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Candidate Recommendations

Fortunately, this nominating campaign season will soon end. This issue of Liberty for America has five parts, treating myths on Presidential vote outcomes, Comments on the platform proposals (mostly good), comments on the bylaws proposals (mostly bad), and my opinions of the candidates.

But first, a interesting note on economics, only 50 years old. It is the Lipsey-Lancaser theorem, in their paper, “The Theory of the Second Best”. The issue is as follows. Suppose all countries have free trade and laissez-faire Hayekian economic practices. The outcome will surely be positive. Now suppose one country cheats, for example by imposing import restrictions. What should other countries do. Lipsey and Lancaser show through detailed analysis rather than generalized handwaving that, for the other countries, staying with free trade impoverishes the people of those other countries, and that countervailing responses work better. Everyone is worse off than if everyone used legitimate free trade and laissez-faire economics, but the countries that used countervailing responses are better off than they would have been otherwise

Vote Myths

We are seeing all sorts of strange rumors about the election.

The most outre is the proposal that if our candidate carries one state, and the other states split to throw the election into the house, then we might elect a President. Let’s consider all the different ways this is unbelievable, the first being the idea that our candidate carries a state and that the other states are nearly evenly split in electoral votes. It’s not going to happen. If the election goes into the House, each state has one vote, and the top three candidates are the choices. The Republicans likely have an overwhelming majority of House delegations in their pockets. Republican wins. In addition, in this circumstance, one side or the other would note that the Libertarian has, say, four electoral votes, and therefore six of their electors would be told to be

faithless, meaning that the third candidate after Clinton and Trump would be Cruz or Sanders. There is no path here to a Libertarian victory, even ignoring that the American people would explode if the Presidency went to someone who took 2% of the vote.

Claim: 15% of the vote gets us into the presidential debates. No, the vote is after the debates are over and has no effect. Also, the Presidential Debate Commission has no power to force candidates to appear, and therefore there is no path by which Clinton and Trump will debate our candidate or Jill Stein unless they both want to, in which case the polling number is of no significance. Also, having run for Congress once upon a time, been in all of the debates, and had the press say that I won the debates when they said anything, I can report that the notion that debates have a big effect is in general wrong. There would be an exception if the remaining candidates were truly atrocious debaters, for example all of the Republicans who debated Trump, but that's not what is going to happen.

Claim: 5% of the vote means that we will not have to petition in future elections. This claim is just fictional. The presidential vote only affects party status or presidential ballot line access in a few states. In other states there is no effect. In other states, the required percentage is a bit larger than five.

Claim: 5% of the vote means that in the next election we are qualified to receive presidential campaign election funds. That's true, if you believe the libertarians should receive tax money taken from voters who were not libertarians, thereby putting the Libertarian party on the federal welfare dole. Many libertarians would not support this circumstance.

Claim: We have an enormous chance to win this year. Most voters would support a friendly kitten if it were the candidate of their party. Furthermore, the recent trend in polling, where Trump has caught up with or overtaken Clinton, reflects the fact that Republican voters if not a few members of their whining elite have decided to line up behind Trump. There is no large pool of voters who dislike their own party's candidate. There are tons of voters who dislike Clinton; they are Republicans who would never have voted for any Democrat. Ditto for Trump.

At this convention, we will spend several days debating the platform and the bylaws proposals. You might have hoped that over 40 years, we would actually have fixed the bylaws, but the smart money is not in favor of that bet. Many of the platform proposals, other than the closet Republicans trying to change the abortion plank, are quite good. Many of the bylaws proposals are terrible.

We do need one change in the bylaws: "no person may sit on more than one of the bylaws, platform, and credentials committees.. No person may sit on the bylaws or platform committees for more than two consecutive conventions. Proviso: the second sentence is applicable immediately." My comments on our presidential candidates and their campaign spending follows the discussion of the platform and bylaws.

Electronic links to the Platform and Bylaws proposals are here
<https://www.facebook.com/groups/1558801734435300/>
You have to hunt through the comments.

Platform Comments

Most though not all of the platform proposals are good. As usual, the social conservatives want to change the abortion plank for the worse.

https://d3n8a8pro7vhmx.cloudfront.net/libertarian/pages/87/attachments/original/1462317348/2016_Libertarian_Party_Platform_Committee_Report_-_2016_04_20.pdf?1462317348
Comments on the platform proposal.

Proposal one, you must be responsible for the consequences of the choices you make, is very good.

Proposal two: replace allowed with free works very well.

Proposal three: this is a reasonable change.

Government employees plank. This is a new plank. The second sentence does not quite say what is meant, namely we advocate that government organizations in providing pensions to their employees should replace defined-benefit pensions with defined contribution pensions.. It is unclear in the draft statement that we are saying what governments should do, not what private companies should do. I agree that a case can be made that corporate defined-benefit pensions are intrinsically fraudulent and should be illegal. The parenthetical aside “as are commonly offered in the private sector” in my opinion should be dropped.

The revised statement on the environment is largely good. The restitution statement is good, so long as one recognizes that it is possible to take actions for which the group taking the action cannot possibly make restitution, and in those cases it is appropriate to criminalize actions that would do damage for which restitution is impossible.

Moving language around, as proposed in proposal six, is harmless and should be passed.

Proposal 6A: the new parental rights and responsibilities plank is incredibly better than the old one. It also marks a categorical rejection of the Rothbardian notion the parents are entitled to abuse or torture or starve their children.

Proposal seven: approval and other voting schemes will actually reduce our ability to elect representatives, are readily gamed, and should be rejected.

Proposal eight: I would like to keep the Republicans and Democrats, both, out of both my bedroom and also my pocketbook. However, changing the preamble is dead on arrival and a waste of the time of the convention.

Proposal nine: deleting the abortion plank is a terrible idea. When we say that your body belongs to you, there is not supposed to be an exclusion for women and their private parts.

Proposal 9A: starting off the discussion of abortion with the discussion of who should pay for it advertises that we are a group of far right wing antiabortionists, which we are not. The notion that people should not be required to pay for abortions is neither better nor worse than the notion that people should not be required to pay for the Defense Department, public education, roads, a court system, or whatever, and should not be privileged by being identified the platform.

Proposal 9B: the proposal reads like a weak tag-on to proposal 9A.

Proposal 9C: the platform committee continues to march us in the direction of sounding like a group of far right wing Republicans. The proposal should be rejected.

Proposal 9D: the phrasing “logical arguments” is a religious statement drawn from the Ayn Rand objectivist faith. In addition to ignoring what has been known about actual logic for the last century, religious arguments referring to particular faiths should be rejected.

Proposal 10: the problem with saying that we should do things by using civil law has the serious problem that actually suing someone for creating a tort is extremely expensive, so that normal people are entirely unable to protect their intellectual property via this approach. The first sentence should include that phrase about ‘for a limited period of time’. The last sentence is excellent.

Proposal 11: it would be interesting to see a plausible plan for phasing out, and until then one might wisely bite one’s tongue on this topic. I have seen a number of plans that either obviously will not work, miss the point of what Hayek wrote on the social safety net, or clearly violate Roger Lee Wrights’ wise statement that if you made a deal you should keep the deal.

Proposal 12, delete a sentence on monetary policies. Readers will know that the notion that money behaves as a commodity, so that if you print huge amounts of money there will be great inflation, has been radically discredited by the last half decade, in which the core money supply has been increased manyfold and inflation other than in energy, where there are fundamental supply constraints that are not necessarily soluble by bombing the problem with money, has not happened. The Japanese have made a heroic effort to inflate their currency, more or less completely without success.

Proposal 13: crime and justice. These are nice changes. The final sentence refers to common law, which does not exist everywhere, and which is therefore making us sound like some of these right-wing characters who wander about. One might replace the last sentence with “it is a matter of fact that juries, presented with outrageous legal claims that offend common decency, will ignore the letter of the law, as was so brilliantly demonstrated in the Peter Zenger case.”

Proposal 14: the death penalty. This is a superb plank, which should be voted on very early.

Proposal 15: Yawn.

Proposal 16: This plank appears to have outdated itself. The proposed deletion is reasonable. We may very well oppose government subsidies, but there is no reason to oppose them specifically for energy.

Proposal 16A: Having deleted the first sentence, keep it deleted. The other sentences are good.

Proposal 17: We tried this under the Articles of Confederation, and before that during the revolution, and state funding of the federal government does not work. Also, proportionality to population might sell very well indeed in Massachusetts and Connecticut, where personal incomes are very high, but would destroy the economies of states such as Mississippi and Alabama. It's a far right wing scheme that we should simply ignore.

Balanced-budget: this is another Republican scheme that is in serious disagreement with what is understood about economics and will in the long run drive up the cost of government. Anarchists will of course say that there should be no government, but in that case there would be no budget or expenditures or taxes and the plank would have no content. When interest rates are extremely low, and projects that would substantially enhance the wealth of the country are available, it is economically favorable to borrow the money now and pay it back later. A simple example of this which many householders take advantage of is to take a substantial but affordable mortgage on the house, put the cash into the stock market, and take advantage of the fact that the return on the stock market over 15 or 30 years will be much higher than the interest paid to have the money. Governments are in the same boat.

The Bylaws Committee Report

Almost all the Bylaws proposals are bad -- a few might wreck the party -- and should be rejected. You can read them all here:

https://d3n8a8pro7vhmx.cloudfront.net/libertarian/pages/87/attachments/original/1461374599/2016_Libertarian_Party_Bylaws_and_Rules_Committee_Report.pdf?1461374599

PAGE 3 Remove Unnecessary Article 2: Period of Duration

REJECT: The duration of the LP should remain under the control of the delegates, not with articles of incorporation, that are subject to change without the national convention's consent.

PAGE 4 Eliminate Non-regular conventions

WHATEVER: We have not had one in decades. One might be useful to get us out of a hole of some sort at some point. I would, however, say that voting delegates are chosen by the states under normal rules.

PAGE 5 Definition of quorum

REJECT: This should be kept clear, even if we change the Rules of Order

PAGE 6 Verification

PART Projection screen is good. double check is good. "approved by the secretary" may lead to interesting outcomes.

PAGE 7 Contract

REJECT This proposal will lead to no end of mischief. There is also an enforcement issue for the contract. Also, what if the LNC cannot generate a contract--Again?

PAGE 9 Who is a candidate?

AMEND The required number of delegates may be too large. perhaps start with, say, 10, and work up after a few more nominating conventions.

Page 10 Audit Committee

REJECT: Only the LNC should be able to sign contracts and spend resources.

MAJOR AMEND: Replace GAAP with 'accounting records that agree with our Federal filing requirements, so that they may be reconciled'

(Actually, our current records for this reason are actually not GAAP compliant, because we are FEC, not IRS filing)

Page 12 LNC Establishment of Dues

REJECT We already tried this, and it caused a total disaster.

However, "Sustaining member" is any Party member who has given at least \$25 to the Party in the prior twelve months, or who is a life member." should add

"Sustaining member" is any Party member who has given or had donated on their behalf at least \$25 to the Party in the prior twelve months, or while a sustaining member has given or had donated on their behalf at least \$25 to extend their membership by an additional year but not more than two years into the future, or who is a life member.

The extra clause allows people to renew their sustaining memberships, for a full year, before they expire.

Page 13 "Sustaining" SUPPORT. However, the proviso should be rejected. See Page 12

Page 14 four-year LNC terms

TOTALLY REJECT This proposal would have killed the party at least once.

If they are doing a good job they can be re-elected. If they are doing a bad job, we cannot be rid of them soon enough.

Note, by the way, that the LNC regularly does not meet in September or October during the run-up to the election, when they might need to be doing something to improve our election effort, which speaks to LNC support for election efforts.

Page 17 Mission Statement

REJECT Contradicts Article 3, which gets it right.

Page 18 PARTY NAME RIGHTS

REJECT This is the folks who support the Reeves faction in Oregon trying to get their nose under the tent.

(I view this with equanimity, in the my state affiliate does not use the name "Libertarian Party". We are the "Libertarian Association" to avoid possible conflict with state law provisions.

Page 19 Quorum

REJECT Keep this in place in case we change the parliamentary authority.

Page 20 Fix grammer errors.

ACCEPT

Page 21 Superdelegates

REJECT The number of elected public officials varies wildly from state to state.

Also, the rule means that people appear not knowing if they are or are not delegates, because the regular delegates must approve.

Page 23 Vote of Platform Committee on each plank

REJECT Yes, the sentence means exactly what it says.

Page 24 No platform amendments in off years

REJECT Along with 4 year terms for LNC members

Page 26 membership certification

WHATEVER The new language is more restrictive than the old language.

Page 27 National delegates

REJECT The convention represents the state parties.

An interesting change here would be to require that delegates be residents of the state in whose delegation they are admitted.

Page 28 Elect President and Vice President AS A SLATE

Incredibly bad idea. Even the other parties do not do this. Negotiations during the election process are an important way of calming ruffled feathers. You may not like Barr-Root (Barr first negotiated with Ruwart and was turned down), but that sort of deal helps unify the party.

page 31 Quorum Requirements

REJECT What should be rejected is the claim of Roberts cultists that a person may not secede--withdraw as a delegate.

Page 32 Audit Committee presents to National Convention: Excellent idea.

SUPPORT

Page 34 Add discussion of electing the Judicial Committee

SUPPORT

Page 35 Open Judicial Committee meetings

SUPPORT

Page 37 et seq. Proposed Contract with candidates

REJECT REJECT REJECT

Under this contract, anyone with a felony conviction for smoking pot could not be our Presidential candidate.

Act of moral turpitude...so highly ambiguous as to be meaningless

"On a daily basis" This is not micromanagement, it is picomanagement

"The Campaign Committee shall hire a Campaign Manager to oversee its Campaign strategy during the entire course of the Campaign." Dictating campaign organization is bizarre. "hire" means that the campaign could not instead take on a person of independent means working as a volunteer.

provide their media lists -- any competent campaign has or soon will after the nomination procure a good list of media contacts from proprietary sources, i.e, intellectual property that may not go further. This contract violates those contracts.

Forward contacts ... modern ethical standards are optin or optout, but person asking the campaign gets to choose.

The proposal that a candidate who has generated a list of donors may not use it in the future is crazy.

Comments On Our Candidates

By my count, we have a dozen and a half people running for our presidential nomination and a half-dozen people running for our vice presidential nomination. Most of them are forgettable, though they are almost all doubtless nice people.

In my opinion, at this point we have four plausible presidential candidates, three of whom have attached themselves to a vice president. I would propose that McAfee, Petersen, and Perry are all okay, though none of them is really perfect, and that Johnson was unacceptable even before he brought on board William Weld.

Darryl Perry will only take bitcoin and metallic coins in support of his campaign. He is also running to abolish the federal government. His running mate, having interacted with both of them, is even more radical than Perry is. However, because his campaign will have almost no money, the big presidential campaign effort will be the coordinated or independent effort run most likely by the Libertarian National Committee. That message will readily be made much blander than the candidate message; it will sell something like "for real change, for the better, vote Libertarian!"

Austin Petersen is rather brash, went out of his way to engage in a pointless but annoying philosophical debate that probably cost him votes, but has improved considerably as time went on. In my opinion, his most serious flaw is that he is a social reactionary who would restrict abortion access and thinks his campaign will best advance by recruiting in the supporters people who had supported Ted Cruz. Those are about the least likely people one can point at to be staying around with our party. Also, most of them are perfectly happy to support Trump.

My personal preference is John McAfee. He is not perfect, but he is a distinguished debater, he comes across vigorously, he has a running mate who was extremely effective at reaching out to young people who are not interested in traditional conservative political ads, and he speaks to important issues, like freedom of choice, ending foreign wars, ending the surveillance state, and

having defense against foreign foes who would attack us electronically. His campaign got off to a rocky start, in which his first campaign manager over a month and a half paid most receipts to himself, at which point the campaign manager was elevated to the role of advisor, and a real campaign was launched.

I have previously sent most of you a letter discussing the Johnson campaign and why Johnson is not an acceptable candidate. There will undoubtedly be people who say that, unlike last time, this time Johnson is running up no debts, and that you can see this in his FEC reports. Readers will recall that last time Johnson's campaign reporting of his debts was incorrect, at least the time of the national convention, not to mention that well before the nominating convention Johnson signed a contract handing over large sums to his campaign manager, but that the contract only came into play after the national convention, so that at the time of the national convention those large sums were not yet a debt.

Johnson's substantial acts as governor, and William Weld's substantial acts as governor, and later, should also be viewed as disqualifying factors. <https://market-ticker.org/akcs-www?post=210816> has done an exposé on Johnson's financial efforts as governor. Under his command, the New Mexico state budget rose 5% a year, far faster than inflation or population increase. Johnson balanced the operating budget by increasing the size of the state debt by a third.

William Weld supported an assault weapons ban, supported limits on the size of magazines for pistols, supported purchase quantity restrictions, and presided after his first year in office in a great increase in our state budget. He had an ingenious scheme for persuading the state legislature to pass some legislation, namely attached to his proposal was a proposal that the pay of the state legislature should be increased by 55%. The legislation is gone. The folks in Boston are still collecting their salaries.

William Weld promised the New York State libertarian party that he would run for governor under their banner even if he did not get the Republican nomination. He did not get the Republican nomination. He did not keep his promise to the New York State Libertarian Party. He supported the Atlantic Yards abuse of eminent domain.

Of course, he now says he has changed his mind on all of these things, but it is patently obvious that he changed his mind about them after he started running, when it became blatantly obvious that his prior stands were totally poisonous. Those changes were made under duress, so he should not be faulted for them, but on the other hand you really shouldn't believe them either.

What has changed in four years is that we have pierced the curtain of the deceptions Johnson used to take our 2012 nomination.

In April 2012, the last number the delegates saw, the Johnson campaign claimed its campaign debts were \$152,373.

In February 2013, the campaign confessed that its campaign debt in April 2012 had actually been \$1,048,651. That's \$926,000 more than the \$152,373 of debt stated in the original filing.

If the delegates had known the truth at the 2012 National Convention, they might well have had the brains to choose a better candidate. If the delegates had known they were being deceived, they would surely have rejected Johnson.

I could go on, but if I haven't already convinced you I am probably not going to be able to do so. I look forward to seeing many of you in Orlando. I hope that you agree with positions I've advocated, but if you don't, I hope that you will think about your positions so that you are sure that you are choosing the right options.