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Our Letter
Our Letter No. 6
March 28, 1984

INTERVENTION - "Protection"
Uncontrolled Regulatory Sprawl

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What is right? "The right as we see it involves self-responsibility, individual freedom of choice, private ownership and control of property, open competition in a free market, limited and localized government."

(Foundation for Economic Freedom)

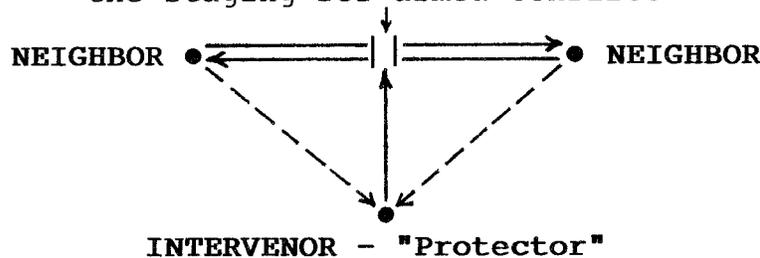
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How do people in a free society lose their freedoms: of speech, of worship, of assembly ?

How are private property rights and freedoms denied to owners ? Freedom of the press ? The right to bear arms ? To be presumed innocent until proven guilty ?

All too often neighbors on opposing sides of common issues are calling in intervenors to settle their differences:

broken marriages, broken friendships, enemies,
the staging for armed conflict



Everybody's friend, good ole what's his name, too good to be true,
"war activists", marsh protectors, anti-nukes

Too often now the free are led to believe "it is easier" to turn the settling of contentious matters over to "impartial" 3rd parties, big brother, big daddy, campus wanderers; instead of taking care of affairs with each other.

For example:

* **Binding arbitration**

- * **Planning Commissions** - their existence is justified by the reasoning that they are needed to settle and prevent land disputes ahead of time. There are two kinds of planning: governmental and other. **The main characteristic that distinguishes planning done by a government from planning undertaken by others is that the former can employ coercion to help achieve its purposes.**

We believe **Uncontrolled Regulatory Sprawl** at every turn to be far worse for the health of the community than what our "protectors" (predatory controllers?) still call the need to protect the free market of housing from "uncontrolled urban sprawl." With uncontrolled urban sprawl, utilities were reasonably priced, taxes were less and housing was affordable to the private buyer. **Now with uncontrolled regulatory sprawl "affordable housing is only for the low income person"** or the affluent. About agricultural land? The U.S. Department of Agriculture already subsidizes and pays out \$20 billion a year to hold down food production.

* **Marriage and Family Counseling**

* **Family Planning**

* **Continuing Education**

* **Welfare Departments**

- * **Re-apportionment** - The California initiative issue if passed would allow representative's district lines to be settled by a non-representative group of judges picked by "drawing names" from a barrel.

* **Redevelopment**

Intervening in (protecting) the freedom of speech.

- spokesmen for large groups of people; the right of individual citizens to speak is perceptibly lessened by the so called impact of the spokesman speaking.
- executive committees' so called endorsements of issues or projects without polling its memberships (e.g. League of Women Voters, psychiatric societies, medical societies, taxpayers' associations, building trade unions, political parties, advisory boards, service organizations, Chambers of Commerce, school districts, etc.)

Intervening in the freedom of assembly.

- bingo, fraternal, service clubs, churches, restaurants.
- "church groups might not be compatible with the neighborhood."

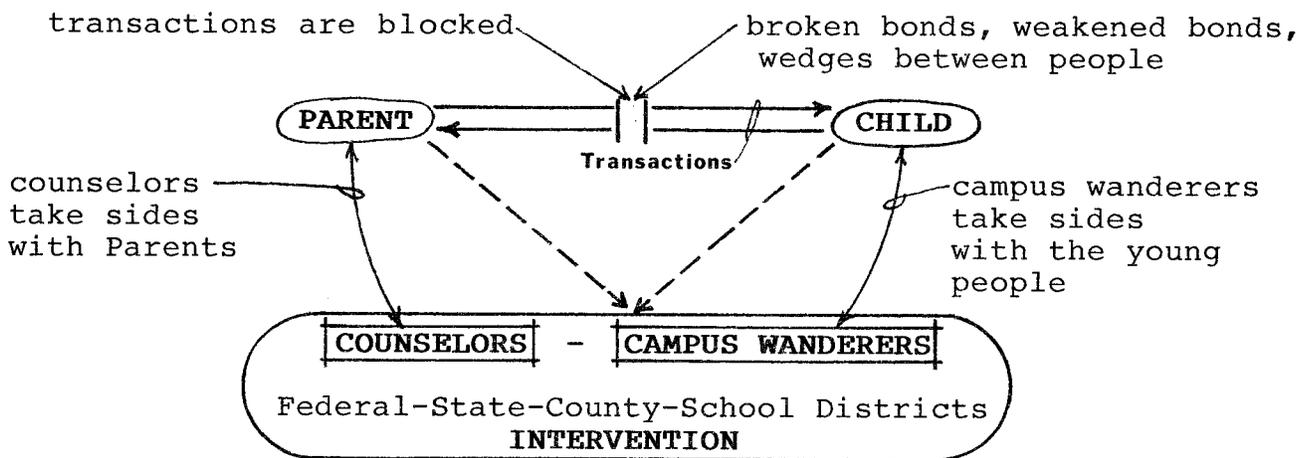
Intervening in the freedom of worship.
Intervening into freedom of press.
Intervening into the right to bear arms.
Intervening into the right to be presumed innocent until proven guilty.

The "protector" - intervener is to be differentiated from the intervener "consultant" who has a "fiduciary responsibility" to his client. Many of the so-called new interveners these days cannot be held accountable; they have no fiduciary responsibilities.

For example "campus wanderers" on high school campuses are handing out family planning data in "rap sessions" without the knowledge or consent of the parents of the high school students. Data includes birth control methods, sex education data (whatever that means), physiology descriptions, and probably information on abortions and venereal diseases associated with promiscuous sexual habits and multiple partners. Officially school authorities are hardly aware of this. But the "campus wanderers" have the blessing of county and state health departments.

The problem is that these "campus wanderers" have no legal requirement to keep their new found information confidential despite expectations of the younger people (students) they are counseling.

This may be "reverse intervention". The State and County Health Departments are not intervening where they should and intervening where they should not. In effect they are encouraging students to talk about their parents and as a result the kids probably talk less to their parents for the reason of feeling ashamed of what they've said about their parents. The parents on the other hand are talking to their friends, colleagues and counselors about their kids and talking less to their kids; ashamed of their kids or ashamed of what they've said.



Intervention (intimidation) promises to break up families, friendships, partnerships, institutions; to take away your rights to handle you and your family's affairs in return for more "protection". It feeds itself.

laudable but many locals are now intimidated by "committee rule."

[The alternative is not to return our own self-determination back to committees and commissions; committees and commissions are merely more intervention minded. **Legislators, councilmembers, supervisors ought to encourage more individual speaking at the public forums of our government with guarantees the speakers will not suffer reprisals, ostracizing, victimized for their willingness to stand out.. It is right to not want more intervention.**]

By the age of 3 or 4 years most people know the difference between "that's mine" and "that's yours (not mine)." We are born free, become housebroken during the first year or two of life and in a couple more years taught to have some manners. For the most part we will honor property rights, i.e. the distinction of what is "mine" and "yours."

But gradually over the last 4 or 5 decades in California we, the grown ups, have been legislatively losing our property rights all in the guise of "protecting the public safety, health and welfare." We, the people, have voted into office enough representatives to effect major changes in our rights to private property: State Lands Commission, Coastal Commission, San Francisco Bay Conservation District Commission, Fish and Game, etc. Each and all have taken very large slices of property and/or its rights from property owners. These acts have been performed under the rubric of "protecting the people" and by our (sometimes misinformed), ruling "representatives."

Until now, though, we the people have not as such voted on these matters ourselves. We the individual free citizens have not directly taken land uses and property away from other similarly free individuals, the owners of record.

Hold everything though! Here come the boys from New York to give out their instructions, assignments and their directions. Now the boys and girls from Berkeley have been busy, too. They plan to "protect" us all! From? OUR FREEDOMS ??

Their master plan for "protecting the people" is the exercise of persuading us we all need to be protected from personally negotiating and dealing with our neighbors and instead if we would but give up some of these "unnecessary freedoms" to their preferred regulations and moratoriums we can have "greater protection" from our, up to now, free ability to deal with our free neighbors. They would instead regulate them for us, "for our own protection." If only we would be so kind as to take away the rights of a few apparently more prosperous neighbors. They don't tell us our own individual freedoms are next in line in their program "to protect" our more immediate neighbor from us, e.g. if we are the ones with a "noisy" body repair shop.

Before a people's constitutionally

guaranteed freedoms can really be taken away from them they have to be persuaded some set of at least semi-plausible reasons and "overwhelming circumstances" (staged or otherwise) to vote themselves out of their freedoms.

That is, a people who are free have to be persuaded first to turn in their franchises to freedom.

THE RIGHT OF REFERENDUM

What we have mentioned above is again in part what the Reapportionment Constitutional Amendment is all about. **Are people willing to hand in their franchises to freedom in exchange for "protection" security?** It is actually fear of intervention. We've all seen and witnessed the gross abuses of power and disregard of the expressed intention of the people of California by the legislature (and by the highest court of the State) regarding apportionment. If the people vote to approve this new initiative we will be voting ourselves out of voting control of those who are now drawing and re-drawing the district lines every 10 years.

A new commission will be formed. The Reapportionment Amendment establishes a commission that would be responsive to no one except perhaps the self same now unresponsive State Supreme Court. If this new commission is not responsive to any election process it will be subject even more to Absolute Power Absolutely Corrupted.

We propose, instead, that it is better to leave our present system alone and let the troublesome legislators continue to expose themselves and their power greed to the public. Eventually, as with any party (machine) that becomes too gross, the voting public reacts, and takes care of the matter itself. Don't we have enough time to keep our present freedoms until our neighbors also become fed up with the power abuses?

THE RIGHT TO REPRESENTATION

The Solano County Land Use Initiative proposes to take away powers from our own duly elected Board of Supervisors, our own representatives. We, the people are being given that rare opportunity of "protecting" ourselves from our own properly elected representatives. **"Protecting ourselves" from what???** Some people and legislators are saying the initiative process is being abused. There is even legislation now in the works in Sacramento that would limit (even abolish) the initiative process. This reminds me of Congress actively entertaining the thought of restricting currency possession to valueless coin and paper - to ban hard assets.

Don't forget, if you vote a neighbor out of some freedom he now has, you are

merely setting it up that others in your mob will feel justified in their excesses to vote you out of some part of the freedoms you presently enjoy; that you presently take for granted (such as running a "Garage Sale" business). You declare! "That's impossible!" Well, ask someone from El Cerrito, Berkeley, Oakland, etc. You may be allowed to have your dreams, but the reality of "having an acre in the country with a few chickens, a cow, and house to retire onto" would be even less possible.

What can be done to slow and reverse the loss of freedoms and counteract the divisive forces at work on us ?

Maximize opportunities by reducing the growth of intervention "protection" services. Allow individuals to get-on-with each other freely without getting a third person to rescue and take sides. Recognize intervention-"protection" for what it is.

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Ernst & Ernst
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"A free economy is worthless without moral scruples, but at least in a free society the unscrupulous can be dealt with. In an unfree society the unscrupulous control, are protected in exchange for favors and protection."

(Foundation for Economic Education)

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