

# LIBERTY PLEDGE

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## newsletter

## Divided We Stand

### What to expect from the long-awaited, much anticipated return of gridlock

*Editor's Note: The excerpt of the article printed below was taken, with permission, from Reason Magazine online's February 2007 edition.*

As President Bush astutely noted, the midterm elections were “a thumpin’” for the Republicans. En route to losing majorities in the House and Senate, the GOP failed to pick up a single House or Senate seat formerly held by a Democrat—the first time a major party has failed in such a spectacular manner since 1980. Overall, 27 Republican incumbents went down in flames. And two-thirds of the districts that flipped to the Democratic side of the ledger were carried by Bush on the presidential ballot just two years earlier.

But as bad as November's rout might have been for the GOP, libertarians and other small-government types are the ones who have taken the real thumpin' during the last six years. Unfettered Republican control of the federal government has given us a seemingly endless series of hyperactive, unconstrained, and largely ineffective government activities: the No Child Left Behind Act, the Medicare drug benefit, record levels of spending, and a foreign policy that, to be charitable, lurches between deadly incompetence and deadly hubris. With the Democrats poised to take over Congress—and promising to push all sorts of legislation within the first 100 hours—is the return of divided government a good thing? We asked nine policy experts and political observers to weigh in on the new situation: What sort of legislation and political theater should the friends of “Free Minds and Free Markets” expect during the next two years? Is the new situation an improvement or disaster?

#### Ryan Sager

Bipartisanship is just another word for “terrible idea.” But one-party rule, by either party, is the worst of all possible worlds. Just as our three branches of government check each other, so do our two major parties. When that balance is thrown out of whack, all hell is let loose on the Constitution and on the taxpayer's wallet.

Former Majority Leader Dick Armey of Texas—a man who is intimately familiar with the workings of both united and divided government as we've experienced it during the

last 10 years—put it eloquently. “When I used to stand up and say ‘hell no’ to Bill Clinton, I was always applauded by all the people I love,” Armey recalled when I interviewed him in 2005. “When I stood up and said ‘hell no’ to George Bush, I was berated by all the people I love.”

And it really is as simple as that. When there's no one around to say “hell no,” both the executive branch and the legislative branch get everything they want. And that invariably means more government—whether you're talking about pork, a new entitlement program, or radically enhanced government surveillance powers.

The problem we may see during the next two years, however, is that George W. Bush is hardly a conservative in the first place. Most of his major “accomplishments” wouldn't have looked out of place in a Democratic administration: No Child Left Behind, campaign finance reform, the Medicare prescription drug bill. If the president decides that his legacy depends on his administration's commitment to bipartisanship—and if the Republican minority in Congress continues to refuse to stand up to him—we

could all end up feeling unexpected nostalgia for the last six years.

*Feature article continued on page 2.*

**“Unfettered Republican control of the federal government has given us a seemingly endless series of hyperactive, unconstrained, and largely ineffective government activities...[but] is the return of divided government a good thing?”**

### Changes for the Liberty Pledge Newsletter!

The staff at LPHQ is constantly seeking to improve our communication with members of the Libertarian Party. As part of our efforts, we are in the process of overhauling the Liberty Pledge Newsletter.

Members of the Liberty Pledge Club go above and beyond to keep the LP moving in a positive direction. This newsletter is for you and about you—and we want to make sure that you are reading about the people, candidates, and issues that matter most to you!

So tell us what you think. What would you like to see in the Liberty Pledge Newsletter? Is there someone that you would like to see featured? An issue that you would like addressed? Send emails with your ideas to [development@lp.org](mailto:development@lp.org).

# Divided We Stand

## Adrian Moore

In 2000 President Bush had bold plans for privatization and shrinking the federal work force. His Management Agenda included making it a matter of course to use “competitive sourcing” to shift work to the private sector whenever it makes sense to do so.

But the GOP Congress never supported Bush’s privatization efforts. Already drunk on power and with a war on terror supplying endless kegs of that heady brew, few Republicans saw any reason for competition and privatization. They resisted legislative changes that would advance privatization, refused to appropriate funds for the privatization process, and took a sudden keen interest in protecting valiant federal workers from the depredations of competition.

In spite of congressional resistance, Bush’s political appointees, especially in the transportation, interior, and defense departments, marched ahead with competitive sourcing, saving more than \$3 billion and outsourcing about 41,000 federal jobs, almost enough to offset the fiasco of federalizing the once-private airport security workers. Unlike the Clinton-era outsourcing of federal workers, the Bush administration’s efforts were felt across the federal government, not just in the military. In the next two years, privatization by federal agencies probably will taper off. The Democrats now in power are suspicious of the private sector and like to glorify the public servants in government employ. They will probably resist Bush’s competitive sourcing more actively than the Republicans did. More important, the political appointees who carried the ball are starting to look for new jobs and will be less interested in pushing privatization on an unwilling bureaucracy.

I do expect, though, that the Republicans in Congress, cut off from the taps of power, will rediscover their small-government sensibilities and find some new interest in getting the federal government out of businesses it never should have got into, such as utilities, Amtrak, and Social Security. Better late than never.

## John Hood

For liberty lovers, divided government is said to be ideal. Partisan division is supposed to result in salutary inaction. If a house divided against itself cannot stand, then perhaps a government divided against itself will sit down and shut up.

There is empirical evidence for this proposition. At the federal level, both 1) Ronald Reagan and a (partially) Democratic Congress and 2) Bill Clinton and a (partially) Republican Congress demonstrated more fiscal restraint than did unified GOP government under George W. Bush. At the state level, taxpayers usually have been better off in states with divided government than states

where both the governor and legislature shared a party (though it must be noted that the differences are fairly small).

The problem for free marketers at the moment, however, is that divided government is not really heaven on earth. It’s more like a precarious purgatory. Because spending on Social Security, Medicare, Medicaid, and other entitlements is going to explode in the not-too-distant future, federal inaction is not good news. Policy makers must take action now to avoid big tax increases or other unwelcome outcomes in the future. I’d console myself with the knowledge that at least divided government in Washington means no repeat of the Medicaid Part D disaster, except that I don’t really believe it. The Democratic Congress may prevent another war, and Bush may (finally) veto bad Democratic bills on regulation or trade, but I fear “bipartisanship” is a real danger.

## Lisa Snell

With federal education policy, we will not see gridlock. The Democrats and their Republican partners will continue to expand federal spending on education.

The Democrats’ No. 1 education priority is to expand “access” to college—a goal shared by many Republicans. Democrats plan to further subsidize college by cutting student loan interest rates in half, creating a \$3,000 federal tax credit for tuition, and raising the maximum Pell Grant award to \$5,100, up from \$4,050. This will continue to drive up the cost of college tuition as more “free” federal money leads to ever-expanding college budgets.

In addition, the No Child Left Behind Act (NCLB) will be the subject of immediate congressional hearings in a bipartisan effort to reauthorize the law before Bush leaves office. The law requires schools to meet minimum student achievement goals for proficiency in reading and math for every subgroup of children or face so-called federal sanctions. So far, the law has been long on spending and short on sanctions. NCLB will be the subject of contentious wrangling and likely will not be reauthorized before the next presidential election. But we should expect a larger federal push toward “fully funding” the law. There may also be the beginnings of a “bipartisan movement” toward creating national standards to help schools meet their proficiency goals under NCLB and a call for a larger federal investment in universal preschool to prepare kids early for the rigorous requirements of NCLB.

At the same time, scant attention will be paid to offering students real escapes from low-performing schools. With or without an NCLB reauthorization, billions of federal dollars will be spent on schools where kids continue to languish in failing conditions.

# Bush defines new Iraq policy: indefinite escalation

Last week, President Bush outlined his plan for an intensification of military activities in Iraq. He pledged to send an additional 20,000 American soldiers to Iraq and set the stage for an expansion of hostilities to additional countries in the region.

"Succeeding in Iraq also requires defending its territorial integrity and stabilizing the region in the face of extremist challenges," Bush said. "This begins with addressing Iran and Syria. These two regimes are allowing terrorists and insurgents to use their territory to move in and out of Iraq. Iran is providing material support for attacks on American troops. We will disrupt the attacks on our forces. We'll interrupt the flow of support from Iran and Syria. And we will seek out and destroy the networks providing advanced weaponry and training to our enemies in Iraq."

In contrast to the Bush statement, Libertarians have long advocated that the United States should maintain a policy of non-intervention with all of the countries in the region. Instead of deploying additional troops in Iraq, we should be sending them home.

To justify his deployment of an additional five brigades, Bush noted that "Al Qaeda is still active in Iraq." He failed to note that the al-Qaida presence in Iraq has increased significantly while U.S. forces have been engaged in military operations in Iraq.

"U.S. military actions in Iraq have had the unintended consequence of increasing the size of terrorist organizations, as opposed to decreasing them," said Libertarian Party spokesman Stephen Gordon. "How many additional terrorists will be created as the result of an increased military presence in Iraq?"

In addition to public opinion surveys indicating that a majority of Americans disapprove of our offensive military policies in Iraq, an increasing amount of Democratic and Republican politicians and pundits are becoming more vocal in their opposition to the war. Many have criticized Bush for not having a coherent Iraq policy with clear goals and a timetable for withdrawal.

"It appears that Bush has finally come up with a new strategy for Iraq, which is a policy of indefinite escalation," said Gordon. "Bush's policies will only increase the level of hostility directed at Americans in Iraq. By increasing the number of our enemies, Bush will have to continue to increase the amount of U.S. soldiers he sends to Iraq. It's a vicious cycle."

Our policy of nation-building hasn't worked; the Iraqis are now engaged in a civil war. The terrorists were few in number and contained mostly in Afghanistan at one time; we are currently fighting them as far away as Somalia. Bush's policies have cost thousands of American lives and a significant amount of our tax dollars; his latest proposal will increase both the casualties and the national debt.

"At this time, complaining about the justification for Iraq is useless as Americans and Iraqis are dying each day in futile battles," said Libertarian Party Executive Director Shane Cory in a statement two weeks ago. "Bush and Republicans are looking to save face with talk of 'surges' and success, while Democrats willingly allow the violence to continue just to further diminish the Republicans. It's time to stop playing politics with human lives and end this occupation."

(Left) Published on [www.lp.org](http://www.lp.org) on January 11, 2007.

(Below) Published on [www.lp.org](http://www.lp.org) on December 21, 2006.

## Denver to host 2008 Libertarian National Convention

The Libertarian National Committee has announced that Denver, Colorado will be the host city for the 2008 Libertarian National Convention. The LP presidential nomination convention will be held between Friday, May 23 and Monday, May 26 at the Adam's Mark Hotel.

"We are extremely proud to serve as the venue for the 2008 convention," said Libertarian Party of Colorado Chairman Travis Nicks. "We look forward to showing the nation's Libertarians what the birthplace of the Libertarian Party has to offer."

While Libertarians hold a Libertarian National Convention every two years, on presidential election years the Party selects its presidential and vice presidential candidates through the convention process.

"With all of the recent media interest about the libertarian vote in western mountain states, Denver will provide an excellent opportunity for us to show the voters what is meant by smaller government, lower taxes and more freedom," said LNC Chairman William Redpath. "Additionally, the Libertarian National Convention won't be a coronation of some pre-determined candidate held at taxpayer expense."

The Libertarian Party, which recently celebrated its 35<sup>th</sup> birthday, was founded in Colorado in 1971. Libertarians do not accept public funding for their national convention, while the Republican and Democrat conventions generally cost taxpayers tens of millions of dollars.

## LP calls for end of screening program

The Libertarian Party has called upon the Department of Homeland Security to cease activities which target tens of millions of people as potential threats to the government. The Bureau of Customs and Border Protection recently announced that it is using its Automated Targeting System, a system previously used to track cargo, to create risk assessments on all international travelers as well as a wide variety of U.S. citizens who work in the transportation and travel industries.

While individuals may be assigned risk categories and denied flights, they are not able to obtain a copy of the information Homeland Security has compiled about them or to correct any inaccurate information contained within the database.

"While the intent of the Automated Targeting System program is to combat terrorism, in reality it primarily targets millions of innocent civilians in a government program with no real mechanism to ensure accountability," said LP spokesman Stephen Gordon. "The Libertarian Party has jumped into the fray on this issue because Americans are being denied the most basic of their civil rights guaranteed by our laws and our Constitution."

In a formal comment submitted today by the Libertarian Party, opposition to the Homeland Security system was expressed in three general categories of comments:

**Conflict with DHS Appropriations Act:** *The Department of Homeland Security Appropriations Act of 2007 expressly forbids the use of any funds that "may be utilized to develop or test algorithms assessing risks to passengers whose names are not on Government watch lists." Homeland Security announced that the system "builds a risk assessment for cargo, conveyances, and travelers based on criteria and rules developed by CBP." Homeland Security's actions clearly contradict the very piece of legislation which funds it.*

**Conflict with the Privacy Act:** *Homeland Security has claimed exemption from the Privacy Act on law enforcement grounds including those who are under criminal investigation, arrested, indicted or convicted.*

**Constitutional Arguments:** *The Fifth Amendment clearly requires government to use "due process of law" before depriving anyone of "life, liberty or property." The Libertarian Party contends that the right to travel freely is one of the liberties described in the Fifth Amendment.*

The Electronic Frontier Foundation, American Civil Liberties Union, Electronic Privacy Information Center, Identity Project and a coalition of thirty additional organizations have filed similar formal documents.

## Bush's shock and awe

With 2,983 fatalities now reported, U.S. military deaths in Iraq have now surpassed the amount of people who died in New York City, Arlington County, Virginia and Somerset County, Pennsylvania on September 11, 2001.

"The invasion and continued occupation of Iraq was based largely upon speculation and conjecture created and promoted by a powerful Republican regime and approved by a spineless Democratic minority," said Libertarian Party Executive Director Shane Cory. "The case for war with Iraq was sold to the American people, with award-worthy theatrics, through the exploitation of hate and fear."

Many may recall one such fear-based statement by President Bush, "We cannot wait for the final proof -- the smoking gun -- that could come in the form of a mushroom cloud."

Others may recall the vial of "Anthrax" displayed before the United Nations by then Secretary of State Colin Powell. Powell addressed the U.N. with crude animations of mobile weapons labs that had been verified by Iraqi defectors. As with the non-existent weapons of mass destruction, there were no mobile weapons laboratories.

Regardless of the evidence that was eventually proven to be false, the Libertarian Party stood firmly positioned against the invasion as it was, without question, an unnecessary and offensive engagement.

Libertarians have always opposed pre-emptive military action. "The United States government should return to the historic libertarian tradition of avoiding entangling alliances, abstaining totally from foreign quarrels and imperialist adventures," states a section of the Libertarian Party Platform.

Despite multiple public surveys which indicate that Americans favor a withdrawal from Iraq, elected officials of both parties support a continuance or escalation of already failed public policy. Libertarians lead the way by opposing the Iraq War long before the recent shift in public sentiment.

### Welcome to the Liberty Pledge Club!

Lyle Arthur	David King
Mark Blackwelder	Bradley McGaughey
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Paul Cohen	Dain Reinhart
Allen Ernst	Phillipe Roy
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**Thank you for your generous support!**