

Hawai`i Libertarian

Monthly Newsletter of the Libertarian Party of Hawaii Vol. 20, No. 10, October 2002



From the Chair By Roger Taylor

Congratulations to **Jim Bracken**(US House Dist 1), **Jeff Mallan**(US House Dist 2), **Tracy Ryan**(Governor), **Ken Vaughan**(Lt. Governor), **Pat Boswell**(State Senate Dist 2), and **John Orendt**(State House Dist 30) for winning their respective primaries. I like the energy surrounding elections. It gives me pleasure to participate in the action of maintaining a free society. Our Liberties have been under assault since America's beginning and the present is no different. I like having a fully loaded ballot to aim at those who use government to restrict out freedoms as granted in the Constitution and the Bill of Rights. And now for the never ending commercial: Our candidates need your help to get their messages out. This help can come in the form of contributing money, volunteering time for grunt work/organizational work, and donating resources (consultations, duplicating services, video services, introductions of candidates to money people outside the party,) and a whole list of other avenues you can personally take to move those around you and society in general toward the direction of creating more freedom.

Our meeting on Sunday October 6th will be a potpourri of mini-events challenging some of our willing candidates to debate, to answer current questions with 30 and 60 second sound bites, to role-play going door to door, and to do anything else that might be invented on the spot. (Straub Doctor's Dining Room, 888 S. King St.)

Our November general meeting will be on **Tuesday**(5th) Election Day at a local restaurant or bar that will allow us to click between the news channels from 6:30-9:30 pm. If you would get off your duff to go to your favorite place to join other Libertarians, let us know where that place is before the deadline for November's newsletter. Meeting and conversing with other party friendlies adds

to the group energy. There will be no monthly meeting in December and starting in January we will go to a bi-monthly format until our next convention. I won't be serving as chair again, so we need to be thinking about who will follow me. I appreciate everything that **you** do to help the Party and the Cause of promoting the ideas that create and maintain individual freedom and liberty.

Election Update, Primary Results:

Our primary turnout was way lower than we had hoped for. I believe the highly contested Democratic primary kept people away from voting Libertarian. In the last days of my campaign I notice a lot of libertarian minded people told me they wanted to vote for Ed Case. Although Mr. Case's views are a bit off the edge of the Nolan Chart into the liberal side they are close enough to our message of a socially tolerant and fiscally responsible government. It could signal the beginning of a trend where maverick Democrats become slightly libertarianized. This is good for our lobbying efforts down at the Capitol.

In our only statewide races Tracy Ryan got 246 votes to George Peabody's 116. Mr. Peabody won a narrow victory in his home county. Ms. Ryan won each of the other three counties. Ken Vaughan being our only candidate for Lt. Governor won his race with over 300 votes. In our other contested primary Jeff Mallan defeated Lehr Duquesne by 95 to 70. In a big disappointment Aaron Anderson failed to move ahead in his non-partisan race for Big Island Council. The incumbent won more than 50% in a five-way race avoiding a runoff with Aaron who finished second.

As usual there were some interesting results. Two conservative Democratic State Senators lost reelection bids in their primaries. Jonathan Chun lost to Gary Hooser on Kauai and David Matsuura lost to Lorraine Inouye on the Big Island. Two more traditional Democrats Jan Yagi Buen and Bob Nakata were also defeated in attempts at reelection. The Republicans seem to have a good chance of winning the new 12th State Senate seat with Gordon Trimble facing Jon Yoshimura in the general. Trimble beat off a strong challenge from Lei Ahu Isa. Yoshimura won about 30% in a crowded Democratic field. The 12th is an interesting district that includes Republican Waikiki and Democratic areas around downtown.

We are looking forward to a well-contested general election. Tracy Ryan will appear in at least two forums with the Democrat or Republican candidate. The important one televised on October 25th will be much tougher now due to the small primary vote. She did get to appear on a live televised debate on channel 54. Unfortunately, Lingle and Hirono ducked this venue, leaving Tracy to debate also rans Jim Brewer and Danny Cunningham. We do not at this point know the size of the audience or whether our candidate's strong performance will translate into votes.

Ballot issues

Three proposed amendments to our State Constitution will appear on the general election ballot in November. We urge a No vote on item #1 and #3. The third issue is particularly troubling as it strips defendants from the right to preliminary hearing or grand jury hearing prior to being indicted on felony charges. This could lead to a lot of abuse.

The first issue is yet another attempt to discourage people from running for office. It forces potential candidates to be a bona fide resident of the district they will run in on the day they file their papers. Currently you need only reside in the district on Election Day. No good reason has been proposed to take the decision making power away from the voters regarding their choice of having a newcomer represent them, and this issue should get a big fat NO vote. ✍

Response to Jeff Mallan

By Rodger Virtue

In the September issue of Hawaii Libertarian Newsletter, Jeff Mallan is highly critical of the Bush Administration, Congress and the entire federal government in the ongoing "war on terrorism". Mallan's legal, constitutional and moral arguments, though, are incomplete and illogical.

The basis of Mallan's argument seems to be 1) that whatever the government is doing in this "war" is illegal, and 2) that rather than military action, we should just try to "understand" our enemies and then maybe they won't want to kill us.

But many of Mallan's facts, statements and conclusions are either incomplete, mis represented or just plain false.

Mallan seems to believe that a legal use of the military can only occur when Congress uses its power to declare war. This is clearly not the case. The Constitution gives the title of Commander-in-Chief to the President. He commands the military in times of Congressionally

declared wars, in time of military action such as the 1963 blockade of Cuba, and in times of peace.

What differentiates our current situation from past conflicts is that now we are not opposing a nation or group of nations, but a radical form of Islam that operates around the globe, with or without the support of the government of the country where they operate.

So if Mallan insists on a declaration of war before any military action, the question must be asked, "Declare war against who?". Should we formally declare war against any state where radical Muslims exist? If the Mafia had blown up the Pentagon would we declare war on Italy? In the absence of such a declaration, as impossible as it is in this situation, Mallan would have us do nothing. Congress went as far as it could, just days after the 9-11 attacks, by voting 516-1 to support the President's actions.

But our current fight is less like a conventional war and more like your local law enforcement organization's efforts against a burglary ring. You know they have struck you before, you know if you do nothing they will strike again, so, using evidence and legal means, you remove them as a threat to innocent citizens. On a global basis this is accomplished by our military, and George Bush commands our military.

While Mallan graciously mentions our duty to defend ourselves, he fails to note that the right to take preemptive action is an established, internationally recognized concept (see "Remember the Caroline", National Review, July 1, 2002).

The Libertarian National Committee, in a statement adopted shortly after the attacks, said:

"A fundamental role of the United States government, as defined in the US Constitution, is to protect American citizens against foreign attack. Therefore, it is proper for the government to take forceful action against terrorists who have already killed thousands of Americans, and who have threatened to kill more. Such criminals must be rooted out and destroyed before more innocent people die. Their training camps and weapons must be eliminated. Their supply infrastructure must be shattered."

Mallan criticizes "our government" as incompetent for not preventing this tragedy, and asks "Can you really trust the present government to solve this problem?". "This problem" was exacerbated by Bill Clinton, who wagged his finger at terrorists after bombings at the WTC in 1993, Khobar Towers, the USS Cole and African embassies, but did nothing either retaliatory or preemptively, to dissuade terrorists from further attacks.

This emboldened them. But Mallan sees any Bush action as "a whim to advance his war on terrorism", when Bush is fulfilling his Constitutional duty with the consultation and advice of an experienced senior staff, our allies and Congress.

Without citing specifics, Mallan calls our government "the forces of repression" that "profoundly threaten us". Being vaporized in an airplane threatens me, being exposed to terrorist spread biological agents threatens me, being blown up by a suicide bomber at Disneyland or a theater threatens me, being nuked if traveling in Los Angeles threatens me.

There is no right, no entitlement, to get on a Boeing 757 costing United Airlines tens of millions of dollars, packed with 140 other passengers, all potential lawsuits to the airline, and expect United to just wave someone onboard without knowing who they are, or not caring about the fuse hanging out of their left shoe. If United Airlines wants to strip search every potential passenger to protect its property, that's its right. And I have the right to use another form of transportation that doesn't pose economic risk to them or inconvenience to me. There is a balance that must be achieved.

I see where one so-called libertarian is suing the airlines, claiming that they are violating his "constitutional right to travel anonymously" because they require him to show government issued ID to travel. Where is the concern for the property rights of the airplane owner? If this is the kind of battle libertarians want to fight in this war, and one Mallan would seem to be comfortable waging, I find it extremely misguided.

Our enemies are not "smart and dedicated with purpose" as Mallan calls them. They are indoctrinated and dedicated with misguided purpose, spoon-fed a radical brand of Islam that labels all non-Muslims as dirty, unclean infidels who must be converted or killed. That is what we must understand about the enemy we face. They are a cancer on their religion, on their societies, on their economies and on world peace. They don't want a dialogue with you, Mr. Mallan, they want you reciting the Koran, and if you won't, they want you dead. They want your wife in a burqa, your children in a Muslim school being fed the same hateful teachings, and the State of Israel pushed into the ocean. THAT'S the "force of repression"!

These terrorists are not the result of our government's "failed political policies". They are the result of our personal freedoms, our vibrant, innovative economy and our freedom to worship as we please. They despise these freedoms. They despise our western way of life. These

radicals don't want compromise. Allah has told them it must be one way and the western world does not fit into that vision.

Announcements

General Meeting, Candidate Debate Practice

Sunday, Oct 6th, 6:30 PM

888 South King Street.

Fun agenda -devils advocates needed.

A FUNDRAISER FOR TRACY RYAN

Friday, Oct 11th, from 6:30 to 8:30 PM

at Club Venus

Food, Entertainment, and More

No Host Bar

Suggested Donation \$15.00

Executive Committee Meeting:

Sunday, Oct 20th, 6:30 PM

888 South King Street. Corner of King and Ward. Straub Clinic Presentation Room, ground floor behind the cafeteria. All members welcome

Liberty Bash

Saturday November 9, 2002 3 - 7 PM

Artie Agin's Beach House

84-581 Upena St., Makaha

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. Like links to ALL our candidate

sites.☞

We gave peace a chance. They chose to bring the fight over our way of life right into our front yard. They killed thousands of innocent citizens and they desire to kill tens of thousands, if not millions, more.

President Bush is taking actions we all wish he did not have to take. Some of the proposed restrictions on elements of personal privacy are going too far and courts are beginning to limit some of those restrictions. That oversight is good. But the threat to our society, our economy and our way of life does not come from 1600 Pennsylvania Avenue, or Congress, or a baggage screener at the airport. Those can be irritants, but it is clear that radical Islamists, working alone or in concert with such states as Iraq, Syria, Sudan, Iran, Lebanon and even Saudi Arabia, will seek to expand the degree of their cowardly acts against the western world.

Mallan does make important points and raises some valid questions, but intersperses them with just enough

silly statements to make one question all of his writing. Twice Mallan calls the circumstances of Bush's election victory "questionable", even though every news organization that recounted all the Florida ballots, some organizations with very liberal slants, found Bush still the winner. And the intellectual input of Paul Begala, Barbra Streisand and Alec Baldwin aside, the logic of the US Supreme Court's ruling on the matter were soundly based.

Mallan claims the mainstream media has failed to question why Sept 11 occurred. Time, Newsweek, Fox News, ABC, NBC, CBS, CNN and MSNBC have all spent considerable effort, some with a "blame America first" attitude, on analysis of why the attacks took place.

According to Mallan the economy is collapsing and price deflation occurring, all courtesy of the boys at the Fed. But the facts show consumer spending, comprising 2/3 of the economy, to be strong and inflation, not deflation, in the years 1996-2002 to be running between 1.8% and 3.4%.

Israel has followed Bush's lead and "devastated the lives and property of the Palestinians, according to Mallan. No mention of the Saudi and Iraqi funded suicide bombers who make visiting a coffee house not much different from playing Russian roulette. Mallan also avoids mentioning other Arab governments that talk tough on the Israeli-Palestinian situation, but sure wouldn't put up their own land for a Palestinian state.

And of course he wouldn't recall that it was Palestinians who were dancing in the streets of Jenin and Ramallah following the collapse of the Twin Towers, while Israelis solemnly lowered their flags to half staff and sent condolences.

George Bush has a difficult task ahead: pursue terrorists who mean us extreme harm while hiding under the cover of friendly and not friendly world governments as radical Islamists attempt to spread their vile brand of religion worldwide. Bush must work with the United Nations, certainly not a pleasant thought for libertarians, at least giving the option to the UN of appearing significant.

Unlike Clinton, Bush knows that an ultimatum is only as potent as your enemy's belief in your willingness to carry it out. Bush will see this through and the entire world has seen in Afghanistan that Bush means what he says. We should be supportive of the President, but also watchful of certain restrictions placed on personal privacy.

I would offer libertarians the same advice my best man gave me the day I got married: "Choose your battles

carefully". If libertarians want to fight the tough fight, lets prioritize and make sure we don't win a few small battles and lose the much bigger and more important war.

Maybe libertarians should learn a lesson from the passengers of Flight 93. As they flew over Pennsylvania, they found the circumstances and assumptions that Americans traveled under for 30 years were suddenly not valid. They compensated, reasoned and probably saved hundreds or thousands of lives with their selfless actions. Libertarians need to reexamine our positions in the light of a changed world. Do we still advocate open borders and the elimination of the Border Patrol and the INS? That might have been a noble goal for economic purposes, but now protecting US citizens must be of the utmost importance. Libertarians call themselves the "party or principles". We also need to be a party of reason and logic. ✍

Editor's note: The letter above receives my personal endorsement. I really liked it. John Orendt

A Declaration of Independence...from the United Nations **By Nicholas Provenzo**

Imagine the following scenario: if on the eve of American independence, the founders had asked the world's permission before they revolted against the English crown. Imagine if the question of American independence rested not in the minds of the patriots, but with the kings in the palaces of Europe. And then imagine not living in America, because had the founders not possessed the moral courage to act independently and instead adapted a policy of begging the world's favor, America would simply not exist as it does today.

Yet on Thursday, September 12th, we had the spectacle of an American president begging the world's favor at the United Nations. Point by point, President Bush listed how Iraq has committed acts that threaten the very lives of the free peoples of the Earth, defying UN resolution after UN resolution going on for over a decade, as if this impotent body has any credibility to even voice an opinion on whether the US can finally defeat Saddam once and for all.

For all its pretense, credibility is one thing the UN lacks.

The UN has condemned Israel time and time again for the crime of self-defense.

The UN was powerless against the Soviet Union, even as its citizens were being murdered by the thousands.

The UN was powerless as China slaughtered its people, again by the thousands.

Rather than serve as a means of expanding freedom in the world, the UN instead serves as a platform for all the tyrants of the world to wave their finger in contempt of freedom. "We shall bury you" was a threat made in the very halls of the UN.

Supporters say that the UN is a means for the US to "engage the world." If by engagement, they mean that on every question of American national security, we must first seek the UN's stamp of approval, that's hardly engagement. I call that the abandonment of our right to act in our defense.

If Iraq is a real threat and Saddam must go, the US does not need the permission of the UN to act. President Bush would be better to spend his time figuring out how the US is going to defeat its enemies rather than placate a useless institution such as the UN.

--Nicholas Provenzo is Chairman of The Center for the Advancement of Capitalism.

By Gerard Murphy

Less than a day after Patsy Mink's death, Democratic politicians are asking us to vote for her anyway. Although the law allows this and it suits the needs of the Democratic Party, voting for Patsy Mink is not in the best interests of the people of Hawaii.

Only four Congress people represent Hawaii. We are on the brink of war with Iraq, in a war on terrorism and there are serious threats from the federal government against our liberty. These issues need to be debated now. The debate will not wait for the state government to organize a new election in several months.

Lloyd Jeffery Mallan, an anti-war candidate from the Libertarian Party is running against Bob Mc Dermott who will support the president's policy. Either candidate will be able to take your phone calls, read your petitions and hear your voice. They will ultimately answer to us in the next election. If a special election is called the issues will be debated without us.

Patsy Mink's death is a sad event but a war may bring thousands of deaths. Are we willing to surrender our voice at this critical time in order to support the Democratic machine? ✍

Patsy Mink's Death

A FUNDRAISER FOR TRACY RYAN

Friday, **October 11**, from 6:30 to 8:30 PM

at Club Venus

Food, Entertainment, and More

No Host Bar

Suggested Donation \$15.00

Please make checks payable to The Friends of Tracy Ryan

Club Venus is located at 1349 Kapiolani Blvd, under the Radio Shack parking by Ala Moana Center. Valet parking is available. Street parking can be found on Piikoi, Kapiolani, Kona, Sheridan, & elsewhere.

Paid for by The Friends of Tracy Ryan
Michael Powell Treasurer

625 Keawe St. Honolulu, Hawaii 96813
www.hi.lp.org/ryan/

YOU ARE INVITED TO LIBERTY BASH VI

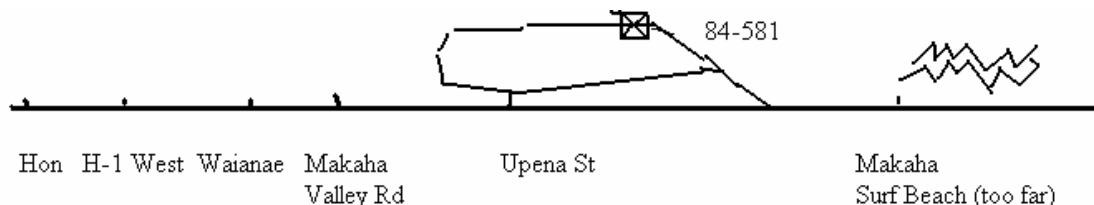
Bring a Potluck Dish to Share

3 – 7 PM
(Overnight Camping Ok)

Saturday November 9, 2002

Artie Agin's Beach House
84-581 Upena St

Makaha



This is the one time a year that we can invite friends to hang with us in a non-threatening environment. Bring your friends and a substantial potluck dish. Bar-B-Q grill available for your meats and seafood. Leave your cares and worries at home and come for the fun. Look for the sign and the balloons.

Bring: Swim suits, towels, beach chairs, snorkel/scuba gear, yard games.

Drinks Provided: Water, Sodas, Fruit Drinks, some beer, otherwise BYOB.

For those who stay over: Breakfast \$3. We will break camp after breakfast and disband.

RSVP: Noreen Chun 262-7228 or noreen@lava.net

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