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ISSUES & POSITIONS

National Platform of the Libertarian Party

Adopted in Convention, July 2, 2006, Portland Oregon

Preamble

As Libertarians, we seek a world of liberty; a world in which all individuals are sovereign over their own lives and no one is forced to sacrifice his or her values for the benefit of others.

We believe that respect for individual rights is the essential precondition for a free and prosperous world, that force and fraud must be banished from human relationships, and that only through freedom can peace and prosperity be realized.

Consequently, we defend each person's right to engage in any activity that is peaceful and honest, and welcome the diversity that freedom brings. The world we seek to build is one where individuals are free to follow their own dreams in their own ways, without interference from government or any authoritarian power.

In the following pages we have set forth our basic principles and enumerated various policy stands derived from those principles.

These specific policies are not our goal, however. Our goal is nothing more nor less than a world set free in our lifetime, and it is to this end that we take these stands.

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1. Immigration

Statement of Principles

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual.

We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual: namely, (1) the right to life -- accordingly we support the prohibition of the initiation of physical force against others; (2) the right to liberty of speech and action -- accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and (3) the right to property -- accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders; and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

I. Individual Rights and Civil Order

No conflict exists between civil order and individual rights. Both concepts are based on the same fundamental principle: that no individual, group, or government may initiate force against any other individual, group, or government.

I.1 Freedom and Responsibility

The Issue: Personal responsibility is discouraged by government denying individuals the opportunity to exercise it. In fact, the denial of freedom fosters irresponsibility.

The Principle: Individuals should be free to make choices for themselves and to accept responsibility for the consequences of the choices they make. We must accept the right of others to choose for themselves if we are to have the same right. Our support of an individual's right to make choices in life does not mean that we necessarily approve or disapprove of those choices. We believe people must accept personal responsibility for the consequences of their actions.

Solutions: Libertarian policies will promote a society where people are free to make and learn from their own decisions.

Transitional Action: Repeal all laws that presume government knows better than the individual how to run that person's life. Encourage private sector dissemination of information to help consumers make informed decisions on products and services. Enforce laws against fraud and misrepresentation.

I.2 Freedom of Communication

The Issue: We oppose any abridgment of the freedom of speech through government censorship, regulation or control of communications media, including, but not limited to, laws concerning:

- a) Obscenity, including "pornography", as we hold this to be an abridgment of liberty of expression despite claims that it instigates rape or assault, or demeans and slanders women;
- b) Reception and storage equipment, such as digital audio tape recorders and radar warning devices, and the manufacture of video terminals by telephone companies;
- c) Electronic bulletin boards, communications networks, and other interactive electronic media as we hold them to be the functional equivalent of speaking halls and printing presses in the age of electronic communications, and as such deserving of full freedom; d) Electronic newspapers, electronic "Yellow Pages", file libraries, websites, and other new information media, as these deserve full freedom; or
- e) Commercial speech or advertising. We oppose speech codes at all schools that are primarily tax funded. Language that is deemed offensive to certain groups is not a cause for legal action.

We strongly oppose the government's burgeoning practice of invading newsrooms, or the premises of other innocent third parties, in the name of law enforcement. We further oppose court orders gagging news coverage of criminal proceedings -- the right to publish and broadcast must not be abridged merely for the convenience of the judicial system. We deplore any efforts to impose thought control on the media, either by the use of anti-trust laws, or by any other government action in the name of stopping "bias."

The Principle: We defend the rights of individuals to unrestricted freedom of speech, freedom of the press and the right of individuals to dissent from government itself. We recognize that full freedom of expression is possible only as part of a system of full property rights. The freedom to use one's own voice; the freedom to hire a hall; the freedom to own a printing press, a broadcasting station, or a transmission cable; the freedom to host and publish information on the Internet; the freedom to wave or burn one's own flag; and similar property-based freedoms are precisely what constitute freedom of communication. At the same time, we recognize that freedom of communication does not extend to the use of other people's property to promote one's ideas without the voluntary consent of the owners.

Solutions: We would provide for free market ownership of airwave frequencies, deserving of full First Amendment protection. We oppose government ownership or subsidy of, or funding for, any communications organization. Removal of all of these regulations and practices throughout the communications media would open the way to diversity and innovation. We shall not be satisfied until the First Amendment is expanded to protect full, unconditional freedom of communication.

Transitional Action: We advocate the abolition of the Federal Communications Commission.

I.3 Freedom of Religion

Issue: Government routinely invades personal privacy rights based solely on individuals' religious beliefs. Arbitrary tax structures are designed to give aid to certain religions, and deny it to others.

Principle: We defend the rights of individuals to engage in (or abstain from) any religious activities that do not violate the rights of others.

Solution: In order to defend freedom, we advocate a strict separation of church and State. We oppose government actions that either aid or attack any religion. We oppose taxation of church property for the same reason that we oppose all taxation. We condemn the attempts by parents or any others -- via kidnappings or conservatorships -- to force children to conform to any religious views. Government harassment or obstruction of religious groups for their beliefs or non-violent activities must end.

Transitional Action: We call for an end to the harassment of churches by the Internal Revenue Service through threats to deny tax-exempt status to churches that refuse to disclose massive amounts of information about themselves.

I.4 Property Rights

The Issue: The right to property and its physical resources, which is the fundamental cornerstone of a free and prosperous society, has been severely compromised by government at all levels. Public Policy instruments including eminent domain, zoning laws, building codes, rent control, regional planning, property taxes, resource management and public health legislation remove property rights from owners and transfer them to the State, while raising costs of property ownership. Public ownership of real property, beyond that which is explicitly authorized in the Constitution, and claims against resources both owned and unowned (such as the oceans or waterways) is illegitimate and creates scarcity and conflict where none would otherwise exist.

The Principle: Only individuals and private entities have the full right to control, use, dispose of, or in any manner enjoy their property without interference, until and unless the exercise of their control infringes on the valid rights of others. Resource management and planning are the responsibility and right of the legitimate owners of land, water and other natural resources. Individuals have the right to homestead unowned resources, both within the jurisdictions of governments and within such unclaimed territory as the ocean, Antarctica and extraterrestrial bodies.

Solutions: All public lands and resources, as well as claims thereto, except as explicitly allowed by the Constitution, shall be returned to private ownership, with the proceeds of sale going to retire public liabilities. Resource rights shall be defined as property rights, including riparian rights. All publicly owned infrastructures including dams and parks shall be returned to private ownership and all taxing authority for such public improvements shall sunset. Property related services shall be supplied by private markets and paid for by user fees, and regulation of property shall be limited to that which secures the rights of individuals. There will be no legal barriers to peaceful, private, voluntary attempts to explore, industrialize and colonize any extra-terrestrial resources. The federal government shall be held as liable as any individual for pollution or other transgression against property or resources.

Transitional Action: Rescind all taxation of real property. Property, resources and rights taken from their legitimate owners by government or by government supported private action, shall be restored to the rightful owners. Reverse the Supreme Court decision regarding eminent domain - *Kelo v City of New London*. Repeal all legislation that transfers property rights to the state, including those enacted in the name of aesthetic values, risk, moral standards, cost-benefit estimates, the promotion or restriction of economic growth, health or national security claims. Sunset all federal agencies that own, regulate or administer property, as well as agencies at the local level which exercise control over private property and resources. Rescind and oppose all international treaties that exercise government control over unowned resources.

I.5 The Right to Privacy

The Issue: Privacy protections have been eroded gradually over many years. The Social Security Number has become a universal ID number, causing rampant and massive identity theft. Government routinely keeps records on the bank accounts, travel plans, and spending habits of law-abiding civilians, for no other reason than they "might" commit a crime in the future.

The Principle: The individual's right to privacy, property, and right to speak or not to speak should not be infringed by the government. The government should not use electronic or other means of covert surveillance of an individual's actions or private property without the consent of the owner or occupant. Correspondence, bank and other financial transactions and records, doctors' and lawyers' communications, employment records, and the like should not be open to review by government without the consent of all parties involved in those actions.

Private contractual arrangements, including labor contracts, must be founded on mutual consent and agreement in a society that upholds freedom of association. On the other hand, we oppose any use of such screening by government or regulations requiring government contractors to impose any such screening.

Solutions: We support the protections provided by the Fourth Amendment and oppose any government use of search warrants to examine or seize materials belonging to innocent third parties. We oppose all restrictions and regulations on the private development, sale, and use of encryption technology. We specifically oppose any requirement for disclosure of encryption methods or keys, including the government's proposals for so-called "key escrow" which is truly government access to keys, and any requirement for use of government-specified devices or protocols. We also oppose government classification of civilian research on encryption methods. If a private employer screens prospective or current employees via questionnaires, polygraph tests, urine tests for drugs, blood tests for AIDS, or other means, this is a condition of that employer's labor contracts. Such screening does not violate the rights of employees, who have the right to boycott such employers if they choose. We oppose the issuance by the government of an identity card, to be required for any purpose, such as employment, voting, or border crossing. We further oppose the nearly universal requirement for use of the Social Security Number as a personal identification code, whether by government agencies or by intimidation of private companies by governments.

Transitional Action: We also oppose police roadblocks aimed at randomly, and without probable cause, testing drivers for intoxication and police practices to stop mass transit vehicles and search passengers without probable cause. So long as the National Census and all federal, state, and other government agencies' compilations of data on an individual continue to exist, they should be conducted only with the consent of the persons from whom the data is sought. We oppose government regulations that require employers to provide health insurance coverage for employees, which often encourage unnecessary intrusions by employers into the privacy of their employees.

I.6 The Right to Keep and Bear Arms

The Issue: Governments at all levels often violate their citizens' right of self defense with laws that restrict, limit or outright prohibit the ownership and use of firearms. These "gun control" laws are often justified by the mistaken premise that they will lead to a reduction in the level of violence in our society.

The Principle: The Bill of Rights recognizes that an armed citizenry is essential to a free society. We affirm the right to keep and bear arms.

Solutions: We oppose all laws at any level of government restricting, regulating or requiring the ownership, manufacture, transfer or sale of firearms or ammunition. We oppose all laws requiring registration of firearms or ammunition. We support repeal of all gun control laws. We demand the immediate abolition of the Bureau of Alcohol, Tobacco and Firearms.

Transition: We oppose any government efforts to ban or restrict the use of tear gas, "mace" or other self-protection devices. We further oppose all attempts to ban weapons or ammunition on the grounds that they are risky or unsafe. We favor the repeal of laws banning the concealment of weapons or prohibiting pocket weapons. We also oppose the banning of inexpensive handguns ("Saturday night specials") and semi-automatic or so-called assault weapons and their magazines or feeding devices.

I.7 Conscription

The Issue: Any form of coerced national service program is a type of involuntary servitude. Examples include conscription into the military and compulsory youth labor programs.

The Principle: Coerced national service programs presume the government can claim ownership of the lives of individuals. Such programs are a form of involuntary servitude and are a clear violation of the US Constitution 13th Amendment.

Solutions: All forms of national service will be staffed by willing participants without the need for

conscription or other means of mandating such service. When people perceive a just cause, history has shown that they willingly volunteer to serve.

Transitional Action: All schemes for automatic registration through government invasions of the privacy of school, motor vehicle or other records should be immediately eliminated. The still-functioning elements of the Selective Service System should be abolished and all associated records should be destroyed. The President should immediately pardon, providing unconditional exoneration, for all who have been accused or convicted of draft evasion, desertion from the military in cases of conscription or fraud and other acts of civil resistance.

I.8 Reproductive Rights

The Issue: The tragedies caused by unplanned, unwanted pregnancies are aggravated and sometimes created by government policies of censorship, restriction, regulation and prohibition. Recognizing that abortion is a sensitive issue and that people can hold good-faith views on both sides, we believe that government should be kept out of the matter, leaving the question to each person for their conscientious consideration.

The Principle: Individual rights should not be denied nor abridged on the basis of sex, age, dependency, or location. Taxpayers should not be forced to pay for other people's abortions, nor should any government or individual force a woman to have an abortion. It is the right and obligation of the pregnant woman regardless of age, not the state, to decide the desirability or appropriateness of prenatal testing, Caesarean births, fetal surgery, voluntary surrogacy arrangements and/or home births.

Solutions: We oppose government actions that either compel or prohibit abortion, sterilization or any other form of birth control. Specifically we condemn the practice of forced sterilization of welfare recipients, or of mentally retarded or "genetically defective" individual. We support the voluntary exchange of goods, services or information regarding human sexuality, reproduction, birth control or related medical or biological technologies. We oppose government laws and policies that restrict the opportunity to choose alternatives to abortion.

Transitional Action: We support an end to all subsidies for childbearing or child prevention built into our present laws.

I.9 Sexuality and Gender

The Issue: Politicians use popular fears and taboos to legally impose a particular code of moral and social values. Government regularly denies rights and privileges on the basis of sexual orientation or gender identity.

The Principle: Consenting adults should be free to choose their own sexual practices and personal relationships. Government does not have legitimate authority to define or license personal relationships. Sexuality or gender should have no impact on the rights of individuals.

Solutions: Culture wars, social friction and prejudice will fade when marriage and other personal relationships are treated as private contracts, solely defined by the individuals involved, and government discrimination is not allowed.

Transitional Action: Repeal the federal Defense of Marriage Act and state laws and amendments defining marriage. Oppose any new laws or Constitutional amendments defining terms for personal, private relationships. Repeal any state or federal law assigning special benefits to people based on marital status, family structure, sexual orientation or gender identification. Repeal any state or federal laws denying same-sex partners rights enjoyed by others, such as adoption of children and spousal immigration. End the Defense Department practice of discharging armed forces personnel for sexual orientation. Upgrade all less-than-honorable discharges previously assigned solely for such reasons to honorable status, and delete related information from military personnel files. Repeal all laws

discriminating by gender, such as protective labor laws and marriage, divorce, and custody laws which deny the full rights of each individual.

II. Trade and the Economy

We believe that each person has the right to offer goods and services to others on the free market. Therefore we oppose all intervention by government into the area of economics. The only proper role of existing governments in the economic realm is to protect property rights, adjudicate disputes, and provide a legal framework in which voluntary trade is protected.

Efforts to forcibly redistribute wealth or forcibly manage trade are intolerable. Government manipulation of the economy creates an entrenched privileged class -- those with access to tax money -- and an exploited class -- those who are net taxpayers.

We believe that all individuals have the right to dispose of the fruits of their labor as they see fit and that government has no right to take such wealth. We oppose government-enforced charity such as welfare programs and subsidies, but we heartily applaud those individuals and private charitable organizations that help the needy and contribute to a wide array of worthwhile causes through voluntary activities.

II.1 Government Debt

The Issue: The national debt imposes debt upon Americans without their consent, and loads our economy with a fiscal anchor that will burden many future generations. Our escalating national debt is nothing less than theft from our grandchildren.

The Principle: The government should operate on a "pay as you go" basis, and not incur debt.

Solutions: A debt-free government frees up economic resources, allowing for lower taxes, economic growth and lower interest rates.

Transitional Action: Eliminate the national debt using an incremental approach, being careful to avoid social disruption. We support the passage of a "Balanced Budget Amendment" to the US Constitution that restricts Congress from spending any more than it collected in revenue the previous year.

Eliminate earmarks, pork-barrel spending, and other forms of political corruption.

Congress should sell assets and reduce spending on non-essential functions to pay off the national debt as quickly as possible.

II.2 Corporate Welfare, Monopolies & Subsidies

The Issue: Subsidies, government-granted monopolies, and other forms of corporate welfare today exist as privileges granted by government to those with political access. These destroy the level playing field that free markets depend on, create a corrupt relationship between government authority and special interests, and are unconstitutional. Furthermore, the loans by government-sponsored entities, even when not guaranteed by the government, constitute another form of subsidy.

The Principle: Individuals must be free to be aggressive competitors and form corporations, cooperatives and other types of companies based on voluntary association in the market place, and must enjoy no state-sponsored advantage. Those who best supply a good or service in the market will enjoy natural dominance only as long as they continue to benefit consumers. Subsidies and government-granted monopolies protect the non-competitive from market forces.

Solutions: Replacement of all government-granted monopolies and subsidies with deregulated free markets and informed consumers will benefit both consumers and producers, eliminate political favoritism, and maintain a strict separation of markets and state authority. Genuine crimes committed to create a monopoly, such as blackmail, bribery, fraud, libel or slander are prosecuted as any other crime.

Transitional Action: Eliminate all federal grants of monopoly or subsidy to any private companies, such

as utilities, airlines, energy companies, agriculture, science, medicine, broadcasting, the arts and sports teams. Repeal all anti-trust laws. All federal agencies whose primary function is to make or guarantee corporate loans must be abolished or privatized.

II.3 Public Services

The Issue: Federal, state and local governments have created inefficient service monopolies throughout the economy. From the US Postal Service to municipal garbage collection and water works, government is forcing citizens to use monopoly services. These are services that the private sector is already capable of providing in a manner that gives the public better service at a competitive price.

The Principle: A free and competitive market allocates resources in the most efficient manner. Consumers of services should not have their choices arbitrarily limited by law.

Solutions: Libertarian policies will seek to divest government of all functions that can be provided by non-governmental organizations or private individuals.

Transitional Actions: All rate regulation in utilities should transition to free market pricing. End the Postal Service's monopoly and allow for the free competition in all aspects of mail delivery. State and local monopoly services should be opened to free-market competition. Local and state governments can auction assets such as utility systems and landfills to private industry, thereby immediately reducing the tax burden on their citizens.

III. Domestic Ills

Current problems in such areas as energy, pollution, health care delivery, decaying cities, and poverty are not solved, but are primarily caused, by government. The welfare state, supposedly designed to aid the poor, is in reality a growing and parasitic burden on all productive people, and injures, rather than benefits, the poor themselves.

III.1 Crime and Victimless Crime

The Issue: Violent crime and fraud threaten the lives, happiness and belongings of Americans. Government's ability to protect the rights and property of individuals from crimes of violence and fraud is compromised because resources are focused on vice rather than on real crimes. Laws that codify "victimless crimes" turn those who simply conduct voluntary transactions and exercise free choice into criminals. This results in the United States having one of the highest percentages of the population in prison of any country in the world; yet real crime remains prevalent in many parts of the country.

Principle: Government exists to protect the rights of every individual including life, liberty and property. Criminal laws should be limited to violation of the rights of others through force or fraud, or deliberate actions that place others involuntarily at significant risk of harm. Individuals retain the right to voluntarily assume risk of harm to themselves in the exercise of free choice.

Solution: The appropriate way for the federal government to address crime is through consistent and impartial enforcement of laws that protect individual rights. The law enforcement resources of the federal government can be used most efficiently if limited to appropriate federal concerns. Limiting law enforcement to true crime will restore respect for the law and those who enforce it.

Transitional Action: Immediately reform the justice system's mandatory sentencing policies to ensure that violent offenders are not released from jail to make room for non-violent offenders. Repeal criminal laws which work against the protection of the rights and freedom of American citizens, residents or visitors, particularly laws which create a crime where no victim exists.

III.2 The War on Drugs

The Issue: The suffering that drug misuse has brought about is deplorable; however, drug prohibition causes more harm than drugs themselves. The so-called "War on Drugs" is in reality a war against the American people, our Constitution and the Bill of Rights. It is a grave threat to individual liberty, to domestic order and to peace in the world.

The Principle: Individuals should have the right to use drugs, whether for medical or recreational purposes, without fear of legal reprisals, but must be held legally responsible for the consequences of their actions only if they violate others' rights.

Solutions: Social involvement by individuals is essential to address the problem of substance misuse and abuse. Popular education and assistance groups are a better approach than prohibition, and we support the activities of private organizations as the best way to move forward on the issue.

Transitional Action: Repeal all laws establishing criminal or civil penalties for the use of drugs. Repeal laws that infringe upon individual rights to be secure in our persons, homes, and property as protected by the Fourth Amendment. Stop the use of "anti-crime" measures such as profiling or civil asset forfeiture that reduce the standard of proof historically borne by government in prosecutions. Stop prosecuting accused non-violent drug offenders, and pardon those previously convicted.

IV. Foreign Affairs

American foreign policy should seek an America at peace with the world and the defense -- against attack from abroad -- of the lives, liberty, and property of the American people on American soil. Provision of such defense must respect the individual rights of people everywhere.

The principle of non-intervention should guide relationships between governments. The United States government should return to the historic libertarian tradition of avoiding entangling alliances, abstaining totally from foreign quarrels and imperialist adventures, and recognizing the right to unrestricted trade, travel, and immigration.

IV.1 Immigration

The Issue: Our borders are currently neither open, closed, nor secure. This situation restricts the labor pool, encouraging employers to hire undocumented workers, while leaving those workers neither subject to nor protected by the law. A completely open border allows foreign criminals, carriers of communicable diseases, terrorists and other potential threats to enter the country unchecked. Pandering politicians guarantee access to public services for undocumented aliens, to the detriment of those who would enter to work productively, and increasing the burden on taxpayers.

The Principle: The legitimate function and obligation of government to protect the lives, rights and property of its citizens, requires awareness of and control over the entry into our country of foreign nationals who pose a threat to security, health or property. Political freedom and escape from tyranny demands that individuals not be unreasonably constrained by government in the crossing of political boundaries. Economic freedom demands the unrestricted movement of human as well as financial capital across national borders.

Solutions: Borders will be secure, with free entry to those who have demonstrated compliance with certain requirements. The terms and conditions of entry into the United States must be simple and clearly spelled out. Documenting the entry of individuals must be restricted to screening for criminal background and threats to public health and national security. It is the obligation of the prospective immigrant to demonstrate compliance with these requirements. Once effective immigration policies are in place, general amnesties will no longer be necessary.

Transitional Action: Ensure immigration requirements include only appropriate documentation, screening

for criminal background and threats to public health and national security. Simplifying the immigration process and redeployment of surveillance technology to focus on the borders will encourage the use of regular and monitored entry points, thus preventing trespass and saving lives. End federal requirements that benefits and services be provided to those in the country illegally. Repeal all measures that punish employers for hiring undocumented workers. Repeal all immigration quotas.

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