

Hawai`i Libertarian

Monthly Newsletter of the Libertarian Party of Hawaii Vol. 20, No. 4, April 2002



From the Chair By Roger Taylor

Our ballot access drive is over. Our petition has been submitted and we will become a “legal” political party on April 16. We have a lot of people to thank for this. Our candidates are lining up. Filing deadline is July 23rd. Since this was our 3rd election in a row to “qualify” we will be on the ballot for 10 years as long as we run 1 statewide candidate per election. We will not have to get ballot access signatures in 10 years. We will run that candidate each and every time. Gathering signatures has gotten more difficult as people are concerned about identity theft. To sign a ballot access form a person has to give up their Social Security Number, Signature, Date of Birth and Address. Luckily we won’t have to bother with this for the time being.

I see politics as having 2 major components, Ideas and people. We have the ideas. We want society to evolve toward more personal freedom. We want the economic system to move more toward the free enterprise system. Getting these ideas out is our task and it is a formidable one. We want to learn how to say our message in such a way that our audience can receive us. We also want to paint pictures of the future where society works better because our freedoms have been preserved. The two major parties continue to pass laws to feather their own nests while trying to keep competitors away from their turf. As our membership size and experience grows, so does our ability to start to capture a higher-level race here and there. Hopefully, you will have some personal time that you can contribute to some of our candidates. Check out my article that shows you how to save money while contributing cash to our candidates.

Our April meeting will be a planning session. Several things will be on the agenda. We need topics for May, and July through the rest of the year. Alan Matsuda will be conduction June’s meeting which will show a video and explore Right to Work laws. I want to thank the core of people who come to meetings month after month. Tracy Ryan is spearheading the effort to

organize a rally protesting the van cameras. We will need people to make phone calls and we will need people to show up. We want to get media coverage for this one. At present it is looking like the 3rd week in April. Watch the email list for updates. ✍

Protest Rally

Show up and demonstrate your opposition to the traffic enforcement cameras on Tuesday, April 23rd from 11:30 am to 1:30 pm in the rotunda of the State Capitol. Organizer, Tracy Ryan, is planning for a crowd of 100-200 people, many of them being from outside the party. There will be a PA system and invited speakers will begin talking at noon. This rally will serve at least 2 purposes: stage a protest with media coverage and prospect for party members. A flyer will be distributed to all attendees having a mail in feature that will allow us to add people to our volunteer roles. We will need people to make and carry signs. We will need warm bodies. This event should be a winner for us as many people oppose the “van cameras.” Bring some friends and add to the credibility of this event. If you can help with the organizing please call Tracy at 534-1846. ✍

SB 2336 Turns Innocent Young People Into Law Breakers By John Orendt

SB 2336, which requires all drivers under age 18, with some exceptions, to be accompanied by a licensed driver over age 21 when driving between 10 p.m. and 4 a.m.

The Libertarian Party of Hawaii opposes SB 2336 because it essentially turns innocent young people into lawbreakers. Being young is not a crime. The law must

continue to treat young people as being "presumed innocent."

Take for example, a young person taking groceries to his grandparents -- he should not be punished for being out at 10:01 PM

Another example, 17-year-old Cayenne Engel says she often gets together with a group of friends at night to watch movies and winds up driving home as late as 3 AM. When the new law takes effect, Engel will be in violation of that law driving home from watching movies and she's not happy about it. Engel says, "A curfew is ridiculous because I shouldn't be punished for meeting at a friend's house and driving home late no matter what age I am. And how are they going to enforce it?"

The Libertarian Party sends it's condolences to the family and friends of the three young adults who lost their lives last April and inspired this well-meaning legislation.

When a person, young or old, violates the rights of an individual, the penalties should be severe. But taking away the freedom of the innocent due to the actions of the few is just plain wrong.

It is up to parents to teach young people to be responsible. It is not a proper function of government to punish the innocent.

When you treat teenagers like criminals that's what they tend to become.

Libertarians support teenagers. Libertarians support freedom and justice. We hope legislators do too by opposing the oppressive SB 2336. ✍

The Invisible Gun

By Stuart K. Hayashi

In 1776, philosopher-economist Adam Smith described the phenomenon of "the Invisible Hand." This was his name for the side effect of the profit motive in a free market -- that, in order to make more money for himself, a businessperson had to help improve the standard of living for his customers.

However, throughout history, the government's ever-present regulations have spawned yet another sociopolitical-economic phenomenon -- one whose existence very few people are willing to acknowledge and one that is inherent in all laws enforced by the state. I call it "the Invisible Gun."

If one commits a minor offense, such as parking on state property without feeding the parking meter, then this

person can be fined a monetary sum. If he doesn't pay it, the fines increase. If none of them are paid, then the police are sent to arrest and incarcerate this person. If he continues to resist, he can be beaten or even shot.

Announcements

General Meeting:

When: Sunday, April 7. 6:00 PM
Planning

Bill Moyers trading democracy on Chapter 13 of NAFTA. How can we make it work for us?

Where: 888 South King Street. Corner of King and Ward. Straub Clinic Presentation Room, ground floor behind the cafeteria. ✍

Executive Committee Meeting:

When: Sunday, April 21, 6:00 PM

Where: 888 South King Street. Corner of King and Ward. Straub Clinic Presentation Room, ground floor behind the cafeteria.

All members welcome ✍

Join the Hawaii Libertarian Party

On Line: Visit the Hawaii Party website at <http://www.hi.lp.org>, click on the *Join LPH!* Button, and follow the instructions there. While there, look around! You'll find lots of useful info.

By Mail: Call the Hawaii office at (808) 537-3078, or call any of the names listed on the back page, and ask for a membership application. When it comes, fill it out, sign it, and mail it with a check for the annual dues of \$35 to:

Libertarian Party of Hawaii
625 Keawe St.
Honolulu, HI 96813

✍

As Ken Schoolland noted in the "Escalating Crimes" chapter of "Jonathan Gullible," as long as an individual continues to resist a law, the penalties' severity will rise. Death is the final punishment if the disobedience doesn't stop, even if the original offense was minor. Every law is backed by a gun.

But few people understand this. People don't see the force inside each regulation and ordinance, which is why the "gun" is "invisible." The physical threat behind the legislation remains hidden under a veil of political rhetoric.

It's entirely proper for the law to be backed by force in defense of individuals' rights to life, liberty, and property. The sole condition of having these rights is that

one respects the very same rights of others, and they are otherwise inalienable. Thus, when a criminal/terrorist uses force to deprive people of these rights, he forfeits his own, so it's completely reasonable for police to use force to prevent him from causing further destruction.

But, when a regulation is ostensibly made on behalf of "the public good," to prevent individuals from doing what they want with their own property, even though that doesn't do any nonconsensual harm to lives, liberty and property of others, then it is this law itself that's initiating the threat of violence against innocent people.

Yet, when it comes to the government threatening violence, the public holds a double standard.

Let's imagine two friends -- Jack and Bob. Jack owns his own restaurant with a smoking section, but he asks that only adults be allowed in it, since he doesn't want second-hand smoke reaching the lungs of children. Bob is a politician who wants to pass a law saying that no restaurants can have any smoking in them at all, even if they have child-protection policies like Jack's.

If Bob took out his own gun and aimed it at Jack himself, saying, "If you permit any more smoking in your own restaurant, you'll have to give me money," most people would disapprove. And, if he added, "If you refuse to pay up, I'll throw you in my dungeon. If you fight back further, I'll shoot you," everyone would consider that evil.

Yet, if Bob passes a law asking the government to step in as an intermediary and do the gun-pointing for him, people everywhere praise that as democratic, peaceful and "socially conscious." It's not violent, they say, because he didn't point a gun; he only passed a law. That ignores the fact that, when a law is broken, guns will definitely enter the picture.

Because people don't see that the law is backed by violence, everyone can evade the nature of what's really occurring here. If Jack hates Bob's law, they can both dismiss this as "a mere political difference not worth ruining a friendship over."

They can both consciously evade the fact that Bob is actually asking the state to point a gun at Jack for making the rules for his own property's use. And Jack can pretend he hasn't been betrayed in any way.

Therein lies democracy's dirty little secret. It allows the majority to vote on whether it can harm a certain minority, even though this shouldn't even be voted on in the first place. Then the voters can call this "the will of the people."

It should be understood that, in order to prevent democracy from becoming a tyranny over minorities, individual rights must supersede all democratic voting and all regulations. Rights must come first. Laws should come second, and only to protect those rights; nothing more.

Stuart K. Hayashi is the president of the Reason Club of Honolulu and an undergraduate in Entrepreneurial Studies at Hawaii Pacific University, though his opinions do not necessarily reflect that of either institution. He can be reached at radical_individualist@hotmail.com ✉

They Must Be Intoxicated

Do Any State Legislators Really Believe Hawaii's People want to See a Higher Tax on Alcohol?

By John Orendt

Do any state legislators honestly believe the majority of the people in Hawaii want them to raise liquor tax rates by a whopping 50 percent? The Libertarian Party of Hawaii opposes HB 2381 SD1, the bill that increases liquor tax rates by 50 percent, in part because of the many unintended consequences of this sky-high liquor tax.

- Tourists will tell their friends about the highest adult beverage prices they have ever seen (Hawaii has the highest taxes on beer and one of the highest on wine). Some friends are bound to be travel agents who will advise their clients accordingly. Consequentially, tourism, our primary industry, will have even more pain inflicted upon it. Instead of spending millions of taxpayer money to promote Hawaii, why not just abstain from passing laws that make Hawaii less attractive as a tourist destination?
- Reduced legal consumption of liquor will increase unemployment in bars, taverns, clubs, hotels, and retail liquor stores because fewer people will be able to afford alcohol and will purchase less alcohol. To make matters worse, the additional unemployment will further reduce revenues from income taxes.
- Legal consumption of alcohol will be reduced and further expand the consumption of untaxed illegal drugs and untaxed home made alcohol, which in turn, will further erode our tax base, while increasing profits for criminals.
- There is also a health issue. Statistically, moderate consumers of alcohol are healthier, live longer and are more productive over the span of their lives. A moderate consumer is defined as having between 2 and 14 drinks per week. Abusers consume more, abstainers less.

Such a large liquor tax increase will shove some people from the moderate liquor consumers group into the less healthy, abstainers group, which will further burden our already overtaxed health system. Some abusers may switch to illegal drugs.

We at the Libertarian Party of Hawaii hope legislators will refrain from increasing liquor tax rates by 50 percent. They will thereby oppose killing our tourist industry, creating further unemployment, increasing profits for criminals, turning law abiding consumers of alcohol into illicit drug users, and reducing the states net tax revenues. ✍

What Capitalism is and is Not *By Stuart K. Hayashi*

As the Enron debacle unfolds, many left-wing activists declare that the fraud committed within this corporation somehow proves that the free market has failed. One such example was in the Feb. 3 issue of the Honolulu Advertiser, which contained an incredibly snide commentary openly advocating "class warfare."

Yet, in charging that Enron's fall has exposed the corruption inherent in the American economy, these commentators obfuscate the nature of what free-market capitalism truly is.

Dictionary.com defines capitalism as "an economic system in which the means of production and distribution are privately or corporately owned and development is proportionate to the accumulation and reinvestment of profits gained in a free market."

Most Americans see capitalism the same way. The leftist commentators add that capitalism also involves corporations exploiting workers, consumers and the environment, while they avoid punishment by paying government regulators to look in the other direction.

In actuality, free-market capitalism really means the sociopolitical-economic system in which individual rights to life, liberty and property are respected, protected by the government, and all of the logical consequences of that arrangement. That means that all forms of nonconsensual violence, fraud and the threat thereof against persons or their property are illegal. Thus, the government steps in to prevent murder, theft, rape, bodily harm, property damage, financial deceit and breach of contract, and butts out in almost all other cases.

Commercial activity is not the purpose but only a corollary of capitalist politics, as it leaves individuals free to trade and secure their own property (including

their own bodies), knowing that, if these rights are threatened by a modern Attila the Hun, the government will try to protect these rights and leave people alone the rest of the time.

To this, leftists reply that this is a self-contradiction, since they believe corporate executives violate individual property rights more often than not. But even if this were not a bigoted stereotype, their claims against capitalism still wouldn't be justified, because capitalism is based upon individual rights being respected, and *not* on whether the system is dominated by wealthy businesspeople.

For instance, the leftists contend that capitalism is fueled by corporations going into Third World countries and outright stealing natural resources from indigenous peoples. But even if such occurrences were as common as the leftists would like people to believe, they wouldn't be examples of capitalism anyway, but of the Third-World government's failure to properly recognize the institution of capitalist private property.

Under capitalism, the indigenous person would have the ownership of the land he lives on, and he could say to any corporation using it, "This land is my private capitalist property, so you can't just take minerals or plants from it without my consent. Either you stop taking my belongings, or you financially make this worth my while."

In essence, consistently applied capitalism is not the cause of exploitation of Third World peoples, but the solution to it.

Any time anyone violates a right to life, liberty or property, it is not an act of capitalism, but a *violation of capitalism*, regardless if the perpetrator is rich. A corporate executive who steals is not a capitalist but an anti-capitalist.

A poor janitor who works for his money, with the full consent of his employer, *is* a capitalist. A billionaire who earned his wealth by selling a product that consumers willingly gave him money for, *is* a capitalist. A billionaire who gained his wealth through stealing or murder, such as someone like Al Capone, *is not* a capitalist.

This rule even applies to cases in which the U.S. government itself uses its own monopoly on the legal use of force to lawfully violate private property rights on behalf of a corporation. In Hawaii, the Outrigger Corporation is being an anti-capitalist in asking the state government to use eminent domain laws to steal privately owned land, which it plans to later appropriate.

Similarly, Donald Trump's behavior is anti-capitalist when he asks the Atlantic City government to condemn privately-owned apartment buildings just so that he can later purchase the land they sit on from the city for below the market price.

Insofar as any businessperson uses force or fraud on others to stay in business, he is an anti-capitalist. Conversely, to the extent that he earns money through voluntary trade, without violating any rights, he is a pro-capitalist.

Thus, free-market capitalism can never fail as long as people still understand the importance of individual rights. That is worth remembering as one reads the usual left-biased headlines. ✍

Visioning Teams Lack Accountability for \$152 Million Allocated to Them

There is a Better Way to Get the Community Active and Engaged

By Richard O. Rowland

Most everyone is in favor of more individuals becoming and remaining involved in their communities. The problem is how to do it effectively.

The current Honolulu City 19 visioning teams, organized four years ago under Mayor Jeremy Harris, empower the few who make time to seek the rewards they want "for" the community at large or themselves. These few cannot and do not represent the genuine wants and views of the community.

What does this mean? Just this: True responsibility requires accountability (real punishment for failure and reward for success) as well as ability to allocate or reallocate scarce resources (authority).

What has been done with the present system is to delegate authority to the visioning teams with no genuine accountability or responsibility attached.

What a pleasant circumstance for the 19 visioning team self-selected planners: they have the ability to spend freely up to a certain point - \$2 million a year, every year for the last four years for a total of \$152 million -- with no substantive consequences or accountability to the taxpayers.

That's a hell of a good deal for a few alert activists with time on their hands and a bad deal for taxpayers, not to mention the City Council who has to deal with funding whatever the visioning teams envision.

What would work better?

Let's start with Parks. Identify the major users of each park. Form a local park council that reflects the major users and potential users. Allocate to that council the city money now used to maintain (or to not properly maintain) the parks. Give the park council legal authority, responsibility and accountability (to city as well as community) for effective operation of the park. Allow innovations such as establishing a fee for wanted services to users, operating concessions and contracting out maintenance or operations to private firms or to even the city or state Parks Department. Provide for elections and term limits for the park council. Post a sign that identifies the responsible council members at the park. When called about routine problems, city councilmembers would refer the caller to the park council head.

I predicted the results would surprise all of us. Interested, engaged, enthusiastic individuals who actually use the park will appear, as if by magic, and productively operate the enterprise to the benefit of the community. Why? Simply because they have responsibility, accountability and authority as well as natural interest. Problems or complaints will be handled more quickly, more directly and followed up with personal customer service in mind.

A spontaneous park council currently exists with Hans L'Orange Park in Waipahu. That structure could be used as springboard.

This fresh approach, which involves authentic grassroots management, is a way for the individuals in the community to fulfill their needs and wants in a meaningful way. It may not be the only one, but it is a way to begin a process of returning government to its root.

Let's start a project to get genuine bottom-up action, keeping in mind the essentials: Responsibility and accountability as well as authority to those engaged and involved. ✍

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Our Website Home Page: <http://www.hi.lp.org>

Open Discussion Group: lph-discuss@topica.com

Announcements: lph-announce@topica.com

National LP Website Home Page: <http://www.lp.org>

Special Thanks to **Hawaii Reporter**,
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