. So I get to be on the cutting edge of figuring how to get the ideas across. I'm not a generator of new ideas, but I am a generator of new ways to communicate new ideas. I can innovate better ways of taking (Libertarian) ideas and explaining them to the folks.

So it's a combination of two things; one, there's an immense value to these ideas - I can think of only one set of ideas more valuable than Libertarianism, and that's Christianity - and it's a very difficult thing to do. I want to be an innovator, so I have to go where the going is tough.

**Q** What will Libertarians see when they come see you speak? What will they gain?

**A** They will gain an excitement that they've got some new tools to explain their ideas to their friends, to their family, and to their neighbors. And they will gain a new confidence in the movement - that we're in the process of starting to grow. They'll catch a piece of that excitement.

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