

Libertarian Party of Hawaii

Phone: 1 (808) 537-3078

News

January 2013

Editor's note: Due to a busy holiday work schedule, no December edition was published. My apologies. – [Pat Brock](#)

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Ken Schoolland	ken.schoolland@gmail.com
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Upcoming events:

The Libertarian Party of Maui County Beach Party Picnic

When: Saturday, 19 January, 9:00AM – 3:00PM

Where: **Kamaole Beach Park III**

(north end)
South Kihei Road
Kihei, HI 96753

What: Pot luck picnic
(please bring food, drink,
your chair, & toys;
cups, plates & utensils will
be available)

Get acquainted & play

Please RSVP

Contact: **Pat Brock**, Maui County Chair

(808) 298-4114

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Recommended Links:

[Advocates for Self-Government](#)
[American Civil Liberties Union of Hawaii](#)
[Ayn Rand](#)
[David D. Friedman](#)
[Freedom Library](#)
[Foolish Things Salon](#)
[Future of Freedom Foundation](#)
[Harry Browne](#)
[Institute for Justice](#)
[John Locke](#)
[Jonathan Gullible - Ken Schoolland](#)
[Law Enforcement Against Prohibition](#)
[Liberal Democratic Party \(Australia\)](#)
[Libertarian Party of America](#)
[Libertarian Party of Hawaii - Discuss](#)
[Libertarianism](#)
[Liberty Unbound](#)
[Mises Institute](#)
[Partei der Vernunft \(Germany\)](#)
[Scottish Libertarians](#)
[Tibor Machan](#)
[Walter E. Williams](#)

[Alternate Solutions Institute \(Pakistan\)](#)
[Antiwar](#)
[Cato Institute](#)
[Federalist Society](#)
[Freeman Online](#)
[Friedrich Hayek](#)
[Grassroot Institute of Hawaii](#)
[Independent Institute](#)
[International Society for Individual Liberty](#)
[John Stossel](#)
[Laissez-Faire Books](#)
[Lew Rockwell](#)
[Libertarian Anarchism – Roderick T. Long](#)
[Libertarian Party of Hawaii](#)
[Libertarian Party \(UK\)](#)
[Libertarische Partij \(Netherlands\)](#)
[Milton Friedman](#)
[Murray Rothbard](#)
[Reason](#)
[Smart Business Hawaii](#)
[Tom Mullen](#)
[Young Americans for Liberty](#)

Editorial:

By [*Pat Brock*](#), Editor & Publisher

Despite gaining some ground in the last election, I was disappointed in the Libertarian Party's showing, particularly with presidential candidate **Gary Johnson**'s well-articulated positions, & the relentless groundwork laid down by **Congressman Ron Paul**.

I keep thinking freedom ought to be an easy sell, but clearly, it's not.

By my estimation there are two reasons for this:

- 1) It seems that most people believe government is inevitable, a force of nature. *The Cato Institute*'s **Tom G. Palmer** makes an excellent case for the inception and progression of government ([*see page 4*](#)), with government evolving from bands thugs to the "kinder, gentler" government we experience today. Our state chairman, **Jim Henshaw**, is fond of saying, "Government is like the Mafia, only with better public relations."

Certainly, every populace needs some sort of overriding paradigm and mechanisms to dissuade some people from harming the rest. But whenever people are entrusted with this task, their purview always seems to perpetually expand until it becomes oppressive in itself, and those people become the problem they were hired to solve.

- 2) Many people don't seem to understand where wealth comes from and how it's generated. The basics of wealth is derived from naturally occurring resources, but human beings have to transform the iron from red dirt to steel, that we may drive our SUV's to the market.

For people to transform resources into wealth they have to want to. Human nature requires that they see what is in it for themselves and those they care about. If the motivating emotion is fear, improvements created will be shoddy, or often not happen at all.

I believe dwelling on these two points will be fundamental in promoting the understanding of what liberty is and why it is the best course for all. This must occur before we can hope for people to support and elect liberty minded candidates in order to transform government into the least obtrusive it can be.

Working and producing wealth can be joyful, if benefits can be seen as clearly attainable, and we are assured they will not be confiscated by thieves, either with or without good PR campaigns.

The Origins of State and Government

By ***Tom G. Palmer***, senior fellow, **Cato Institute**

Republished with permission from **Cato's Letter**, Fall 2012



Many people believe that the state is responsible for everything.

According to Cass Sunstein, a professor of law at Harvard University and administrator of the Office of Information and Regulatory Affairs, "Government is 'implicated' in everything people own If rich people have a great deal of money, it is because the government furnishes a system in which they are entitled to have and keep that money."

That's the academic formulation of a concept that was restated recently in a popular form. "If you've been successful, you didn't get there on your own If you were successful, somebody along the line gave you some help Somebody helped to create this unbelievable American system that we have that allowed you to thrive. Somebody invested in roads and bridges. If you've got a business-you didn't build that. Somebody else made that happen." That was Sunstein's boss, President Obama.

Even a charitable interpretation of the president's remarks shows that he doesn't understand the concept of marginal contribution to output, for example, of the value added by one additional hour of labor. He doesn't understand how wealth is produced.

Sunstein and his colleagues reason that since they attribute all wealth to the state, the state is entitled to it, and those who may foolishly think of themselves as producers have no claim of their own over it.

What exactly is a state? The canonical definition was offered by Max Weber, who defined the state as "that human community which (successfully) lays claim to the monopoly of legitimate physical violence within a certain territory."

In fact, it cannot be the case that all wealth is attributable to the state. Historically, the existence of a state apparatus required a preexisting surplus to sustain it in the first place. The state, in other words, would not exist without wealth being produced before its emergence. Let's explore that a bit further.

Why do people have wealth? Charles Dunoyer, an early libertarian sociologist, explained that "there exist in the world only two great parties; that of those who prefer to live from the produce of their labor or of their property, and that of those who prefer to live on the labor or the property of others." Simply put, makers produce wealth while takers appropriate it.

In his important book *The State*, the sociologist Franz Oppenheimer distinguished between what he called the economic means and the political means of attaining wealth, that is, between "work and robbery." "The state," he concluded, "is an organization of the political means."

The economic means must precede the political means. However, not all kinds of work produce surpluses sufficient for sustaining a state. You don't find states among hunter-gatherers, for instance, because they don't generate enough of a surplus to sustain a predatory class. The same is true of primitive agriculturalist societies. What is needed is settled agriculture, which generates a surplus sufficient to attract the attention of predators and sustain them. Such societies are typically conquered by nomads-especially those with horses, who were able to overpower sedentary agriculturalists. We see that happening over and over again after nomadic people erupted out of Central Asia long ago.

There is a memory of that ancient conflict preserved in the Book of Genesis, which tells the fratricidal story of Cain and Abel. It is significant that "Abel was a keeper of sheep, but Cain was a tiller of the ground," an echo of the conflict between settled agriculturalists and nomadic herders.

State formation represents a transformation from "roving bandits" to "stationary bandits." As the economist Mansur Olson wrote, "If the leader of a roving bandit gang who finds only slim pickings is strong enough to take hold of a given territory and to keep other bandits out, he can monopolize crime in that area-he can become a stationary bandit." That is an important insight into the development of human political associations.

The state is, at its core, a predatory institution. Yet, in some ways, it also represents an advance, even for those being plundered. When the choice is between roving bandits- who rob, fight, burn what they can't take, and then come back the following year-and stationary bandits-who settle down and plunder little by little throughout the year-the choice is clear. Stationary bandits are less likely to kill and destroy as they loot you and they fend off rival bandits. That is a kind of progress-even from the perspective of those being plundered.

States emerged as organizations for extracting surpluses from those who produced wealth. In his book *The Art of Not Being Governed*, the anthropologist and political scientist James C. Scott of Yale University studies regions of the world that have never been successfully subdued by states. A central concept in his work is "the friction of power": power does not easily flow uphill. When waves of conquerors moved through an area, they subjugated the valleys, while those who escaped moved up into the less desirable highlands. Scott points out that those refugees developed social, legal, and religious institutions that make them very difficult to conquer. It's especially true of mountain people and of swamp people. (It's a shame various leaders did not read Scott's book before occupying Afghanistan and promoting "state building" there.)

What are the incentives of the rulers? Overly simplistic models posit that rulers seek to maximize wealth, or gross domestic product. Scott, however, argues that the ruler's incentive is not to maximize the GDP, but to maximize the "SAP," the state-accessible product, understood as that production that is easy to identify, monitor, enumerate, and confiscate through taxation: "The ruler ... maximizes the state-accessible product, if necessary, at the expense of the overall wealth of the realm and its subjects."

Consider (a ruler might say, "take"), for instance, agriculture. Rulers in Asia suppressed the cultivation of roots and tubers, "which has been anathema to all state-makers, traditional or modern," in favor of paddy rice cultivation. That is rather puzzling. Why would rulers care so much about what crops are planted? The reason, Scott notes, is that you can't very effectively tax plants that grow under ground. Cultivators harvest them when they want; otherwise they remain in the ground. Paddy rice, on the other hand, has to be harvested at specific times by large concentrations of people, so it's easier for rulers both to monitor and tax the harvest and to draft the laborers into their armies. The incentives of rulers have systemic effects on many practices and permeate our societies.

State systems of social control-from military conscription to compulsory schooling-have thoroughly permeated our consciousness. Consider, for example, the passport. You cannot travel around the world today without a document issued by the state. In fact, you can no longer even travel around the United States without a state-issued document. Passports are very recent inventions. For thousands of years, people went where they wanted without permission from the state. On my office wall is an advertisement from an old German magazine that shows a couple in a train compartment facing a border official demanding, "Your passport, please!" It explains how wonderful passports are because they give you the freedom of the world.

That, of course, is absurd. Passports restrict your freedom. You are not allowed to travel without permission, but we have become so saturated with the ideology of the state-and have internalized it so deeply-that many see the passport as conferring freedom, rather than restricting it. I was once asked after a lecture whether I favored state-issued birth certificates. After a moment, I said I could see no compelling reason for it and since other institutions can do it, the answer was "no." The questioner pounced! "How would you know who you are?" Even personal identity, it seems, is conferred by the state.

Modern states also claim to be the sole source of law. But historically, states mainly replaced customary law with imposed law. There is a great deal of law all around us that is not a product of the state, for law is a byproduct of voluntary interaction. As the great jurist Bruno Leoni argued, "Individuals make the law insofar as they make successful claims." Private persons making contracts are making law.

In the 16th century the influential thinker Jean Bodin focused on the idea of sovereignty, which he defined as "the most high, absolute, and perpetual power over the citizens and subjects in a commonwealth." He contrasted that "indivisible power" with another kind of social order, known as customary law, which he dismissed because, he said, "Custom acquires its force little by little and by the common consent of all, or most, over many years, while law appears suddenly, and gets its strength from one person who has the power of commanding all." In other words, Bodin recognized that custom creates social order, but defined law as requiring the hierarchical imposition of force, which in turn requires a sovereign—a power that is absolute, unconditioned, and therefore above the law.

That type of sovereignty is inherently contrary to the rule of law, as well as contrary to the principles of federal systems, such as that of the United States, in which power is divided among the different levels and branches of government. In constitutional regimes, the law, not absolute power, is held to be supreme.

The evolution of freedom has involved a long process of bringing power under law. The imposition of force has nonetheless left a powerful imprint on our minds. Alexander Rustow, a prominent sociologist and a father of the postwar revival of liberty in Germany, meditated on the origins of the state in violence and predation and its lingering imprint: "All of us, without exception, carry this inherited poison within us, in the most varied and unexpected places and in the most diverse forms, often defying perception. All of us, collectively and individually, are accessories to this great sin of all time, this real original sin, a hereditary fault that can be excised and erased only with great difficulty and slowly, by an insight into pathology, by a will to recover, by the active remorse of all." It takes work to free our minds from our dependence on the state.

When meditating on what it means to live as free people we should never forget that the state doesn't grant to us our identities or our rights. The American Declaration of Independence states, "That to secure these rights, Governments have been instituted among men." We secure what is already ours. The state can add value when it helps us to do that, but rights and society are prior to the state. It's critical to remember that the next time someone says, "You didn't build that."



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The Cato Institute is a public policy research organization — a think tank — dedicated to the principles of individual liberty, limited government, free markets and peace.

In the same vein, **Jim Henshaw** has submitted the following link:

"THE STORY OF YOUR ENSLAVEMENT"

<http://www.youtube.com/watch?v=Xbp6umQT58A>

"How it came to be, and how you can finally be free."

Our December 26th Honolulu Star-Advertiser advertisement to President Obama:

END MARIJUANA PROHIBITION


To President Barack Obama,

The Libertarian Party urges you to preserve, protect, and defend the Constitution of the United States by rejecting the tortuous interpretation of the commerce clause made in the 2005 Gonzales vs Raich decision. Please advise all employees of the Executive Branch to cease asserting federal authority over state laws in regards to cannabis. We further ask you to work with the Congress in eliminating all federal laws concerning cannabis prohibition.

The Libertarian Party of Hawaii suggest that it is time to accept the position we have advocated for forty years, that marijuana should be legal for adults. We call upon you to act on the resolution to end marijuana prohibition - passed by your own Hawaii State Democratic Party at its 2012 convention.

The Libertarian Party asserts that the default position should be liberty. It is up to the prohibitionists to carry the burden of proof for prohibition. The fact that the United States survived from its inception up until the end of the 1930's with marijuana as a legal drug is clear evidence that there is no compelling need for government prohibition.

Visit the LPH at
www.libertarianpartyofhawaii.org



Paid for by the Libertarian Party of Hawaii
c/o 1658 Liholiho St #205, Honolulu, HI 96822

To Hawaii's people,

We Libertarians urge Hawaii's Democrats as well as Republicans, Greens, and others to recognize the legal right to grow, produce, sell, and consume marijuana, and to work in the 2013 legislative session to see to it that this principle is achieved.

We should first eliminate references to marijuana in Hawaii's criminal code. We ask that Hawaii's legislature legalize marijuana for personal use and also make legal the production and commercial distribution of this crop. Anything less will only lead to the same black market activities we have now and the associated crime that comes with them.

The prohibitionists say that if marijuana is not completely harmless it should remain illegal. The fact that marijuana may not be completely harmless is no more argument for its illegality than arguing for laws against surfing, hiking, drinking, football playing, or hundreds of other recreational activities that may cause injury.

To learn more and to become part of the solution please visit our website at www.libertarianparty-ofhawaii.org or contact your elected representative.

Call us at (808) 537-3078

Letter to Governor Abercrombie

By Tracy Ryan, Vice Chair

January 7, 2013

The Honorable Neil Abercrombie
Governor, State of Hawaii

Dear Governor:

I want to call attention to your letter of February 2012 and to the subsequent resolutions passed by the Democratic Party later in the year. See attachments. **(Governor's letter to DEA; Democratic Party Resolutions 2012-04 & 2012-28)** As far as we are aware nothing has come of any of these well intentioned statements and efforts. The Reverend Mr. Christie remains in a Federal detention center here on Oahu. He has now been held for two and a half years without bail or the speedy trial that the US Constitution requires. Marijuana remains a Schedule I drug under Federal law.

The Libertarian Party has already gone on record in support of the intent of the two Democratic resolutions. We are very interested in working with your administration and others who share our views that the time has come for legal marijuana and that the treatment of Roger Christie is a gross injustice that should be corrected.

Jonathan Gullible: An SBH Phenomenon

By Ken Schoolland

Convention SBH News, January 2012

SBH President, Sam Slom, was the first to recognize the publication potential for *The Adventures of Jonathan Gullible: A Free Market Odyssey*. Twenty-three years ago, before the fall of the Iron Curtain, Sam offered to publish a book to introduce free market ideas in Hawaii schools. His ideas have never been embraced in the islands, but this venture has now been published in 71 editions in 47 languages around the world.



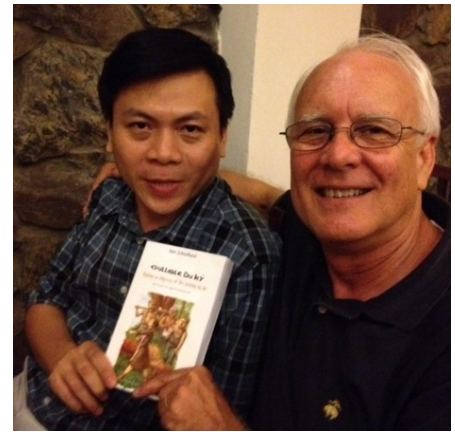
Most recently the tale has been touring as a play across Africa with Adedayo Thomas and a cast of 30, courtesy of Students for Liberty and the Atlas Foundation for Economic Research.

There are now more than 45 public policy institutes and organizations worldwide that have adopted the book for publication or promotion in one manner or another.

There are



During my lecture circuit of 23 presentations at 16 institutions in 5 countries last summer, the first free market book in Vietnam was launched, next to a bust of Ho Chi Minh. The third Chinese edition was published in Shanghai, the second Albanian edition was published in Tirana, the second editions Dutch and German are forthcoming along with a new Hindi edition. The ninth English edition, hard cover with full color illustrations, including the narrated audio CD, is available on Amazon.com.



Lastly, we are making progress toward production and investment toward the animated film in Los Angeles. Those interested in any phase of this project may contact me at ken.schoolland@gmail.com, or call 808-389-1998.

How better to bring free markets to the world than through education and media of all types.

Mahalo to Sam for starting the ball rolling and to Malia Zimmerman, Founder of Hawaii Reporter, and Dick Rowland, President of The Grassroot Institute Hawaii, for keeping it going over the years.





We invite you to join

The Libertarian Party

Believing in and understanding of the pledge is central to Libertarianism.
You may join by signing below:

"I certify that I oppose the initiation of force to achieve political or social goals."

Signature

Date

Salutation: Mr. Miss Mrs. Ms. Dr.

First Name: * _____

Last Name: * _____

Address: * _____

Apt./Suite No.: _____

City: * _____

State: * _____

Zip Code: * _____

Phone: _____

Email: * _____

**Membership in the national Libertarian Party:
\$25 per year**

Make check out to: **Libertarian National Committee**

Mail form & check to: 2600 Virginia Avenue, NW
Suite 200
Washington, DC 20037

Or click: www.lp.org/membership

Your dues includes: **The quarterly LPNews newspaper
The Monday email bulletin**

**Membership in the Libertarian Party of Hawaii:
\$20 per year**

Make check out to: **Libertarian Party of Hawaii**

Mail form & check to: 1658 Liholiho Street, #205
Honolulu, HI 96822

Or click: www.LibertarianPartyofHawaii.org/membership

Your dues includes: **The monthly Libertarian Hawaii News**

Contributions welcome.

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Political contributions are not tax-deductible.

Employer: _____

Occupation: _____

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I also acknowledge that this contribution is made from a personal account for which I have the legal obligation to pay, and is not made by a corporate or business entity.