

Liberty 2014

Semester Two | First Edition | July 2014



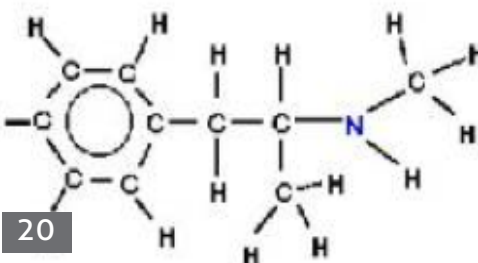
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President's Welcome

Dear Students and Supporters of ANZSFL,

It is an honour to be writing the introductory piece for the first ever Australia and New Zealand Students for Liberty Newsletter. I have no doubt that this will be the first of many, and that all of the people featured within these pages will go on to do great things for the cause of liberty.

This time last year, there were only a handful of fledgling student groups carrying the banner of SFL - now we have a fantastic cadre of regional charter team members, at least ten clubs up and running, and dozens of interested students around the country. Our executive board has put together an exciting regional conference and we have strong and growing ties with SFL International.

Australia and New Zealand are perfectly placed for a groundswell of freedom. Both our countries consistently rank in the top five worldwide for economic freedom, giving us a solid base from which to stop and reverse the erosion of our social, economic, and intellectual liberties. However, our task is not an easy one. While we should be optimistic and confident in our cause, we cannot expect it to succeed without constant, enthusiastic effort from all of us.

SFL is a powerful vehicle for advancing liberty, but it requires a strong crew and ample resources to realize its full potential. With you on board, I know we can steer a steady course toward a freer world.

In Liberty,
Austen Erickson
President of ANZSFL

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On Marriage

Rebecca Lawrence

The debate surrounding marriage legislation in Australia is often over-simplified into the question "Are you pro-gay marriage?" In reality, the question should not be over which marriages should be legal, but whether marriage needs to be regulated by the state at all.

The answer, of course, is no. The Marriage Act (1961) should be abolished. The idea that the government has a role in elevating one kind of relationship over another is an unacceptable and unnecessary form of state intervention in the private lives of human beings (and a huge drain on taxpayers' money).

An easy way to judge (from a libertarian perspective) whether an action should be illegal is to refer back to JS Mill's harm principle. If, for instance, five people decide they all love each other very much and want to write themselves a "marriage certificate", this does not harm anyone else in Australia. Similarly, if a woman finds someone to "marry" her to another woman, this too causes no harm to anyone else. If the same woman had chosen to "marry" her goldfish, it still wouldn't cause any harm to any other citizens. Therefore, it is inappropriate for the government to intervene to say that these relationships are any less legitimate than a heterosexual, monogamous one. So long as a relationship doesn't harm or infringe upon any other human beings' rights, it should be just as legal as any other relationship.

A removal of state intervention in the institution of marriage is also necessary in order to preserve the strength of private

organisations. A government that has enough power to determine who can get married is powerful enough to compel private marriage celebrants to perform ceremonies they would not otherwise have performed. For instance, there is nothing to say a progressive government could not legislate to allow gay marriage and also compel all registered marriage celebrants to perform gay marriage ceremonies. This would grossly undermine the power of private organisations (such as the Catholic Church) and the rights of any individual who would either be forced to perform a ceremony he believed to be morally wrong and illegitimate, or give up his career.

The current Marriage Act is used to identify couples who are eligible for exclusive government benefits- welfare benefits, tax benefits, subsidised marriage counselling and more. These, of course, should be abolished along with the marriage act, as they simply involve taxpayers subsidising a certain kind of lifestyle choice. The legal reasons for the Marriage Act's existence – for example, next of kin arrangements – can and should be determined by private contracts, not a one-size - fits - all set of government regulation that kicks in when two people sign a registrar.

Any government legislation in the area of marriage is a grossly illegitimate and unnecessary form of government intervention in the private lives of individuals. It suggests that government knows what's best for the individual better than individuals know for themselves. Therefore, Australia should focus less on potential amendments to the Marriage Act (1961) and turn its' efforts to abolishing the Act entirely.

"...legislation in the area of marriage is a grossly illegitimate and unnecessary form of government..."

Rebecca Lawrence studies at the University of Western Australia.

On Computing, the Internet,
and the Social Consequences of

"Digital Freedom"

Aidan Carter

Computers have been part of my life from a very young age. I've got photo's of me playing on computers as young as three years old, and, since my father is a systems architect for a major multinational computing company, I've also been raised with the latest computing technologies at close access. I was using 3D glasses in 2004, even before the (now popular) Oculus Rift was even designed. I was playing strategy games and educational programs from before I went to school. I've had cable internet since before most people even knew what broadband was. This opinion piece, however, is not actually to talk about any of the given, but rather what impact these facts of life have had on my (and quite probably, the rest of my generation's) development.

One of the things you have to realise as soon as you talk about computing, (and also the internet) is that the computers we all use are private property. Now this might not sound like much at all, but it's the key basis that has enabled the use of computers, computing devices and the internet to grow to the extent so they are the most important things in our lives. If we take any given partition on the internet, we know that any given website (e.g. Google) is owned by a private grouping of individuals. Much like in the offline world, these individuals can choose to do mostly as they wish with their own property. However, unlike other aspects of life, there is no interference with the internet from some outside body saying what people can or can't do with a computer. If we compare this to land ownership, Government mandates in New Zealand, for example, mean that anyone who wishes to build any building has to conform to a plan administered by a committee under the Resource Management Act.

You see, what I'm getting at here is the internet has no regulation at all, other than basic laws of property. Webhosts set their own terms of use, you can't for example hack and take down Google for instance without violating privately set and customised uses of property. Much like you can't vandalise someone's front wall in reality. Again, the difference is likely to be that the front wall cannot be more than a certain height, and building style, the building has to abide by enforced regulations that any given bureaucrat in government has arbitrarily decided to enforce whether you like it or not. There is not a single iota of regulation that says anything about how Google's search engine should work in New Zealand.

The internet has been so free, it doesn't have to meet any expectations, any arbitrary mandates about how people should use it other than it doesn't violate anyone else's property. It's because of this freedom to innovate, to try different methods of improving peoples lives, and not have to sit down at a table with a faceless bureaucrat who ruthlessly claims "the use of a star in the search bar could impact negatively on minority culture", and has the arbitrary, senseless power to censure peoples expressions, speech, and even when it comes down to it, choice of simply how to use their own property.

*Aidan Carter is Vice President of
Students for Liberty (NZ) and studies
at Victoria University, Wellington.*

**Aidan will be speaking about
Liberty and the Internet at the
Australia and New Zealand SFL
Regional Conference in July 2014**

Editor's Note:

The following pieces by Rhys Tucker (page 5) and Vishnu Chari (page 6) were submitted in March 2014 for the Semester One publication, and as such, reflect the economic and political climate of that time. They have been published despite some issues aging, because the lessons we learned and a reflection on the projected and actual impact of events remains relevant to this time. Enjoy.

ON INDUSTRY

Rhys Tucker

On February 11, Toyota announced that they would cease production of cars in Australia by 2017, signalling the end of the Australian car industry. Among the reasons for the decision, Toyota cited a high Australian dollar, high manufacturing costs and low economies of scale. Meanwhile, the future of SPC Ardmona hangs in the balance. It seems that everywhere we look, manufacturing in Australia is dying. This issue is a contentious one, not only in the parliament but also among the parties themselves. But why can't the government step in and save these companies? I hear you cry with bleeding-heart anguish. And indeed, that view is quite a popular one among people both on the right and on the left. People argue for heavy subsidies to save jobs in a dying manufacturing industry. In fact, Labor Party Leader, Bill Shorten was convinced that a little more taxpayer money could have prevented the automotive industry from leaving entirely. These intentions for job protection are noble, however, the reality of the situation is a little more complicated.

A libertarian would approach this problem bearing in mind the conditions that manufacturing faces in Australia, and would come to the conclusion that a bailout of the manufacturing sector would not be worth its cost to taxpayers. On an ideological level, the idea of giving someone else's money to someone else is unattractive, especially when the perceived societal gain from that transaction is small. Indeed, a lot of taxpayers won't end up buying an Australian-made car or a can of processed fruit, and so will personally feel little of the benefit of keeping the industry alive. It also makes economic sense not to subsidise a failing business. Every dollar that is taken from the people in taxes and given as a bailout prevents successful businesses from expanding and hiring more employees. It also stifles consumer demand, as people have less money to spend on things that they actually want.

By removing subsidies from an inefficient and unsustainable manufacturing sector, we pave the way for private sector investment in many new industries. Sure, there may be some initial job loss as the economy makes this transition, but in the end we will be left with a more robust and expansive economy. From a Libertarian's point of view, subsidies and bailouts are counterproductive, and send false signals to consumers and producers. We believe that if you want to expand the economy, encourage private sector investment in new industries and grow the job sector, we need to stop corporate welfare and minimise government intervention.

*Rhys Tucker studies at the
University of Western Australia.*

Big Government Problems

Vishnu Chari

Since last year's federal election, there have been 3 major politico-economic-employment stories that have engrossed the Australian media landscape. The government's position has not wavered; they prudently decided to not subsidize the unprofitable and failing automotive manufacturing industry, to not bail out the enormously profitable Coca-Cola Amatil's fruit production subsidiary and to not provide financial backing for Australia's "national carrier".

These decisions run in stark contrast to many years of big government policy. Successive Liberal and Labor governments have always appeased their political pay masters by justifying government intervention into private business as either "saving jobs" or by "promoting Australian business".

I believe that this government has finally come to grips with the concept of a truly competitive market place. Here's where I hope we'll see some real change in the next few years:

Regulatory Barriers: Whether its customs duties, tariffs or statutory barriers, Australia doesn't make it very easy for foreign investors to have a controlling stake in many of our businesses. Between the FIRB, ASIC, APRA and various other laws that preserve the national interest, we aren't a very enticing investment zone for the seriously big businesses. The "free" trade agreements that the government has signed on our behalves don't do too much good, with the most recent Korean FTA still giving the big Korean auto manufacturers a competitive advantage at our own exporter's expense. Such regulatory measures make for a less inter-connected, isolated, smaller economy with fewer opportunities for investors and for employment.

An immobile and inflexible labour force: Another factor holding back the economy is the state of the labour force. There are many Australians adventurous and brave enough to move to where the work is; doctors, lawyers,

teachers, and professionals of various specifications follow the employment opportunities and the top paying jobs all across the world. Given the news over the last few months of future job losses, I wonder why people aren't promoting a global job search. If the jobs aren't coming to Australia, why are those affected Australians so averse to going to the jobs? The quality of life here in Australia isn't so unique that it would not be worth moving overseas for work, and it shouldn't be any different for those in the manufacturing and engineering sectors.

Personal Choices, not government support: Following the announcement of job losses at SPC Ardmona and more recently with the trouble faced by Qantas, a few people have been commenting on what is really required to change the fortunes of these iconic "Australian" brands. While many public commentators call for the government to step in, only a few have been bold enough to identify the fundamental problem; that not enough Australians are willing to pay over the market rate for cars, packaged fruit or flights for products and services that are not worth paying extra for, so why should the government prop up companies using the tax dollars they've collected from us- when are unwilling to do so individually?

This fundamental hypocrisy is the death of rational economic thought and is poisoning the public debate, instead of arguing for government intervention or support, the media should be questioning the value these iconic brands are actually delivering for the prices they are charging.

There are some serious regulatory and economic barriers to a free and open market place for goods and services, but additional government action isn't the answer. What we need is a truly competitive economy.

In Defence of Diversity:

responding to ABC's attack on democracy

Rachel Connor

The video released yesterday by the ABC (<https://www.youtube.com/watch?v=amANzfV8538>) "Explained: The Senate Voting Gamble", which blatantly attacks minor parties, is a disgraceful attack on democracy. According to our supposedly non-partisan national broadcaster, you shouldn't vote for minor parties because the preferences might flow somewhere they don't like... and God forbid, a party they don't like may actually win a seat.



The fact that Australia has so many micro parties is a good thing. For one thing, it shows that we have a functioning democracy in which anyone can have the chance to participate. Indeed, this is arguably one of the greatest advantages of our democracy. We are lucky to live in a country where everyone can participate in the political system, something which billions of people around the world do not have the opportunity to do.

"According to (the ABC) you should continue to vote for a major party because, lets face it, ballott papers are confusing"

However, democracy is only a good thing, according to the ABC, if you vote for the parties they prefer.

According to them, if you are unhappy with the current state of affairs you should continue to vote for a major party because, let's face it,

ballot papers are confusing. Despite the fact that all preference information is available before the election as well as at the booth on the day, the ABC would rather we restrict our democratic freedoms than accidentally allow someone to cast an uninformed vote.

According to the video, the reason so many parties were on the ballot paper in the 2013 election was because "it's not that hard to get on the ballot paper" – whoever wrote this video definitely has not started their own party. In fact, it is a difficult and expensive process. In 2013 entrance prices doubled, so to run just one candidate in the Federal Senate elections cost \$2000 per person, and you must have a minimum of two candidates to run above the line. That means to contest the Federal Senate election in every state, and to have your party appear above the line, you will need to find \$24,000. Then you'll need to pay more again if you want to contest in the Senate in the Territories or run for seats in the lower house.

(continued...)

All this, of course, is assuming your party was successfully registered. To do this you would have had to sign up a minimum of 500 members who are registered on the electoral role and are not members of another political party, and pay a \$500 fee. It certainly wasn't the ease of starting a new party that caused the appearance of so many new parties last year, on the contrary the recent increases in entrance fees for candidates actually made it harder. There must have been another reason.

Perhaps then, the sudden influx of new parties is an indication that Australian's are fed up with the two major parties. They want change. They want someone to represent them who actually shares their views. Perhaps, they want a party who won't continue to increase the size of government, increase taxes, and damage our economy. Perhaps there is a particular social issue that they care about. Whatever it is – people were looking for something that the major parties couldn't offer them.

Indeed, many micro parties do not want the major parties to win either, and so will preference other micro and minor parties before the two majors. As a result, micros preference other micro parties who seem to share similar policies and who will preference them in return. Using pictures of men shaking hands under a dim light, and portraying a perfectly legal and normal part of the electoral system as sneaky back-room deals is an unfair representation of the way micro parties organise their preferences.

There is no doubt that we have an overly complex and confusing preference system, but that will not be solved by criticising minor parties who work in the system they've been given. This kind of behaviour does not help people to understand the system, and is no more than a shameless attempt to bias the public in favour of the major parties.



"...the sudden influx of new parties in an indication that Australians are fed up with the two major parties. They want change..."

If you don't like a party, you don't have to vote for them, but diversity is a good thing. The more choices we have, the more chances people have of finding a party which truly represents them.

Let's stop trying to force people to conform to major party politics, and let people make up their own minds about who represents their views.

Rachel Connor is President of the Smokers Rights Party, as well as being the Vice President of ANZSFL for Australia. She studies at the University of Queensland.

Want to get INVOLVED?

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LOCAL CHARTER TEAM
LEADER FOR MORE INFO

AND

Join Us!

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Piracy and Copyright

Introduction

The phenomenon known as file sharing has proven a legal challenge world wide. File Sharing involves end-user to end-user activity – frequently via a peer-to-peer (P2P) software program which allows for downloading of files outside of the http and ftp protocols – allowing one another access to the files as stored within the share library. Above all other uses for such software, the decentralised sharing and downloading of high quality sound files was embraced by end-users around the globe. Whether such activity is ultimately a positive market adjustment to accommodate for new methods of information dissemination, or a heavy blow to entertainers globally, is the conflict to be explored in this piece.

Background

Application of Copyright Law to File Sharing

Any end-user who copies and pastes a sound recording into the share library of a P2P program is infringing the right to 'reproduce the work in a material form'. The fair dealing exceptions within the Act exclude fair use for "even the right to make a backup copy of a CD legally purchased" - a stark contrast to US fair use provisions. Much of this statutory coverage was adapted to meet the needs of copyright owners in cyberspace by the Copyright Amendment (Digital Agenda) Act 2000, the ratification of the international WIPO treaties – illustrating the global trend of "recognising that intellectual property should be protected because of its high value". The legislative objective was to "prevent digital copying, access and distribution; require a broader range of intermediaries, such as ISPs, to take a more active role in policing users and help enforce the private rights of the owners; restrict the fair dealing rights of users to prevent free access to works in a digital context; and effect a 'cultural turn' to a permission-basis for online transactions".

Action Against Individuals

A broad majority of litigation surrounding P2P and file-sharing controversies have occurred within the US – largely because that is where the world's largest entertainment conglomerates are based. Additionally, while common in the US Australian courts hesitate to pursue action against individuals with regards to piracy for personal use – the absence of any fair use exceptions aside, it is generally considered not a cost-effective method to end file sharing nationwide "nor will it achieve the objective of creating a consumer culture that respects creativity". This may come as somewhat of a relief to most of our Australian readers.

Action Against P2P Software Developers

Pursuing action against file sharing software companies

Tesla Kavanagh

has proven difficult to say the least, because servers are usually decentralised, capable of running without direct human input and may function through corporations, individuals and technologies scattered across numerous jurisdictions. Sweeping attempts to shut down a decentralised system have been noted to pose a risk in curtailing legitimate users' freedom of speech and communication.

Direct action against P2P software providers by the courts has become a "cat and mouse game in litigation": as P2P distribution tools like Napster were shut down, new software services with new technical features were made available. Frustration with the cat and mouse game has resulted in the courts denouncing authorising "a culture of piracy" rather than specific acts of piracy. Hostility towards file sharing groups has led "copyright owners and hackers engage in an arms race, a vicious cycle in which the former has to continually spend resources on copy-protections whilst the latter are ever-persistent in cracking such protections".

Internet Service Provider (ISP) Based Regulation

Due to such litigation difficulties, the position as pushed by music industry representative Heindl is instead to encourage ISP responsibility as the "internet's gatekeepers", to use statutory filtering and disciplinary measures to discourage their consumers copyright infringement practices. Such content filtering and technical changes were encouraged by Wilcox J in *Sharman* – but the notion of 'censoring' the internet is widely criticised as an attack on civilian freedoms.

Impact on Music Industry

This piece aims to critically analyse three of the propositions Heindl makes about the 'real' nature of the effects of file sharing on the music industry: the impact on physical sales; the impact on new business models for the industry; and the harm caused to content creation.

Illegal File Sharing As Harmful to Physical Sales

Heindl is quick to cite the drastic decreases in physical sales and revenue for the music industry as a result of the rise in popularity of file sharing activity. Statistics surrounding the prominence of illegal file sharing in music are consistently of an extremely high quota: "each individual downloading on average about 30 songs per month", with 18% of the population involved in illegal downloads, equating to 1 billion illegal files being shared per year by Australians alone". The vast majority of these downloads are of popular, new release music that Heindl claims could easily have been acquired through legitimate means. While this piece does not dispute the prominence

of file-sharing and the popularity of acquiring music (often chart-topping music) through peer-to-peer means, it does dispute Heindl's claim that "illegal file sharing causes staggering lost sales of at least 200 million digital tracks each year in Australia".

The Impact of Demographic Change

It is in establishing causation that the music industry's claim of damage to physical sales and well-deserved income falls largely flat on its face. Critics agree that during the prime of P2P litigation, CD sales (particularly in the US) fell by at least a quarter - but "the theoretical effect of file sharing on record sales and industry profits is ambiguous". Leung identifies social change - particularly as music fades in and out of demographic interest - as perhaps one influence on the decline in sales. If groups - particularly young people - are fading from interest in such phenomena as 'boy bands' and 'pop stars', they are unlikely to purchase as many records as when such artists were in their prime of popularity. Instead, CD sales decline may be identified with the end of "a period of atypically high sales". Research shows that college students in particular do not value CD's at their market price - "respondents' willingness to pay for albums they downloaded was only \$10.66, a value below the average purchase price of a CD", indicative, perhaps, of the fact that the music industry - particularly distributors - are out of touch with their market.

In effect, Heindl's suggested causatory link is undermined substantially by the fact that most end-users of P2P technology are likely individuals who, in the absence of file sharing, would not have bought the music they downloaded". Indeed, if file-sharing were accessed simply instead of purchasing physical copies, then the college-attending population of the US (a huge portion of which are identified as file-sharers using on-campus internet connections) would cause a skyrocketing of CD sales during the summer holiday months - a phenomenon which, of course, does not exist.

The Rise of Alternative Media

A particularly relevant feature in declining sales of physical CDs is the rise of alternative entertainment phenomena - particularly DVDs, video games, and other digital entertainment forms that are perhaps equally of interest to the music industry's market share. Between 1999 and 2003, sales of DVDs and VHS tapes increased by over \$5 billion. During the time in which CD sales have been falling, the prices of substitutes such as DVD's and video games has been experiencing a drop in cost. As such, these alternatives to CD entertainment became further accessible to their former market share. A 2004 report identified that even households without a computer, "which seem unlikely to engage in file sharing", reduced their spending on CDs by 43% since 1999.

Downloading as Precluding Physical Sales

Alternatively, illegitimate downloads of copyrighted content does not preclude the subsequent or prior

purchase of physical copies of the goods - P2P therefore "allowing consumers to sample the music before buying the whole album, similar to hearing tracks at a record store, thereby potentially inducing the purchase of music" - but researchers agree that more work is needed in this field. Nevertheless, "we can reject the hypothesis that file sharing cost the industry more than 24.1 million albums annually".

Illegal File Sharing As Harmful to the Growth of New Business Models for Online Music Distribution

The broad claim that "illegal file sharing is the single biggest obstacle to the growth of new legitimate business models for online music distribution" may, indeed, hold a grain of truth. It is indeed a near impossibility to realistically compete with services that are offering your product free of charge. But the music industry's embrace of online technologies has been a gradual and perhaps painfully slow embrace of new media and distribution methods, and the attempts to catch their market have been woefully inadequate. Sauer notes that "iTunes offers (only) over six million songs... what then of those songs that are not downloadable via iTunes?" - admittedly, this figure has increased in recent times, but still remains a significantly small portion of the exponential increase in music production (particularly by independent artists). Indeed, "75 per cent of the music released by the major labels is no longer in print" due to the huge costs of advertising and distribution - meaning only major parties in the industry will realistically have physical sales available to the consumer.

The Potential for New Technologies

Rather than being a "vehicle for inducing and facilitating mass infringement of copyright" P2P technology does provide a valuable method of disseminating culture. P2P reduces consumer reliance on the producer for anticipating market demand for particular content, and reduced the need for centralised storage facilities from which to send data in response to requests. It allows users to learn about music they perhaps would not otherwise be exposed to.

Heindl's comment that "illegal file sharing undermines the ability of the music industry to obtain returns on investment so that it can fairly compensate the creators of the music" is significantly undermined by looking at actual content creator's returns on physical and digital sales. Sales of physical music earn the composer approximately 2c per dollar - iTunes sales are equivocal when the cost of distribution is replaced with Apple's contractual share of 30%. Artists usually receive very little, if any, income from album sales or royalty - many are actually indebted to recording companies for the manufacturing, packaging, marketing, and distribution of their music: "in the majority of cases, the revenues do not trickle down less popular artists". If the industry was

seriously concerned with "the importance of appropriately rewarding creators of content" they would have adapted to the rise of new, cheaper methods of production and distribution, rather than retaining equivocal rates of return for their performers.

Illegal File Sharing As Detrimental to Content Production

The final element of importance to copyright in the industry is Heindl's claim that it encourages music production by creators – the integrity of copyright must be protected to "ensure its ongoing production and distribution", as if such distribution would cease in the absence of such rights protection. The imperative question is thus "whether the current levels of copying are actually eroding the incentive to create". If few musicians are likely to be successful within the industry, and individuals require a financial incentive to create, "where do artists find this incentive?" . Focusing on the economic rewards of the industry and ignoring the existence of "non-monetary motivators for artists who are willing to 'subsidise' production of expressive works" is all too common in present academic analysis.

Free distribution of works may actually be a profitable means of musicians establishing their brand. The establishment of a consumer base which is genuinely passionate and interested in their product provides artists with a source of revenue of significant commercial value: it guarantees concert attendance, and earns sales through alternative media, public appearances, and merchandise. Bands are already embracing file sharing and free digital downloads as legitimate methods to either promote their name, or reward their fan base: "if people get a chance to have our music, they might be interested to come out and see us play live".

IP as a product of special interests

As such, the focus on copyright in music and its development (particularly recently) should be seen as the strategic area of interest for particular special interest groups, largely consisting of music distributors. It is within their strategic interest to have the priorities of distributors to be associated with the priorities of content producers – but in the digital age, these distinction between these groups has become increasingly obvious. "Laws prohibiting the illegal sharing of music arguably have nothing to do with protecting the rights of creators but those of the corporations that hold the copyright", and indeed those who hold the creators in debt. File sharing via P2P networks has challenged the notion that hierarchical top-down industry and legislative methods were actually necessary for the distribution and enjoyment of music by the public.

History of Copyright

Copyright was established as a 'privilege', rather than a natural right of persons, and as such should be viewed with scepticism. "It is only recently that the courts have ceased referring to patents as monopolies, and that anti

trust legislation has been relaxed". Originally, there was a great tension against copyright owners in the courts - Thomas Macaulay "declaring that copyright was a 'tax on readers for the purpose of giving a bounty to writers'".

The Present Nature of Copyright

Where once it was seen within the public interest to artificially grant a monopoly on information, it is now being seen as an unfair advantage on the side of the copyright holder, and ultimately detrimental to the public interest. The fact that copyright places a bundle of exclusive rights in the hands of the creator perhaps blinds us to the fact that copyright protection imposes costs on society as well: transaction costs involved in maintaining the copyright system, and the significant expenses involved in infringement prosecutions. While the true rationale of copyright is to protect against unfair competition, the current string of P2P cases illustrates that instead, we are perpetuating a system that demands the market bow to the interests of a few, rather than transform in light of new needs.

Proposed Solutions

While Heindl proposes ISP based regulation for users, critics instead propose two alternatives: the establishment of Fair-Use Provisions, or the outright Abolition of Copyright.

Fair use provisions

Production for personal use, and distribution to family and friends of such products, critics say, ought to be covered by a fair use provision. The discrepancy between digital music and other forms of media is illustrated clearly by Lessig's facetious commentary: "if file sharing is to be stopped, then surely libraries and used book and record stores must be closed down". However, even in the US where file sharing provisions are available, courts have been reluctant to acknowledge it with regard to file sharing: "while VCR users only enjoyed their tapes at home, Napster users made copyrighted songs available to millions of other users".

The Abolition of Copyright?

Several critics support the outright abolition of copyright and the associated bundle of rights for music content creators. To them, "the assumption that digital works are entitled to copyright protection is no longer warranted". With the rise of technological availability at relatively low costs, the consumer has actually begun to internalize the cost of distributing works – negating the need for the music industry distributors investments to be secured by the copyright to avoid free riding. The consumer willingly covers the cost of the computer, internet access, storage media and electricity as they are an essential part of daily existence. As such, copyright is only essential for countering alternative market responses, and assuring that major record labels retain a monopoly over the industry.

The full piece, including references, can be found at the URL on p.11. Tesla Kavanagh is National Communications Director for ANZSFL. They study at Deakin University, Melbourne.

Protesting and Libertarianism

The following two pieces follow the successful experiences of Protesting for our liberties - one, from our very own Lara Jeffrey in Australia; the other from F. C. Roeder in Germany

Free Smoke Zones:

Pushing the boundaries of activism and complacency

Lara Jeffrey

Tenacity works. Turning up on Q&A with a five dollar bed sheet and some scrawl, lovingly hand drawn with ten dollars worth of Sharpie, plus zero dollars worth of shouting, combined together earned millions of dollars worth of space on national primetime TV, radio, and a mile of column and blog inches. Continuing to talk to media kept the momentum going.

Socialists are frequently wrong, but they're great at pushing their message, and that counts for so much more than being right in a numbers game like democracy. Civil disobedience gets attention. It's the simple truth. It doesn't involve assault or property damage (I'm looking at you, SAAlt). Fortunately, liberty-minded folks can usually be trusted to show respect for the non-aggression principle.

The Free Smoke Zone is a good example of a non-violent tactic that's been used to great effect. It's exactly what it sounds like – you head to a populated area and hand out some free cigarettes. If you like upsetting the politically correct and wowser types, here are some things to consider when setting up your own Free Smoke Zone, or similarly controversial activism.

1 - Know the law – and inform your volunteers.

Each state regulates handing out cigarettes with its own tobacco advertising act. The national act allows Free Smoke Zones. Most state acts are written with a loophole to allow a smoker to shout a cigarette to a fellow smoker without it being a crime. As such, if you're not being paid or receiving some kind of benefit, don't work for a tobacco company, aren't giving cigarettes to minors, and aren't promoting smoking, you're probably sweet. This should not be interpreted as legal advice.

In the story ABC News ran on the protest [it has since "expired"], Quit Victoria accused Free Smoke Zone organisers MyChoice Australia of being criminals. This author directs MyChoice Australia and has received zero (0) interest from law enforcement bodies in the months before or since, vindicating our position that the protest was not even mildly illegal.

Link - <http://www.abc.net.au/news/2013-12-21/pro-tobacco-group-may-have-broken-law-over-free/5171244>.

2 – Inform the law.

Police and councils like a heads-up about protests. They'll probably come down and have a look, but unless you're forcing cigarettes on unwilling pedestrians (I don't know why anyone would do that; they're hella pricey) or unexpectedly blocking a road the police are not an enemy.

In this video, ABC decided to make up some material and reported that this Free Smoke Zone in Brisbane – cosponsored ANZSFL, MyChoice Australia, and featuring the Smoker's Rights Party's lead senate candidate Rachel Connor – was shut down by Police for not having a permit.

The Free Smoke Zone wasn't shut down at all, but the police did request notice in the future.

Link: <http://www.youtube.com/watch?v=5ML8kq-eSg0>

3 – Inform the media.

The point of controversy is to get attention, and with a bit of planning you can upgrade your audience from hundreds of passers-by to millions of Australians via the magic of media! This is critical because without attention, you aren't exactly showing how spurious the laws are. Write up a press release, send it to some journos/producers, and call them if you know their number. Private companies like MediaNet exist to connect you to journalists. It can be very worth splashing a little cash – but, be warned...

4 – If you're going against the media narrative, the media is not your friend.

That doesn't mean you shouldn't engage with them. Always engage with them. Just speak and act to present yourself in the best light while avoiding any "gotcha" quotes. The narrative says smoking is immoral, so to do anything other than explicitly advocate for tobacco control is presented as pro-smoking. That's why the ABC called MyChoice Australia a pro-smoking group (as well as criminals). A complaint was lodged as we were not asked whether we thought we were breaking any laws. The ABC decided not asking out side of the story constituted balanced reporting. That's okay. We don't do stunts like this for the inner-city latte set. We do it for the 15% of the country that smokes and shouldn't have to put up with decades of legislative bullying (okay, I lied.. we also do it to really rile up the inner-city latte set).

(cont...) So controversy, handled well, is a beautiful thing. I must make clear, though, that I am not saying we should go full Adam Kokesh. NEVER go full Kokesh. There are many stunts that will not build sympathy.

Better alternatives you can use include:

- Hijacking someone else's rally (see Roeder's excellent piece)
- Free speech walls – get a chalkboard or a large canvas, some pens/chalk, set it up somewhere public and ask people, "If you could write anything, what would you write?"
- Mass jaywalking demonstration
- And many, many more. It's all about waging the war of ideas, and getting people thinking and always remember: when all else fails, just call someone a socialist. *(Editors Note: this is a joke).*

Lara Jeffrey is Treasurer of ANZSFL and studies at UNSW.

Taking on the Taxi Monopoly

Frederik Cyrus Roeder

Today I would like to share a lesson on how to obtain large attention with very little financial means and just a handful of people. Especially in my early years of being a libertarian I was always jealous when I saw large labor union protests gathering ten-of-thousands in the streets. I was convinced that the ideas of liberty can only get more attention once we have so many people gathered in each and every city and willing to go on the streets in order to march for liberty.

On the other side I saw big advertisement campaigns from large corporatist interest groups lobbying with money (billboards, fancy socials for politicians, and nice weekend escapes for mayors). Again, I was convinced that the ideas of liberty can only be that successful if we manage to raise a lot of money.

Both are typical chicken-egg problems ... I was very discouraged to actually come up with activism and preferred to stay in the cyberspace in order to discuss with like-minded friends instead of expose more people to the ideas of liberty.

My strategy and attitude towards this has changed dramatically in the recent years. I would like to tell you about last Wednesday where just three young libertarians managed to get on the front-pages of most German major media outlets by merely investing 3 hours of their time and spending less than 22 USD in total:

Fearing the innovative competition from services such as Uber, Taxi drivers all across Europe decided to go on a strike and ask politicians to stop Uber, Lyft & Co. Three German Students decided to launch a counter protest.

**The taxi strike was a PR success,
but just not for them!**

Read more about the protest, including the reaction from the Taxi Driver Protestors, on SFL International's blog at <http://studentsforliberty.org/blog/2014/06/11/sfl-activists-met-by-angry-coin-tossing-taxi-drivers-in-berlin/>

UBER PROTEST TIMELINE

8am: I woke up on Wednesday morning, read about the strike and decided that we should get involved.

9am: I set up a Facebook group and invited all of my friends to join me at a gathering point.

10am: I met up with my colleague Rasmus and we started working on protest signs in PowerPoint

11am: Rasmus and I go to the Copy shop in order to print out protest signs on a A3 format (that's 11.7 x 16.5) - 8 large signs in color costed us 12 USD

12am: We went to the agreed gathering point. Only one additional person joined us. So we were only 3 activists and wanted to protest against more than 1,000 taxi drivers.

12:15: We took an UberPop to the protest site, in the meanwhile a terrible thunderstorm started... The UberPop costed us 10 USD

12:45: We arrive at the protest site - almost no one is there but it's raining cats and dogs and we don't have any umbrellas.

1pm: We are totally wet, the protest site is still very empty (only a couple of dozen of taxis and a stage with some technocrats and we can only spot one camera team from local TV...) - The three of us are tired and we are considering to just leave without doing anything.

1:10pm: We decide to quickly go on the protest square to hold up our signs and potentially catch the lens of the TV team. Suddenly a motorcade of approx. 800 taxis approaches the square and starts parking on the square.

1:11pm: The three of us run on the square between the stage and all the approaching taxis and hold up our SFL-branded signs "Taxi monopoly is so yesterday".

1:12: Suddenly a good dozen of journalists and photographers start running on the square (no idea where these guys were hiding) and start taking pictures of us (not of the taxi drivers).

1:15: We leave the square protected by the police as the taxi drivers weren't too enthusiastic about competition. Some journalists are following us as they want to have some sound-bites and follow up interviews.

3pm: Our protest pictures are running on AP/DPA (largest news agency) tickers and are offered by Getty (large photo agency).

Evening: Our protest pics are featured by most major news outlets in Germany and even international media.

Frederik Cyrus Roeder studied at Fachhochschule Erfurt, Germany.

On Climate Change

Ahmed Suliman

Climate change. Just two words that have a literal meaning of no more than a variance in our weather patterns. However these two words have caused so much tension, debate, conspiracy theories involving anyone who likes to have an opinion, as well as a multitude of new government policies and UN ramblings. The reason for that is the inconspicuous addition of the word anthropogenic, denoting human responsibility. Responsibility for our actions is, as we were taught from a young age, a fine and necessary virtue to have. However as collective specie we seemed to have developed an unwavering phobia against admitting the consequences of our actions.

The science of climate change is reaching a higher consensus with every passing year. I'm sorry to tell you, my skeptic friends, that there is no, in all likelihood, global climate change conspiracy peddled by the Illuminati and green socialists, and facilitated by UN Agenda 21. I live in hope that we all realise that depoliticising the survival of our specie isn't too much of an ask. The issue is real, but that is not say that the solutions we are presented with today are anything near adequate.

More coercive, economically illiterate government taxes are not the answer. The state, in this country and elsewhere, has become adept at creating and maintaining a culture amongst the masses of running off to the Nice Government Bureaucrat every time something needed action. This has legitimised the expansion of the state beyond belief, particularly in areas such as bureaucracy, tax collection and surveillance of its citizens. From a minarchist perspective, I believe that there are no real legitimate duties of a government other than providing safety and justice to its constituents through a strong police system and judiciary branch, and to maintain a defence force that can repel a foreign invasion. That's it. Any other "important" service or product can be produced in high quality and lower prices through a truly free market. Any necessary collective action can make use of the free-willed motivated individuals taking part, not coercively made to come along for the ride by an increasingly Orwellian government.

That last part will prove to be, in my opinion, highly influential in finding an amicable solution to decelerating anthropogenic climate change to a manageable level, while not compromising the

great living standards that free enterprise has brought us since the industrial revolution. In an economic sense, the factors contributing to global warming are considered a negative externality, or actions that affect third parties without punishing the source through market pricing. To account for a negative externality would be to either tax it (which has negative impacts from a national economy health perspective, especially when other countries aren't doing the same) or for those affected to demand compensation. At the moment there are many laws internationally concerning class or individual tort claims that provide polluters with immunity from tort claims. Governments would need to respect property rights (a fundamental tenant of a healthy free market system) enough to repeal such laws and allow those who can show demonstrable damage from the actions of a polluter for example to claim compensation, which can be in the form of class action lawsuits or individual cases. This would force companies and firms to account for such risks in their business cases and logically look towards more environmentally conscious alternatives.

On the topic of environmentally conscious alternatives, the clean energy sector is clearly the way of the future, but constant hampering by the state through high taxation and crippling regulations means that the cost of entry is still too high for most individuals and enterprises. It's a basic principle of human behaviour that you should effectively incentivise a behaviour if you want to see more of it. The importance of the clean energy sector needs to be recognised through decreased taxation and repealing restrictive legislation.

Finally, the personal civil responsibility of the individual is what we need in the face of a challenge like global warming. Throwing away the responsibility onto an inefficient and power-hungry state is reckless. Make sustainable choices in your own daily life, and encourage others to do the same. The work being done by private organisations such as Nature.org, who use donations to purchase forests to preserve wildlife and prevent them from being deforested, is a perfect example of how a non-coercive free market solution to environmental challenges works without damaging our economies or living standards.

Ahmed Suliman studies at UWA

Editor's Note:

We are proud to bring you one of our International Submissions - Mr. Venkateswarlu Geriti is founder and current President of Students for Liberty South India. We hope you enjoy reading his perspective on the future of Agriculture in India.

Will FDI Improve Indian Agriculture?

Venkateswarlu Geriti

Agriculture is India's most significant sector which helped India become world's wealthiest country upto 14th century. Most of the Indian trade has been based on agriculture and its allied products until 19th century, and then shifted to service sector after economical liberalization in 1991. But today, Indian agriculture is facing lots of problems due to government monopoly like high regulated market, weak property rights and lack of proper transport and storage infrastructure.

Indian agriculture is facing long term crisis in both production and trade. The farmer is incurring losses through trade regulations than production. The percentage of agriculture in GDP is declining year by year. The share of agriculture today is 15% of the GDP. People depending on agriculture are decreasing, but still 50% Indian population are still dependant on agriculture. The per capita income of these 50% people is only 18 %. India should take equitable action to solve these problems. Creating of wealth in rural areas is essential. UPA government has hardly brought any upliftment through NREGA (National Rural Development Employment Guarantee Act), instead of liberalizing Indian economy. NREGA failed to create wealth and add value to agriculture.

There exists an inefficient market system (controlled by State) between farmers and consumers. Research says "Farmers are receiving only 35% of the price from consumer payment". Some farmers are only receiving 12% - 20% on products due to ineffective storage infrastructure. Lack of unsuitable transport, storage and infrastructure facilities there is too much difference in profit and losses. There is only 23.6 million tonnes storage capacity available against 200 million tonnes fruits and vegetables. There is only 10 % percent storable grain available due to lack of suitable storage. Farmers are getting lower profits even though consumers are buying at a high price.

India should reduce distance between farmers and consumers through removing government monopoly systems and create environment to produce and trade freely irrespective of crop, session, place and products. Quality based classification of goods, modernized transport, investment, technology and improved storage infrastructure is needed. Most of the domestic companies are opposing multinational companies due to intolerance to competition, but are seeking industries' liberalization in retail trade. India is unable to get good investment though there are a reforms regarding storage infrastructure.

It does not matter who is investing in this sector as Deng Xiaoping quotes- "It doesn't matter if a cat is black or white, so long as it catches mice". Organizational retail trading companies bring changes of reducing market distance, faithful infrastructure, protection value added products. Farmers and consumer will benefit through these actions".

"We need to choose prosperity over poverty; opportunities over alms; and liberty over state controls"

Initially trader will lose profits through competition, but they can balance it through selling more products and will get profits as soon as possible. They can protect products from damage which would be very beneficial for farmers. Rural economy will get inspiration through processing and storage of agricultural products that can create local employment, urbanization and reduce pain of higher prices. Agriculture will gain more investments when markets improved. Many farmers will benefit and so they will be able to focus on increasing quality and more productivity. They will accept technology and contract agricultural methods.

Certainly all constructive regulatory steps should be taken to prevent monopoly of a few crony capitalist MNCs. Retail trade is producing lot of employment opportunities. Retail trade is increasing 13% per year and expecting 25% in modern retail trade. Small retail trade is increasing 10% or higher by every year. So 75% of small retail trade and even foreign retail companies are coming up in big cities. Small stage retail trade will increase up to 50%. The organizational retail trade is however, unable to increase above 20%-30%. In East Asian countries even they have most favorable environment. We will benefit through rising economical development.

India need investments from other countries, foreign Institutional investment and foreign direct investment to remove current account deficit. India is getting 50 billion dollars yearly from Non Resident Indians. Foreign institutional investment will increase through rising of investment market. India will also get technology, development, employment and profit through these investments.

India has the potential to convert our farming sector into a dynamic, globally competitive, fast-growing, job-creating sector. What is seen as a drag on our economy can be a stimulant to growth. We need to choose prosperity over poverty; opportunities over alms; and liberty over state controls. Our farmers have delivered great results against heavy odds and fetters. Once the fetters are removed and the right incentives are provided, Indian farmers can be globally competitive, and rural economy can be transformed.



Venkateswarlu Geriti
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South India.

Libertarians and the Commons are Friends

Darcy Allen

It is no secret that libertarians profess freedom, rule of law, and property rights. Unfortunately, the latter tends to be an immediate reaction to the commons. As the story goes – disputes over shared property are solved by strong application of property rights and binding contracts. I'm not convinced.

We're missing two things: (1) the commons have their foundation in voluntary collective-action governance; and (2) the commons can be conceived as a market. If you were to take 'commons' out of the last two sentences, then most libertarians would be happy. If you put it back in, there are calls for strong property rights to solve self-interested individuals from themselves.

Let's talk about this for a minute.

Collective-action, by definition, is voluntary cooperation between private agents in civil society. Yes, voluntary. Sounds nice, doesn't it? These institutions are complex environments characterised by implicit norms, tacit rules, and operational level decisions. They are not a free-for-all. Nor are they a form of re-distribution.

If you disagree with the commons as a voluntary system of institutional rules to share resources, then you're going to have to disagree with firms, too. That's what firms are – they coordinate and share resources under rules.

Collective-action governance is one of the purest forms of freedom. Contracts are often unwritten and implicit. Punishment mechanisms are set up by the agents themselves. Rules are specifically tailored to the social dilemma at hand. There's little need for state protection of property rights through the courts. A well developed and evolved commons institution is an island of rules near absent from state pressures.

Sounds pretty free to me.

Further, the commons can be conceived as a form of market. Viewing the commons as a market seems counter-intuitive, yet it is not entirely crazy. They just look different; we're not very good at understanding different institutions. The lines between market and non-market transactions are blurred.

This is best demonstrated through example: the innovation commons. The innovation commons are an emergent institution mixing technology and local

Hayekian market knowledge through shared collective-action governance rules.

We have to remember that shared property is property, too. It's not private individual property, like your home – but it is still property. There's still a bundle of rights. There's still exchanging of these bundles. There's still a cost of entering and participating in the commons (often prior tacit knowledge or reputation). Sounds pretty market-like to me; and libertarians love markets.

Let's take a more specific example – hackerspaces. Hackerspaces are collective-action institutions where private agents share local market knowledge, coalescing around certain technologies. The cost to enter the commons is the value of prior tacit knowledge. What's exchanged is knowledge and technology. The exchange just isn't in dollars, it's through your contribution and cooperation (see a recent paper by Kealey and Ricketts 2014, on contribution goods).

The commons are not a free-for-all utopian commune. They're an institution that appears effective at coordinating knowledge. You see, the commons and libertarians should be friends. We just need to take a step back before we (once again) label the commons as a remorseless tragedy and privatise them. Some failures should not render them obsolete. Rather, this should signal the complexity involved. From what we've learnt from economics over the past two decades – institutions matter and complexity matters. The commons encompass the two.

I am not suggesting the commons are economy-wide phenomena. Nor are they infallible (actually, they're highly subject to failure). All I'm suggesting is that the next time you think about the commons, do not think of property first. Think of institutional governance – that is the challenge.

Ostrom suggested that institutional diversity may be as important as biological diversity. The commons are important to our institutional diversity, and should not be lost over an obsession with property rights. Property rights are the easy answer (because we understand them). This does not make an answer correct.

Darcy Allen is undertaking his PhD in Economics at RMIT University in Melbourne. Follow him on Twitter @DarcyWEAllen.

"The commons are important to our institutional diversity, and should not be lost over an obsession with property rights"

Celebrating Crowdfunding

The first half of 2014 has been an amazing time for voluntary charity in the form of crowdfunding. The phenomena itself has gained momentum over the past few years after high profile projects have used the funding model - that is, advertising your idea, allowing for donation levels which redeem donors a variety of 'rewards' for their input, and collecting the funds to make your idea (or operation, social movement, or creative project) a reality. It also serves as a fantastic method of publicising your project and establishing a customer base upon its launch. Following the **amazing** success of such projects as the Reading Rainbow kickstarter - which raised 5 million dollars and counting (of its US\$1 million dollar goal) toward bringing back the well known literacy program for children - we at ANZSFL would like to celebrate a few kickstarter projects which have truly taken off during the first half of 2014.

FOSTERING EDUCATION



BITCOIN: THE END OF MONEY AS WE KNOW IT

A documentary aimed at making cryptocurrency

accessible to the layman. Raised \$7,000 of its \$10,000 goal - so far. The Project is still open - donate now via Kickstarter.com
Based in Melbourne, Australia.

FOSTERING SOCIAL CHANGE



FHS FIGHTBACK

A resource kit made by students for addressing sexism, objectification,

and giving highschool girls the strength and resources to tackle unfair treatment.

Raised \$12,000 of its \$3,000 goal.
Based in Melbourne, Australia.

FOSTERING INNOVATION



LAZERBLADE

An affordable, entry-level lasercutter / engraving tool for artists or

hobbyists to work with these previously inaccessible tools at home. Raised an amazing \$420,000 of its \$45,000 goal.
Based in Melbourne, Australia.

FOSTERING THE ARTS



THE OTTOS: LIVE ALBUM AND DVD

Local band 'The Ottos' used crowd funding to pay for the recording of

their first live album and DVD.

Raised its \$2,000 goal.
Based in Australia.



TOOLETRIES

Innovative new design for a bathroom travel case.

Raised \$28,000 of its \$10,000 goal.
Based in Sydney, Australia



THE DREAM COMPLEX

Artist Nicole Tsang offered her amazing illustrative skills

to bring her backers' dreams - and nightmares - to life for them.

Raised \$6,200.
Based in Sydney, Australia.

Tentative Thoughts on Methamphetamine

Lee Kavanagh

Preface: We need to change the way we talk about drug policy.

No more being timid and apologetic - no more "we don't condone drug use, but," and no more "of course nobody should ever use a drug, but..." Drugs are not bad. That's silly. We, in the 21st century, have been granted an unprecedented degree of health and longevity by modern medicine - that is, by the considered application of drugs. Nobody who understands what a 'drug' is - any substance which, when administered, engenders changes in human physiology or consciousness - can deny that drugs have contributed to our society. The pub, the liquor store, and the coffee shop are all iconic in our culture. They dispense intoxicating ethanol and an addictive stimulant, and these, it is almost universally acknowledged, have contributed to our culture. Is it really so radical to suggest that other drugs might, as well? Is it radical to suggest that the particular character of cannabis might make for kinder and more thoughtful cultural institutions than binge drinking and classic rock?

This is the point: prohibition does not simply deny us the right to make bad choices; often it denies us the right to make extremely important decisions about our personal development. The right to use LSD is not the right to debauchery or the right to stupidity; it is the right to seek alternatives to traditional psychotherapy, which many people have found wanting; it is the right to autonomy in one's own personal or spiritual growth; it is the right to seek artistic and aesthetic pleasure. The reasons people use and sometimes abuse LSD are, according to Dr. Stanislav Grof, who spent nearly half a century studying its therapeutic potential, "extremely serious and reflect the most fundamental needs of human beings - cravings for emotional well-being, spiritual fulfillment and a sense of meaning in life."

The right to use heroin, more controversially, does not only entail the right to self-destruction, though it certainly does entail that right. It also entails the right to seek pain relief or pleasure, as one sees fit. Antonin Artaud put it best when he said that "all the campaigns against narcotic use will only succeed in depriving all the most destitute cases of human suffering, who possess over society certain inalienable rights, of the solvent for their miseries, a sustenance for them more wonderful than bread... Only an idiot... would claim that we should let the sick stew in their sickness." He compared self-medicators of sadness to "unhappy escapees from hell, escapees destined ETERNALLY to reenact their escape." It is worth reflecting on the fact that we so often find ourselves resenting somebody's mangy raft and not their Alcatraz.

Too often, libertarian discourse buys into the notion that drugs are, a priori, a problem, and focuses on the extent to which prohibition fails to 'solve' this problem. Sometimes they suggest that social mores can prevent people from using drugs, but the question is why we should want to. Drug users make rational choices. That's why they do drugs - they hold some utility to them. They make people happy when they're sad, energetic when they're tired, soothe anxiety, ease social situations, and enhance the appreciation of art. Why should we want to prevent any of these things? My point is that we need to overhaul the way we talk about drug policy. We should be prepared to defend the moral legitimacy of drug use and to dispel the hysteria from which prohibition derives its support. We'll never get anywhere by timidly demanding the legalization of the most inoffensive substance on the planet. We need to start seriously agitating for the rights of all drug users.

Notice that most popular analysis of meth use is conspicuously based on a comparison between people who use meth and people who don't. Horror stories are told which, granted, are informative and not uncommon, but one might begin to think that there is only one kind of meth use. This is akin to presenting the most destitute alcoholic as an example of 'what alcohol use does'. Not what it can do but what it unequivocally does. I point this out because very few people could fail to see through this logic when applied to alcohol, and yet most buy it hook, line, and sinker, when it's applied to meth.

When we observe emaciated, addicted, destitute individuals, when we observe damage to

mental health, the most important thing to know about these people is surely not that they use meth, but the particular pattern and context of their meth use. We should wonder just how large a share of meth users these stories comprise. And we should identify what makes these patterns and contexts damaging, and conversely what makes other patterns and contexts relatively benign.

Usually the factors which make particular patterns of meth use damaging are obvious.

Val Kilmer's documentary talks about workers on oil rigs who, the documentary alleges, use meth to work for a week without break. This parallels a

popular story in cheap non-fiction and mass produced documentaries, the particulars of which change from case to case: people correctly identify the amazing implications methamphetamine has for productivity, they feel (as meth makes one feel) that they're superhumanly able, and they stay up and work or party for preposterous lengths of time with no sleep and often no food. Apparently people who use the drug like this sometimes die. Well fuck; who'd of thought, right?

We've acknowledged the spectre of the problem drug user, now lets put him in context. The National Survey on Drug Use and Health found that just 3% of people who have tried meth had smoked it in the previous month. Patterns of crack use have been more alarming, but even at the peak of its popularity only 10-20 percent of users became addicted. Even during the period of history when drugs like cocaine and heroin were freely available, which some historians, with their characteristic zeal for objectivity, have taken to calling "the Great Binge," only a small minority of the population were addicted.

Still, there are some concessions to be made. Even 3% addiction rates have proven to be quite damaging to a lot of people and a lot of towns. This is still a serious problem, and we need to think about solutions. In this, I think, is the key to sympathizing with some propagandists against drug use and for prohibition: they are responding to the human suffering they have observed with policies and agendas they believe will alleviate it. They're just badly informed. I was slightly touched by the explanation given by the creator of *Faces of Meth* in Val Kilmer's documentary, about what he does and why he does it:

"My greatest hope for my project, is that young people will see it- that one young person will see it and say, 'you know what, that's not for me'. The feeling of disgust associated with that drug will carry over into that child's life, so that when someone passes him or her the pipe, he or she will say no without a second thought... Appearance is important at that age; you gotta have the right kinda shoes, and you gotta have the right kind of clothes, and if you're a parent, boy, you sure know that. So all I did was play on something that kids found very important, and that got their attention long enough for me to give them an education, and uh...that's, that's the best I can do."

The sincerity is written on his face. He is doing the best he can to alleviate a real problem. But what kind of education is he giving them? Well, it isn't a lasting education for two simple reasons: the disgust for meth he wishes to instill is ill-informed (with regards to the drug itself, not to the chronic addiction

addiction he paints as definitional of the drug), and a feeling rather than an actual education, and more importantly it is a feeling which I can tell you is obliterated by 20 milligrams of methamphetamine. That is fundamental to developing a better education. If their old, dishonest education is obliterated the moment they step into drug use or drug culture, then we're leaving them totally unequipped. The question, obviously, is what tools will help people when they reach this point, as they invariably do. "Don't do meth" didn't work - can we tell them how to do it more safely now?

I know it's not as simple as deciding not to be lethally stupid with your drug use, sometimes, but I'd like to propose a hypothesis at this point. I believe that if people who desire the boost in productivity meth inspires were well enough informed, they could responsibly use it for this purpose. Clearly the first thing to understand is that human beings, get this, need to eat and sleep. Don't stay awake for more than 24 hours, that's stupid. Don't use any drug for more than 12 hours straight, at the very outside. Eat. For the love of God, EAT! Don't smoke it, and don't habitually redose. Eat fifteen or twenty milligrams in the morning, maybe even a little at lunchtime, but that's enough. Respect the law of diminishing returns: the more meth you do, the less meth will do for you. Take conservative doses (it's a powerful drug anyway), and not every day - for the sake of your tolerance, your wallet, and your future. Granted, it is sometimes not that simple, but I believe most adults are perfectly capable of following this advice, and I believe further that very few have ever been given it.

This represents a subtle but fundamental shift in the way we educate people. While the Madison Avenue style propaganda discussed above is essentially targeted broadly, and at people who probably have no interest in methamphetamine, this idea means delivering education about methamphetamine to those who would benefit from it most: those considering trying it, and those who already use it. It involves taking information vital to the safety of a particular demographic, making it simple and digestible, and effectively delivering it to that demographic. I think it's safe to say that targeted education would probably achieve better results than Madison Avenue style propaganda.

For more solutions, we might look to the factors which led to it taking off so strongly in the midwest United States. And we might also keep in mind that catering to a valid need or desire is not inherently unethical - meth, it has to be acknowledged, creates

jobs, and could do so more responsibly and peacefully if it were legal.

Anyway, the meth trend in the Midwest US had a lot to do with economic depression. It was a rare growth market in an otherwise stagnant economy, the plainest implication of which is that it was (and is) capable of lifting large numbers of people out of poverty. In addition, and this goes some way towards explaining the previous fact, it allowed struggling people to work the incredible hours that conditions, engendered by their government, demanded of them. Taken together, these two facts suggest that problem meth use would not be as widespread as it is had the worker not been systematically disenfranchised for the last few hundred years. This is one significant solution to the 'meth problem' people observe: in addition to better education, we can cease to create the conditions in which problem meth use thrives.

This is important: drug users make rational choices. A lot of the popular knowledge about addiction derives in part from thoroughly flawed experiments, in which a rat is taken from its natural environment, is deprived of all stimulus, can only use a drug and -suprise, suprise- does so frequently. Later experiments have demonstrated that test subjects can and do choose other stimulus over drugs – when given a viable alternative means to their end, they will pass up drugs. Something else we can do, then, is to provide such alternatives, so that drugs like meth and crack don't have to bare the full weight of our legitimate desires.

In short, unbiased and targeted education, economic freedom, and a robust civil society are capable of rendering meth benign to society – as it is already benign to the majority of people who use it.

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On Welfare

Aiden Depiazzi

Libertarians across the nation beamed with approval when the Commonwealth Government announced that it would not be providing the \$25 million assistance package to SPC Ardmona that the fruit processing company had requested. It indicated at the time that the Coalition was keeping to its election promises to spend wisely and spend thriftily, given the budget situation, and was in keeping with the rhetoric that surrounded the decision to provide no further support to Holden as well.

Corporate welfare is, in any circumstance, a sickly and unpleasant policy pursuit. Providing taxpayers' funds to a private enterprise in this gift-giving manner sends the message that businesses needn't plan carefully to stand on their own two feet; rather, if they fail, they can simply call on the public dollar to keep them afloat.

In the century of Asian free trade arrangements, Australian firms need to dynamic in responding to changes in cost structures. SPC Ardmona was not. Cheaper, comparable-quality products imported from Asia crowd out their product, but as their revenues continue to shrink, their costs grow ever higher. Mid-range workers were being paid 38% above their award wage, and that's before we take into account the very generous leave arrangements, allowances, and up to 104 weeks' full pay upon severance. The source of the bizarrely high wage arrangements is no mystery either (particularly because the EBA is a public document): SPC Ardmona is practically a union office. They have 8 full-time union organisers onsite, each entitled to 5 days' paid leave to attend union training, regardless of disruption to the business. The organisers are also permitted to conduct union business on company property and on company time, whenever they like. And the sour icing on the rotten cake is that SPC workers are forced to buy income protection insurance from an insurance company that is partially owned by wage arrangements is no mystery either (particularly because the EBA is a public document): SPC Ardmona is practically a union office. They have 8 full-time union organisers onsite, each entitled to 5 days' paid leave to attend union training, regardless of disruption to the business. The organisers are also permitted to conduct union business on company property and on company time, whenever they like. And the sour icing on the rotten cake is that SPC workers

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SPC sealed its own fate when it signed on to an EBA that hamstrung its ability to be cost-effective and to find necessary efficiencies in times of falling revenue. It has precisely nothing to do with the government or with the average Australian taxpayer. The Commonwealth Government's decision was the right one. Let's also bear in mind that SPC is a subsidiary of a multibillion-dollar company that reported a \$558 million profit in 2012-13. SPC was not standing alone when it asked the government for a handout; the \$25 million in public money would have been a free gift, there purely to boost the return that CCA made on its own investment in SPC's future.

Libertarians should therefore be understandably upset at Denis Napthine's announcement that the Victorian Government will donate \$22 million to SPC. I use the word "donate" very carefully, to combat the ridiculous and erroneous use of "co-investment" used by the company, the union, and the Federal Opposition. It is a vicious attempt to mislead taxpayers by implying that they will make a return out of the payment. Well, they won't. It's cash in hand for Coca-Cola Amatil, and nothing else.

My criticism of the Victorian Liberal Party's decision leads nicely to my criticism of the Federal Liberal Party's support for Cadbury. Unlike most Liberals, I'm not going to attempt to summon a defence for giving \$16 million in taxpayers' money to Cadbury in Tasmania. It was a poor decision. The reasons for it being a poor decision are reasonably simple. The first is that, as described above, all forms of corporate welfare are wrong, and rewarding rent-seeking behaviour is the worst possible response a government can have to lazy corporate management. The second is that the circumstances surrounding the two cases are just too similar to attempt to differentiate. CCA doesn't deserve taxpayers' money to support SPC because it is a \$5 billion entity that reported a \$558 million profit in 2012-13. Well (according to the latest available figures) Cadbury is a \$10 billion entity reporting a \$674 million profit. If CCA can afford to sustain SPC, then Cadbury can afford to sustain its functions in Tasmania.

Decisions like these represent a mindset in which businesses operate sloppily and statically, in which we frown on competition and free trade, and in which the power to determine whether or not a company is viably competitive rests with trade unions instead of with market forces. Such decisions should be condemned by all liberals and libertarians, especially those with voices inside government. If a business cannot sustain itself in a world of competition and free trade, then it should die. No ifs, no buts, no maybes.

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