

LIBERTY PLEDGE newsletter

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Libertarian blogger is newest member of LP Pledge Club Tim West offers insight and up-to-date information on “Liberty for Sale”

Editor's Note: Tim West, of Charles Town, West Virginia, is a new member of the LP Liberty Pledge Club. Since he is journalist himself on his libertarian blog (short for web-log), we asked him to compose his thoughts on some topics in order to get know the man behind Liberty for Sale a bit better. Here is Tim West, in his own words.

How did you become a Libertarian?

I came to the Libertarian Party through watching Andre Marrou on C-SPAN when he was running for President. I took a look at the web site and studied a bit—and decided the LP probably wouldn't win any elections soon, but that I still agreed with the basic premise of the LP. This premise — that people should be free — is the most powerful political message in the world. I wanted to be a part of it.

What most influenced your political beliefs?

I would have to say that one book helped me to know I was a libertarian was Peter McWilliams' *Ain't Nobody's Business If I Do*. It is the best introduction to libertarian beliefs for the average person I have ever read. Many libertarians are influenced by Rand or Rothbard; I can't stand either one of them. I like positive libertarianism, so I much prefer McWilliams.

What are your feelings regarding philanthropy?

Giving money to something you believe in expands your being beyond yourself. The limitations we all have as people start to fade as we join with others who are of like mind, and by giving you can achieve things that are otherwise impossible to do.

To donate a regular pledge to the LP is the most important thing the average libertarian can do to provide support. Now that the LP is a zero-dues party, regular pledges are critical. When the money comes in pledge fashion, you can build strategies around that steady income.

Have you ever run for office as an LP candidate? What was that experience like?

I ran for the West Virginia House of Delegates in 2000. I did manage to get 3% of the vote in a three-way race, but it was a humbling experience. I was so sure that as a libertarian I had the right answers and the superior ideas. I found out quickly that gets you nothing in a political contest.

I got attacked with the LP platform in front of hundreds of people at the largest candidate forum in the area. What gets you elected in a political contest is money, organization, and goals. It's

just that simple. I am planning to get appointed to the local zoning board where I think I can have a positive effect for homeowners.

What other types of grassroots efforts are you involved in?

Right now my primary LP activity is running my blog, www.libertyforsale.com, which is getting anywhere from 200 to 400 individual readers a day. Liberty For Sale (LFS) has taken on a life of its own now!

My co-authors are Stephen Gordon of Alabama and Tony Torres, county chair of Fairfax County, Virginia. They do a great job. I also help out LP candidates the best I can with donations.

Outside of politics, what do you do in your spare time?

I like to be with my fiancée Gloria, but I don't actually have much downtime. I live quite the online life because of LFS. Blogging is actually a part-time job.

What do you think is the most important thing for the Party to accomplish within the next year?

We just started zero-dues, and we have to make sure that is going to work before we go on to the next thing to improve upon. America really needs a viable freedom-based political party. Our future as a country depends on it.

“To donate a regular pledge to the LP is the most important thing the average libertarian can do to support the LP Now that the LP is a zero-dues party, regular pledges are critical.”

— Tim West

Pledging is more important than ever with “zero-dues”

Recently, the Libertarian National Committee voted to set membership dues for the Libertarian Party at zero, opening the door for anyone to become a member of the party at no cost.

The shift to a zero-dues structure will essentially move the LP from an organization heavily focused on membership to an organization that is donor-based and focused on winning elections. The move to the zero-dues structure will take effect on Jan. 1, 2006.

Soon, the LP's income will be based solely upon donations, so current pledgers are strongly encouraged to increase their monthly pledge if possible in order to ease this transition.

To increase your monthly support, contact Jessica Neno Wilson, to update your pledge. You can contact her by calling (202) 333-0008 ext. 235 or by e-mailing her at pledge@lp.org.

Eminent domain ruling gives developers options

By Rob Robertson and Amos Maki

Opinions are mixed regarding last week's 5-4 decision by the U.S. Supreme Court that effectively expanded the use of eminent domain for private economic development.

In the case of *Kelo vs. New London, Conn.*, the court held that New London could purchase and remove private homes and businesses to make way for a private riverfront development project because of the potential economic benefit the boost in tax revenues would create.

Kevin Walsh of Harris, Shelton, Hanover, Walsh PLLC, calls the court's decision "an unfortunate expansion of public use."

Walsh has an emphasis on eminent domain in his practice and has represented property owners in cases brought by governmental authorities to take private property.

"I found it disappointing that Judge Rehnquist was not able to muster a majority for purposes of protecting private property rights," Walsh says. "This decision essentially allows governmental entities to take property in the name of public use under the 5th Amendment of the Constitution solely for the purpose of generating additional tax revenue."

Still, there are additional levels of scrutiny to consider regarding the application of Tennessee state law, Walsh says. Tennessee has its own clause with regard to the right to take private property.

"I'm not sure it would be interpreted any differently, but you would have to consider not only the Tennessee Constitution but the enabling legislation or statute under which the power of eminent domain has been delegated," he says.

Jim Arthur, an attorney at Armstrong Allen, says Tennessee's eminent domain clause is not more restrictive; it essentially mirrors that of the federal Constitution and has been construed by state courts in lockstep with the U.S. Supreme Court.

The New London case, therefore, may have a particular relevance if a similar situation were to occur here.

"According to the *Kelo* majority, I see nothing to stop the City of Memphis, or some agency to which it might delegate its power of eminent domain, from condemning every square foot of riverfront property in furtherance of some development plan it pronounces to be of 'public benefit'," Arthur says.

Virginia McLean, president of Friends for Our Riverfront, a group that opposes the RDC's proposals, says that won't happen.

"The Public Promenade is protected by the Tennessee Supreme Court's prior decisions involving the property and the Tennessee Constitution," McLean wrote on the group's official Web site. "We believe that if the RDC attempts to condemn the Public Promenade, the Tennessee judiciary will reject the U.S. Supreme Court's reasoning in *Kelo*."

At the other end of the spectrum is retired attorney Hal Rounds, chairman of the **Libertarian Party** of Shelby County, who says the *Kelo* case is fraught with dangers to everyone who intends to work, invest and build something.

"We have gone from being property owners to conditional custodians at the pleasure of our government," Rounds says. He believes the matter is not settled, in part because as Justice Clarence Thomas noted in his dissent, the entire body of cases cited by the majority rests not on Constitutional law but on other precedents.

Should the next similar case go back to the 5th Amendment it could overturn more than a century of decisions. In the meantime, Rounds believes the *Kelo* case, while potentially unlawful, strengthens the hand of the city.

The problem with the decision, as Arthur sees it, is that it lowers the standard for governmental exercise of its power of eminent domain to an all but meaningless level.

(Above) *Memphis Business Journal*, Memphis, Tennessee
July 3, 2005

(Below) *TimesArgus.com*, Montpelier, Vermont –
June 12, 2005

NH Libertarian arrested in airport protest

Associated Press

A Keene man who tried to board a flight carrying nothing but a Bible and a copy of the Declaration of Independence was arrested Saturday at Manchester Airport.

Russell Kanning, 35, was arrested after refusing to comply with security screening procedures and refusing to leave the screening area, according to the Rockingham County sheriff's department. He was charged with criminal trespassing and was being held at the Rockingham County jail.

Kanning's wife, Kat Dillon, said her husband has refused to have his bail posted and will remain in jail until his arraignment Monday. She said sheriff's deputies were very kind in handling the incident.

"He went in with his Bible and his declaration, and when he refused to be patted down and all that, the sheriff led him off and arrested him," she said in a phone interview Saturday afternoon.

Kanning, an accountant and staunch **Libertarian**, said last week he hoped his actions would highlight what he considers overly burdensome state intrusion.

"What he was trying to get across is that people need to be able to travel with dignity," said his wife. "They've just gotten to a point where security is ridiculous."

"If comes to a point that if you think something has to be done and you don't think petitioning the government will help, you have to stop complying with bad laws," Dillon said. "We don't want to hurt anybody. We don't want anybody to get hurt. We just don't want to comply."

Court decision foes target Justice Breyer's private property

By David Corriveau

If the **Libertarian Party** of New Hampshire and its allies have their way, someday two stone monuments will stand on U.S. Supreme Court Justice Stephen G. Breyer's Plainfield property.

Short of that, the Libertarians hope to cause Breyer some discomfort for his vote last month on a controversial court decision freeing cities and towns to take land and turn it over to private developers. They are planning a petition drive asking Plainfield voters to take Breyer's 167-acre vacation retreat by eminent domain at their 2006 Town Meeting. After ousting the Breyers, the Libertarians would create "Constitution Park," to include one monument commemorating the U.S. Constitution and another for the New Hampshire Constitution.

"The point is: What goes around, comes around," said Mike Lorrey, the Libertarian Party's vice chairman in New Hampshire's Second Congressional District. "This is a way of saying, 'You're going to be held to your own standard.'"

The effort follows up a California businessman's proposal to test that court's decision by taking Justice David Souter's Weare farm by eminent domain and replacing it with a "Lost Liberty Hotel." Lorrey said that Edward Naile, president of the Coalition of New Hampshire Taxpayers, has recruited some Plainfield residents to seek signatures for the petition involving Breyer's land. Naile did not return messages left for him Wednesday.

At the town offices in Meriden yesterday, Plainfield officials said they have yet to see any proposal come in resembling the letter that Logan Darrow Clements, CEO of the Los Angeles-based Freestar Media, faxed to Weare Town Hall last month.

"We haven't had a person call, ask a question or anything along those lines," Town Administrator Steve Halleran said.

"When it comes, if it comes, it'll be fun to see what happens," Halleran added.

If a petitioner comes up the long, winding driveway to Breyer's 4,964-square-foot log house looking for signatures, that person probably won't find caretaker Gordon Wilder in a fun mood. Wednesday, he told a reporter seeking Breyer's opinion on the Libertarian Party's eminent domain proposal to leave immediately or expect a call to the police.

After Clements's letter reached the Weare town hall last month, citing Souter's street address, it soon found its way onto the Web site of conservative pundit Rush Limbaugh. The town responded by posting police cruisers at the edge of

Souter's property.

Clements's company styles itself as fighting "abusive" government through a Web site and a cable television show. In his fax, Clements pointed to the 5-4 Supreme Court decision supported by Breyer, Souter and fellow justices John Paul Stevens, Ruth Bader Ginsburg and Anthony Kennedy.

The majority upheld the constitutionality of a decision by the city of New London, Conn., to take a neighborhood of homes along the city's waterfront by eminent domain and turn the property over to a private developer who would build offices, upscale housing and a \$300 million research center.

Political Parties Sign Up for Listing on Ballots

By Rebecca Breeden

Leenie Halbert seemed giddy for a Monday morning.

The beaming New Orleans political activist put on a green miniskirt, some beaded bracelets and headed to Baton Rouge. Her mission: To qualify the state Green Party with the Louisiana Secretary of State's Office.

Some political parties in Louisiana are taking advantage of a new state law that allows candidates other than Republicans and Democrats to name their party affiliation on the ballot. Before this year, the state blanketed all third-party candidates into a category called "other," and voters couldn't distinguish fringe candidates from independents, Greens or Libertarians.

"Elections don't belong to just Republicans and Democrats," said Michael Wolf, a Baton Rouge lawyer and **Libertarian Party** activist. "This law gives awareness to independent voters and lets people learn about partisan alternatives. We should welcome those interested in breaking the 'repubocrat' monopoly."

Act 889 which was enacted to avoid repressing third parties, requires minor political parties to have at least 1,000 registered voters in Louisiana and a \$1,000 fee.

The Libertarian Party of Louisiana — with a philosophy of personal responsibility, free markets and less government intrusion — was first to file for qualification under the law.

As of Monday, three political parties have qualified for recognition on state ballots — the Libertarian Party of Louisiana (1,435 registered voters), the Green Party of Louisiana (1,064 voters) and the Reform Party of Louisiana (2,439 voters). Louisiana has at least 588,729 voters registered as "other party," most of whom have no party affiliation.

Qualified parties also must present a candidate in a statewide election at least once every four years. Since 2002, at least 11 Green candidates have made a bid for office, mainly municipal elections around the New Orleans area. In five years, at least 18 Libertarian candidates have run for office, from U.S. congressional races to the governor's race.

(Above) *The Concord Monitor*, Concord, Massachusetts — July 29, 2005

(Right) *The Advocate*, Baton Rouge, Louisiana — August 9, 2005

Americans know the right to Freedom of Speech

By Shyloh Karshner

Don't like what you hear? You may have to live with it. The fact that most people dislike any given message, speaker, or cause doesn't mean that they -- or the government -- can legally silence the speaker.

At least not in the United States.

Studies show Americans may not know all of their First Amendment rights, but if they know one, it's usually freedom of speech. The First Amendment forbids the government from, among other things, abridging that freedom.

Americans usually proudly embrace the right to speak freely -- at least until they fervently disagree with someone else's speech or expression.

Don Wruck practices law in Crown Point and teaches media law at Valparaiso University. He said challenges don't arise over speech the majority finds acceptable, but what is found widely unacceptable.

"What's really interesting -- and it's illustrated when you look at the history of the cases that have come before the Supreme Court dealing with the First Amendment -- is the First Amendment ends up protecting speech that most of us don't want to hear," Wruck said.

"As a general philosophy, the courts embrace the marketplace of ideas and principles," Wruck said. "The Supreme Court has consistently told us that speech, good and bad, needs to be out there.

Wruck said people need to understand the First Amendment is intended to protect against the government infringing upon anyone's and everyone's rights, not just those of the acceptable or popular.

Experts interviewed said American society is served because the right itself -- not a given idea, person or particular speech -- is protected.

Still, the First Amendment protections are not a blank check for anarchy.

Elaine Badnarik will admit that libertarian views aren't the most popular in Lake County, where she has lived for 49 years. She does, however, enjoy the right to her freedom of speech, just like everyone else. Maybe more. And she wants everyone to know, "Libertarians aren't kooks."

Badnarik ran for Indiana lieutenant governor on the Libertarian ticket in the 2004 elections. Her son, Michael, ran for president on the same ticket.

"The main idea of the **Libertarian Party** is to follow the Constitution the way it was written," she said. "There is a difference between what goes on and what the Constitution says is correct."

She said the freedom of speech is important because everyone doesn't have the same philosophies.

"If that's taken away, we no longer have a democracy, and it's already on the skids right now," Badnarik said. "We have very few freedoms."

(Left) *The Times of Northwest Indiana*, Munster, Indiana – July 5, 2005

(Below) *Decatur Daily*, Decatur, Alabama – June 30, 2005

Seizure ruling surprises local officials

By Deangelo McDaniel

Three area elected officials were surprised by the U.S. Supreme Court's ruling that gives local governments the authority to take private homes and businesses for private developments.

Local officials and not federal courts, the justices said in a 5-4 decision, know what developments are best for their communities.

"I think the court's ruling goes well beyond what the eminent domain law was intended for," said Decatur Mayor Don Kyle.

Hartselle Mayor Dwight Tankersley and Athens City Council President Jimmy Gill were not as adamant against the court's ruling.

But both said the circumstances would have to be extraordinary before they would take private property. "Under normal circumstances, no, I'm not in favor of ever using this," Tankersley said.

Added Gill: "I don't think I would support it unless it was something that created a lot of jobs or a lot of revenue for the city."

Had the court's ruling been in place almost 2½ years ago, Hartselle may have moved ahead with seizing private property near Alabama 36 and Interstate 65.

When a deal to lure a motel and two restaurants to Hartselle soured in October 2002, the council talked about condemning the landowner's property.

Former Mayor Cliff Knight opposed the proposal, and the council members stopped the proceedings when City Attorney Larry Madison told them it would be difficult to get a favorable ruling.

Thursday's ruling changed the rules. The court has said that local governments no longer have to prove a public use such as a new school or road before seizing private property.

Michael Dixon, national chairman of the **Libertarian Party**, said the court's ruling sets a "frightening precedent" that will affect poor and middle-class families across the nation.

"Dazzled by the possibility of increasing tax revenue and employment opportunities, local government officials will now be able to claim entire communities for the benefit of private corporations," he said in a written statement.

Mayoral candidate Rider reveals rescue plan

By **Debbi Farr Baker**

Mayoral candidate and **Libertarian** taxpayer advocate Richard Rider unveiled his plan Tuesday to rescue the city of San Diego from its \$1.4 billion financial crisis: Use the Yellow Pages.

Calling it the book that public employees fear most, Rider said 8,000 of the city's 11,000 jobs could be outsourced to private contractors at a fraction of the cost of what the city pays now.

"When you factor in the pensions, the health care and the other benefits, an astonishing 78 percent of the city budget goes to city workers," Rider said. "We need to put a stop to this, that's what breaking the budget."

Standing in front of a Staples office supply store in Kearny Mesa to make his point, Rider, 59, said that while the city pays 15 to 25 cents each just to make a copy, it could be done at Staples or similar stores or print shops for only 4 to 6 cents each.

Rider said the most basic problem with the pension benefits and the pay that goes to city workers "is not the dishonesty that's been involved in hiding the degree of benefits, not the annual cost, not the huge deficit or the quid pro quo but that it's fundamentally wrong, immoral, to tax people to pay people who are making 25 to 40 percent more than they are and then give those people pensions that are two to four times higher than what private sector pensions are, if indeed you get a pension at all."

The city also faces additional unfunded retiree health care costs that total at least \$500 million.

Rider said it would take three years to implement his plan. He said he expects the city's unions will fight the plan tooth and nail, and that he is prepared to be reviled and unpopular, and not re-electable.

He said he would not raise taxes, and would only file bankruptcy on behalf of the city as a last resort, saying the outcome of such a step would be uncertain and a "roll of the dice."

He also pledged to take a 30 percent pay cut in the mayor's \$100,464-a-year salary, to cancel plans to build the downtown library and to call for California state legislators and city politicians to no longer take pensions.

He also emphatically said there should be no more subsidies for sports teams.

A poll released this week by Datamar Inc., a local independent polling company, showed Rider had just 1 percent of the vote, trailing Frye with 41 percent and Sanders with 34 percent. Shea and Shelby had 4 percent each while Francis had 3 percent.

There are 11 candidates vying to replace Mayor Dick Murphy in the July 26 special election. A runoff will be held in the fall if no candidate gets a majority of the votes.

(Left) *Union Tribune*, San Diego, California – June 14, 2005

(Below) *The Kentucky Post*, Covington, Kentucky – June 23, 2005

Independents to be recognized

By **Feoshia Henderson**

Third party and independent Kentuckians are anxious for an anticipated voter registration change that could allow them to identify themselves on voter rolls by the fall.

Donna Mancini, head of the state **Libertarian** Party, applauded the Kentucky Board of Elections for working to comply with a state law requiring county clerks to enter the specific party affiliation of third-party voters into the state's electronic registration system.

The General Assembly passed the law in 2002 as part of an omnibus election reform bill.

"We knew they were waiting for the money to do it, this is just an outstanding breakthrough for us," she said. "I expect the party to grow by leaps and bounds now that we can find people affiliated with the Libertarian Party."

Lexington attorney Gatewood Galbraith, one of the state's most well-known independent candidates, said the change was a long time coming.

"There are lots of folks like me. I've been an independent since 2001 and I'm fed up with all the parties. I refuse to accept dogma," said Galbraith who captured 10 percent of the vote in a 2003 statewide run for Attorney General.

He said allowing voters to identify with a party would promote more awareness of other political views.

"I think it will help target independent voters and promote discussion and acceptance from the general public," he said. "It's an identity tag people will wear with a little more candor and a little more pride."

Republicans and Democrats rely on voter registration lists to identify potential supporters and donors during campaigns.

Currently voters can register as a Democrat, a Republican or as an "other."

There are 168,267 "other" voters in the state, including 25,250 in Boone, Kenton and Campbell counties, according to Kentucky Secretary of State's office.

Board of Elections Executive Director Sarah Ball Johnson earlier this year said the state had to wait for promised funds from the federal government before making the change.

To pay for it, the state will dip into the \$32 million it received from Congress as part of the Help America Vote Act of 2002. She said it should start tracking Independent and minor-party voters this September, far ahead of next year's May primary.

Florida Libertarians are great coalition builders

By Mike Davis

As people seem to like Libertarians more and more, perhaps the simply most unnerving evidence of Libertarian appeal is this: 98% of the people who vote for their candidates aren't even formal members of the **Libertarian Party**.

Libertarians turn pre-conceptions of government and politics upside down. One reason might be in their ability to do politics by ideas, listening, and legwork at a time when it seems nothing can be done without glitzy ads and vast finances.

Despite their advocacy of individualism, Libertarians have in fact long had a reputation in sophisticated political circles as savvy coalition builders and diverse community leaders able to quietly build consensus, find common areas, and get things done.

It must be so, as several community groups met to look at common issues in a meeting co-facilitated by the Libertarian Party of Pinellas (<http://www.LPPinellas.org>) for Tampa Bay community leaders. The meeting was held at National-Louis University.

"We value the Libertarian perspective on civil liberties and their consensus skills," said Candi Jovan, an organizer for Common Ground, which is sponsoring the series of brainstorming meetings, who also praised other facilitating members of the event. "Their ability to apply principle in practice often attracts many community leaders," said another attendee, "The ones I've met get it done and are fun."

Continuing self-criticism is part of their sharp edge. They perhaps unjustly have a reputation as a debating society, as new members come to some meetings unawares and find participants arguing Robert's Rules, and schooling themselves on a range of topics from local policy minutiae to discussing Immanuel Kant's effect on welfare economics.

Yet this also makes them formidable debaters, and often they lose an election battle but win the war as opponents must address the points they bring up and promise to implement Libertarian ideas. Plus college and high school students, who will in the long run determine much of the country's direction, love the challenging discussions.

Paradoxically, Libertarians can cheer up by listening to their opponents. "If you like small government, join the Libertarians, they have class," says former Florida Democratic Senator Graham.

Former Republican Congressman Bob Barr notes that "Increasingly if you don't think Libertarian ideas are increasingly mainstream and effective, you're not in the mainstream or effective." on a local Pinellas radio show run by Libertarians.

They must be doing something right, not only in Pinellas, but Florida: Libertarians hold a small, growing, portfolio of influential local positions there from Soil & Water Boards to the advisor on economics of the Governor, who is also the

President's brother.

They have led successful coalitions on difficult issues, such as Revision 11, which overnight--that is, after 15 years of relentless, polite team organizing--changed Florida's anti-third party election laws from among the world's most stringent (Libertarians noted that Russia's laws were more liberal, and the media soon ridiculed laws it previously had supported) to among America's most enlightened.

That's a phrase you hear about Libertarians in Florida: polite team players and relentless.

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Welcome to the Liberty Pledge Club!

Allan Jensen
Allen Chapin
Andrew Howe
Arthur Torrey
Brian Peterman
Cameron DeJong
Chuck Moulton
Emily Salvette
Gregory Harpel
James Findlay
Joe Dumas
Johan Keller
John Pickett
Joseph Specht
Joshua Ray
Larry Hamilton
Mark San Souci
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Thank you for your generous support of the Libertarian Party!