

PLATFORM OF THE LIBERTARIAN PARTY OF LOUISIANA

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**with an Outline for Incomplete Sections Prepared by the
Platform Committee of the Libertarian Party of Louisiana**

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EXPLANATORY NOTE

Most of Sections I, II, and IV of the following document, together with the first paragraph of Section III (1), were enacted by the Libertarian Party of Louisiana (LPL) as its political platform on August 16, 2003 at the 2003 LPL convention. At that time the LPL planned to reconsider and complete the new platform at its next annual convention.

At the 2004 convention the LPL adopted drafts of Section III (1) through Section III (3) (C) (1), dealing with economic policy, proposed by the Platform Committee; made a few small amendments to other sections of the platform, some of which were reversed at the next convention; and instructed the Platform Committee to address several topics and propose language to deal with issues raised by the delegates about them. Section I (3) was redrafted to comply with the instructions of the 2004 convention.

At the 2006 LPL convention the Platform Committee proposed some sixteen amendments or additions to the platform, including major new sections on family law, U.S. spending and the national debt, and national welfare entitlements. The convention approved the first four of these proposed amendments but ran out of time and deferred consideration of the rest to the next convention.

The 2007 LPL convention adopted a consolidated text of the platform which included all

of the amendments proposed in 2006, a new Section III (5) on federal taxation, and an amended Section IV (5) on immigration.

The Platform Committee is continuing the drafting of text for the remainder of Section III. As portions of the draft text are completed, they will be added to the following document, replacing the relevant sections of the outline. All proposed amendments and new draft language will be considered for adoption at the next LPL convention.

Michael S. Wolf
Secretary, Libertarian Party of Louisiana
June 2, 2007

PLATFORM OF THE LIBERTARIAN PARTY OF LOUISIANA

I. GENERAL PRINCIPLES

1. INDIVIDUAL RIGHTS AND PERSONAL RESPONSIBILITY

Governments exist to protect the natural rights of individuals and to perform necessary community services for the benefit of all. When governments do not protect individual rights, and when they abuse their power in order to bestow unjust advantages or disadvantages on selected persons, they become illegitimate and often tyrannical.

The natural rights of individuals, those to which they are entitled as human beings, are basically rights of personal liberty and self-determination. They include the freedom to live as one chooses, unmolested by others, to own private property, to communicate, to travel, and to use one's awareness, skills, and knowledge as he or she sees fit. All individuals are entitled to have their own beliefs, choose their own values, and make their own personal decisions; and all individuals are responsible for the personal choices they make.

These natural human rights and responsibilities are presupposed and recognized by the Constitution of the United States of America and by the Constitution of the State of Louisiana.

Natural rights are privileges of personal freedom, opportunity, and due process of law. They are not entitlements to personal happiness, wealth, or material equality with others. No one is entitled to avoid the natural consequences of his own choices and actions, or to be supported by the community when he is in need.

As far as it is within their power of determination, all individuals bear personal responsibility for themselves, their families, and their communities. They should be free to make their own decisions about charity and support for the needy in their communities.

Natural rights are the same for all persons, and they are always limited by the equivalent rights of others. The natural rights accorded by our law to Americans are equally the birthright of all human beings.

Natural rights cannot be terminated or limited by majority vote or by the decisions of legislators, judges, or other government officials.

2. LEGAL JUSTICE

Laws should be enacted only for the protection of individual rights and the essential interests of the whole community. Laws are just to the extent that they succeed in protecting the genuine rights of all without favoritism or unreasonable discrimination of any kind.

To protect the natural rights of all, the law must be rational, egalitarian, and libertarian. Legal coercion is justified only for the restraint of violence, fraud, and other violations of individual rights. It should never restrict freedom of contract or personal choice except for compelling reasons affecting equally the interests of all.

Laws must always respect the natural liberties of individuals and tolerate their personal self-determination. In general, laws and government institutions should not discriminate among individuals on the basis of ethnicity, gender, wealth, or personal beliefs. Individuals must always have freedom of conscience and the freedom to choose their own values and beliefs unhindered by legal compulsion.

3. LIMITED GOVERNMENT

The state and its laws exist to defend the rights of individuals and provide truly essential public services that cannot adequately be provided by private enterprise. Government should not be our master, our parent, or the provider of all of our personal living requirements.

Because of the tendency of government to grow and assume more control over the lives of individuals, it is essential that the actions of government be firmly limited by constitutional restraints. The activity of the United States government should be strictly confined to the authentic bounds of the United States Constitution.

Similarly, State and local governments should be constitutionally limited to proper governmental functions and legally barred from infringing on personal rights or relieving individuals of their personal responsibilities.

When governments at any level undertake to provide public services, they should always attempt to utilize competitive private contractors as much as efficiently possible rather than burdening taxpayers and markets with ever more state offices, administrative complexities, corruption opportunities, and public obligations.

4. FREE MARKETS

Free social and economic markets, based on private property and self-determination, produce the greatest prosperity for all; and the natural rights of all persons entitle them to make their own decisions in economic and social affairs. Governments should not intervene in private markets with subsidies, restrictions, or other efforts to control production, prices, profits, employment, personal transactions, or business activity. Such efforts to substitute government orders for the spontaneous action of free markets distort the natural processes of production and exchange to raise or lower benefits for particular persons. The inevitable result is injustice, inefficiency, and a lower standard of living for most of the people.

Free markets demand free trade, that is, free exchange and transfer of goods, services, capital,

and information throughout the world economy, without government restrictions designed to favor particular businesses or economic interest groups.

5. NATIONAL LIBERTARIAN PARTY STATEMENT OF PRINCIPLES

The Libertarian Party of Louisiana endorses the Statement of Principles of the Libertarian Party of the United States as a general statement of libertarian principles but recognizes that no simple declaration can fully describe all the rights of individuals and all the functions they may constitutionally entrust to their governments.

Property rights are not absolute any more than other rights; and the reasonable protection of the community – the individuals in a particular area – may justify moderate taxation, public use of private property in civil emergencies (with appropriate compensation), and other reasonable limitations on personal property rights. No one has an absolute right to use his property to the injury of his neighbors.

II. BASIC LAWS

1. CONSTITUTIONALISM

A. United States Constitution

The freedom, security, and prosperity of the citizens of the United States are dependent on the rule of law established by the United States Constitution, and on our willingness to defend it.

Our national constitution establishes a legal system based on inherent individual rights of self-determination, limited republican democracy, and honest judicial review of government action for constitutional legality.

Fundamental principles of our constitutional system include limitation of government authority, separation of government powers, and federalism, or division of government functions between the national government and the States.

The Libertarian Party of Louisiana demands the restoration of the United States Constitution as the governing law of the United States. Adherence to the Constitution requires compliance with the letter and the spirit of all of its provisions, especially those stated in the Bill of Rights and Section 1 of the Fourteenth Amendment. We remind all citizens of the Ninth and Tenth Amendments of our Constitution and call on the Congress and the courts of the United States to rescind and invalidate all federal laws not authorized by the Constitution. The unconstitutional usurpation of State law by the United States government must be stopped and the democratic diversity of our federal republic restored.

Though constitutional principles necessarily evolve with the progress of societal values and the adjudication of new cases, the Constitution cannot be amended by congressional legislation, by presidential decree, or by judicial decisions. The constitutional prerogatives of each branch of government should be enforced, but held to their constitutional limits.

We oppose presidential war except in genuine emergencies when national defense requires military action before the Congress can be consulted, in which cases all military action must terminate unless congressional approval is promptly given. Only the United States Congress, in the conscientious exercise of its constitutional responsibilities, may authorize the sustained deployment of United States military forces abroad. Congressmen abdicating this responsibility should be removed from office.

B. Desirable Amendments to the U.S. Constitution

We advocate amendment of the United States Constitution to require truly balanced budgets, strict limitations on federal spending and taxation, and a non-discretionary monetary rule, and to end life tenure for federal judges.

C. Louisiana Constitutionalism

State governments must not infringe the constitutional rights of any citizen nor deny any person the equal protection of the laws. The State of Louisiana, its legislature, its executive officers, and its courts are obliged to guarantee all citizens not only protection of their rights under the United States Constitution, but also protection of all additional rights accorded them under the Constitution of Louisiana and its Declaration of Rights.

Louisiana should abandon the practice of filling our State Constitution with ordinary statutory material to insulate it from legislative discretion. The Legislature should live up to its legislative responsibilities and not attempt to hide its bad judgments behind the Constitution.

The Declaration of Rights of the Louisiana Constitution should be amended to restore the rights to property stripped away by the amendment to Section 4 enacted by the voters in 1989. The suppression of gambling mandated by the Louisiana Constitution should be repealed.

2. ELECTION AND CAMPAIGN LAW

A. Political Competition

The foundation of effective democracy, like the basis of a prosperous economy, is healthy

competition among those seeking the support of the consumers and the voters. In the United States today the two largest political parties, through their control of the Congress, the State legislatures, and the courts, have monopolized the political system so as to suppress competition from other political parties and independent candidates who challenge the political status quo. The Democratic and Republican parties of the United States have crafted election laws that unfairly restrict the political rights of their competitors. These unjust and unconstitutional laws attack the essence of our democracy and make a mockery of our claim to be a self-governing republic. When political majorities refuse to let the voices of the minorities be heard, or to permit their candidates to appear on the election ballots, they have replaced democracy with tyranny.

B. Ballot Access and Voting Methods

If elections are to be free and fair they must allow reasonable access to the ballot for all political parties and independent candidates. Our State and national election laws must be reformed as necessary to secure such reasonable ballot access for all citizens and to abolish all unfair legal preferences for the Democratic and Republican parties.

Through the efforts of the Libertarian Party of Louisiana and other patriotic citizens, the election laws of Louisiana were substantially reformed in 2004 to allow the bona fide partisan affiliations of all candidates to be identified on Louisiana ballots.

As a further step toward more democratic elections, the Libertarian Party of Louisiana advocates the allowance of write-in voting in all elections.

We also favor the use of instant runoff voting, in which voters rank their preferences among the candidates and votes for losing candidates are redistributed accordingly if no candidate wins a majority in the first round of voting. Instant runoff voting better expresses the true preferences of the voters, and it allows those supporting minority candidates to signify their first choices yet participate in the selection among the most popular candidates. It thus reduces “lesser evil” negative voting, allows the public to learn the true appeal of all candidates, and spares governments the expense of runoff elections.

Another election device that we recommend, especially for multimember districts, is proportional representation, in which candidates of different parties or nonpartisans are elected according to the proportions of the total vote received by each party, or by independents as a group, with the candidates with the highest votes (or from ranked party lists) selected successively to represent their parties or supporters. Proportional representation enhances the democracy of elections by giving representation in government bodies to minority political parties and points of view among the electorate.

C. Gerrymandering

Election districts should be fairly drawn to reflect geography, population distribution, and community identity. Districts for equivalent offices should have approximately equal numbers of constituents. They should be geographically compact and contiguous, and drawn to facilitate travel, communication, and campaigning throughout each district. We are opposed to all forms of gerrymandering, in which neutral districting criteria are ignored and districts are designed to concentrate or disperse partisan or ethnic groups, or to unnecessarily divide communities, for political advantage. Better candidates and representatives will emerge where electorates are composed of diverse groups sharing common community interests. The quality of elections will only improve if candidates are forced to seek votes from local minority groups rather than being able to disregard them because of gerrymandering. Elections should be competitive, not rigged for the certain success of incumbents and majority parties.

D. Campaign Advertising and Finance Regulation

Election and campaign finance laws may reasonably undertake to limit the controlling influence of broadcast propaganda on the electorate provided they maintain reasonable opportunity for all candidates to compete for votes and for all persons to express their political preferences in any ways they choose.

Freedom of speech being essential to free elections, there should be no limits on the rights of individuals and organizations to assemble, voice, publish, and display their proposals, and to communicate directly in person, in writing, by phone, or through the Internet with the public on political matters.

The extraordinary power of massive television and radio advertising and propaganda to determine and corrupt public voting without regard to truth, reason, or informed judgment, however, justifies reasonable and even-handed limitations on total amounts of broadcast advertising as well as requirements for good faith and accuracy in campaign communications. Reasonable election reforms also include public support for broadcasting of equal-access candidate forums, impartial postal subsidies, and other measures reasonably designed to open the electoral process to public participation and competition, and to free it from the monopolistic grip of the major parties and their corporate sponsors.

The Libertarian Party of Louisiana recognizes that American elections are often controlled by massive expenditures for television and radio advertising on behalf of the candidates of the Democratic and Republican parties. National or State campaign laws may be able to enhance the democracy and rationality of elections if they limit total amounts of television and radio advertising for political campaigns while ensuring fair media access to all candidates and interest groups, but they should not operate to restrict electoral opportunity unduly for minor parties or independent candidates. The regulation of campaign activity, including possible spending and advertising limits, should be

addressed independently by the different States as well as by the national Congress. Careful experimentation of this kind is likely to produce more effective ways to protect elections from financial control by special interests.

While constitutional freedom of speech necessarily exposes the election process to unbalanced influence from owners of mass media resources and large financial contributors, these potential influences must largely be accepted in order to encourage active public discussion and wide public access to political debate. Efforts to limit overall amounts of campaign advertising or expenditures should not use unreasonable individual contribution limits to prevent small political parties and independent candidates from raising sufficient campaign contributions to purchase competitive amounts of broadcast advertising.

In general, we favor no restrictions on the amounts of campaign contributions to candidates or political parties from any individuals or organizations whatsoever, foreign or domestic, subject to reasonable disclosure rules and the prohibition of bribery.

The reforms most needed by our election system are those that would increase political access by ordinary citizens and reduce the rigging of elections through partisan schemes and massive broadcast propaganda. Under the present circumstances campaign advertising and finance regulation should focus more on fairly restricting total broadcasting volume than on limiting campaign contributions or less powerful means of advertising.

We believe that such reforms can be instituted without violating the First Amendment of the United States Constitution. Freedom of speech would be worthless if it meant that those with the most money could buy every election through the manipulation of dishonest mass media advertising.

E. Party Subsidies

We oppose categorically all government subsidies to political parties, including any public payment of the expenses of presidential nominating conventions.

F. Term Limits

We advocate reasonable term limits for all elected and appointed officials, State and federal, designed to satisfy both the principle of democratic choice and the principle of political renewal. United States senators, for example, should be limited to no more than three consecutive six-year terms, and United States representatives limited to no more than nine consecutive two-year terms.

Louisiana State legislators should be limited to four consecutive four-year terms.

Governors, because of the great potential for corruption in their office, should be limited to two consecutive four-year terms. Other statewide elected officials should be limited to four consecutive four-year terms.

District Attorneys and Public Service Commissioners should be limited to three consecutive six-year terms. Sheriffs and other local government officials should be limited to four consecutive four-year terms.

We favor amending the United States Constitution to eliminate automatic life tenure for federal judges. They should be appointed to twelve-year terms, subject to unlimited reappointment with congressional approval.

We favor popular election of State court judges with no term limits but subject to impeachment, voter recall, and judicial discipline for misbehavior. Judges and judicial candidates must be free to discuss legal issues in public as long as they avoid prejudging particular cases.

G. Gubernatorial Appointments

In order to advance accountability and efficiency, we favor ending the direct election of the Commissioner of Agriculture and the Commissioner of Insurance in Louisiana.

3. CRIMINAL JUSTICE

A. Victimless Crimes

Just laws impose criminal sanctions only against real violations of individual or constitutional rights, such as violence, fraud, and public bribery. Enforcing arbitrary moral or policy preferences, even of the majority, is not a legitimate function of law in a constitutional democracy. All citizens are free to exhort their neighbors, persuade them of the advantages of particular conduct, or contract for their cooperation on matters of mutual interest. Using criminal laws to coerce conformity to the arbitrary values of any group of citizens, however, is a fundamental violation of the principles of constitutional justice, which demand equivalent rights of self-determination for all persons.

Accordingly the Libertarian Party of Louisiana calls for the repeal of all state and federal laws criminalizing private conduct not injurious to the rights of others. Victimless crimes are not crimes. All laws punishing people for private beliefs, tastes, and actions are unconstitutional and invalid.

(1) Drugs and Consumption The criminal prohibition of certain foods, drinks, herbs, medicines, drugs, or other ingestible substances, as enacted by the controlled dangerous substances laws of the United States and the State of Louisiana, must be

abolished. There is no authorization for any such legislation in the United States Constitution, and both the federal Bill of Rights and the Declaration of Rights of the Louisiana Constitution implicitly condemn any such discriminatory legislation prohibiting acts of personal consumption.

- (2) Sexual Activity** All sexual acts among consenting adults are likewise outside the realm of legitimate criminal legislation. The Libertarian Party of Louisiana demands the repeal of all laws, federal and State, prohibiting voluntary adult sexual practices. All persons are entitled to whatever sexual personality they have. The law should not discriminate on the basis of sexual orientation.

Laws protecting children against sexual exploitation are always desirable, provided they do not go overboard and criminalize harmless private behavior not involving any child abuse.

- (3) Reproduction and Abortion** All persons are naturally entitled to make their own decisions concerning marriage, reproduction, pregnancy, and childbirth in the privacy of their families and personal relationships. Pregnant women have the right to decide for themselves whether to have children or not. A woman's natural authority over her own body cannot be subordinated to the judgments of others, however well intentioned. Although reasonable medical regulations may be enacted by the States to impose restrictions on late-term abortions, the fundamental right of women to terminate pregnancies upon their own judgment must be respected. The government has no right to control the reproductive decisions of its citizens.

Rights of independent legal personality attach to individuals at birth and not before.

The Libertarian Party of Louisiana favors flexible laws on adoption and maternal surrogacy, as well as an active market of communication and charitable support so that pregnant women may always have all practical alternatives to abortion insofar as the community may freely provide them.

- (4) Expression and Censorship** Criminal laws should never prohibit the expression or communication of ideas not intended to violate individual rights. The United States Constitution forbids the criminalization of mere thought, perception, or speech. Accordingly the Libertarian Party of Louisiana opposes any state censorship of publications, films, recordings, artworks, photographs, broadcasting, the Internet, or any other media of private or public communication. We oppose any efforts to criminalize offensive symbolic acts like flag desecration, vulgar jokes, or religious blasphemy.

Human nudity per se is not obscene and should never be criminalized. We do not oppose reasonable local regulations restraining public nudity or offensive sexual

displays, provided they do not infringe on legitimate personal privacy.

Laws criminalizing visual, verbal, or auditory depictions of sexual activity cannot be constitutional if they prohibit private personal behavior injurious to no one.

Although producers of pornography may justly be criminalized for actual personal injury to anyone, for example, by battery, rape, or invasion of privacy, mere consumers or recipients of alleged pornographic images cannot validly be prosecuted under the Constitutions of the United States or the State of Louisiana for the mere possession of images or films, however objectionable to good taste or moral values they may be.

(5) Firearms and Weapons The Second Amendment of the United States Constitution and the Declaration of Rights of the Louisiana Constitution guarantee all citizens the right to keep and bear arms without undue legal restraint. Accordingly the Libertarian Party of Louisiana opposes any criminalization of personal firearms or other personal weapons except as a lawful penalty upon conviction of a serious crime of violence. Our citizens are entitled to possess any weapons which may reasonably be necessary for protection of themselves, their families, and their communities from criminals, terrorists, or other persons threatening serious injury or oppression, including any such persons acting under color of law.

(6) Gambling Honest gambling is a universal characteristic of human enterprise. People routinely make hazardous choices about investments, friendships, career paths, lifestyles, and many other matters, hoping for fortunate results. The commercial gambling industry is inherently no less legitimate than the stock market. The Libertarian Party of Louisiana opposes the criminalization of gambling and calls for a free market in Louisiana for casinos, lotteries, sports betting, and other forms of gambling entertainment.

Operation of commercial businesses in competition with private enterprise is not a constitutionally proper function of State government. The government of Louisiana should not be operating lotteries, casinos, amusement parks, or other entertainment ventures – not only because of the possible harmful impacts of such enterprises on some persons in the general population, but also because such enterprises are totally foreign to the appropriate purposes of state government. The legitimate costs of government should be financed by fair general taxation and reasonable user fees for government services, not by speculative or exploitive business ventures.

(7) Safety and Consumer Protection Although States and municipalities have the right to use criminal sanctions to enforce reasonable restrictions on personal freedom for the significant protection of public health and safety, it is constitutionally improper to force citizens to take arbitrary protective measures merely for their own safety when they should be free to make their own decisions. Accordingly the Libertarian Party of

Louisiana opposes motorcycle helmet laws; seatbelt laws; other over-restrictive driving, drinking, and smoking laws; unreasonable alcoholic beverage control laws; and all such purported consumer protection or blue laws that serve more to robotize people than to protect them.

- (8) Suicide** All persons have the right to decide for themselves whether to voluntarily end their lives. Persons with overwhelming illnesses or physical incapacities who experience no relief from excruciating pain or unbearable mental anguish should not be denied the right to end their suffering and die with dignity. The criminal law of Louisiana should recognize the right to suicide and not prohibit persons acting in good faith from assisting others freely so choosing to end their lives.

B. Federalism

The United States Constitution does not authorize the national government to enact ordinary criminal and civil laws for the whole United States. The authority to legislate the general law is vested solely in the legislatures of the States. The Libertarian Party of Louisiana demands that the federal government cease usurping the legislative authority of the states; and we call for the repeal of all federal laws, such as the Controlled Substances Act and the alcohol, tobacco, and firearms laws, which unconstitutionally invade the exclusive legislative competence of the States.

Until such unconstitutional federal laws have been repealed, we oppose the cumulation of civil and criminal penalties on law violators produced by separate federal and State prosecutions for the same offense.

C. Insanity Defense

The Libertarian Party of Louisiana calls for abolition of the insanity defense in both Louisiana and federal law. No alleged diminished mental capacity of any kind should ever eliminate criminal responsibility for deliberate acts that injure others. Offenders with serious psychological or neurological impairments can be given appropriate consideration or treatment by the courts at sentencing and by correctional facilities after incarceration.

D. Jury Nullification

The right of jurors in criminal cases to evaluate the justice of laws they enforce and to nullify unjust or unconstitutional laws should be recognized and supported by law. Criminal defendants are entitled to argue for jury nullification and to have the jurors instructed accordingly by the court.

E. Discretion in Sentencing, Prosecution, Bail, Forfeitures, and Corrections

Sentencing of criminal offenders is a judicial function that should be carried out with careful attention to all the circumstances of the offense and all the characteristics of the offender. Judicial and correctional systems should be equipped with a broad range of alternatives for pretrial intervention, probationary supervision, incarceration options, parole, and enforcement of financial penalties and restitution. Judges, probation officers, and other correctional officials should be creative in matching penalties to violations and offenders in order to achieve the most constructive results.

Recognizing the need for flexibility in such matters, the Libertarian Party of Louisiana opposes generally the legislation of mandatory minimum sentences which deprive judges and corrections professionals of discretion to select the most appropriate sentences.

Especially in the case of victimless crimes, both the United States government and the government of Louisiana have pursued barbaric criminal enforcement policies, seriously aggravating their own constitutional crimes. Misled by the legislators, prosecutors, and judges of the ruling parties, the State and federal governments have perverted the administration of justice by imposing unjust, excessive prison sentences out of all proportion to the gravity of the crimes committed upon thousands of Louisiana citizens guilty of no violence or harm to anyone.

In similar disregard for constitutional rights, State and federal officials have used arbitrary and unfair civil forfeitures to deprive nonviolent offenders and innocent citizens of their lawful money and property as punishment for phony crimes.

The imposition of drug testing to evaluate the bodily tissues of criminal defendants as a condition of bail, probation, or parole is another abusive practice that must be stopped. Our constitutions do not allow the government to punish citizens for the contents of their bodies any more than for the contents of their minds.

Both the United States Bill of Rights and the Louisiana Declaration of Rights demand law enforcement institutions capable of moderating the impact of unjust laws as well as effectively sanctioning all true violations of human rights. Judges, prosecutors, probation officers, and correctional officers must exercise their discretion with due regard for the constitutional limitations on their authority.

Mentally impaired individuals convicted of serious violent crimes should generally be incarcerated and receive appropriate medical treatment or counseling in prison.

F. Death Penalty

Whether to allow execution as a punishment for heinous crimes is a question as to which the States differ and public opinion is diverse and shifting. The death penalty was more common when the United States Constitution was adopted, and the applicable

constitutional restrictions are the general principles of fair procedure and equal treatment before the law. Long experience, from the time of lynchings through the present era of DNA forensics and televised trials, has demonstrated that contemporary criminal justice in the United States is not always capable either of accurately determining the guilt of defendants or of ensuring equal treatment for different defendants.

In addition to being concerned about the issues of fair procedures and accurate adjudication, Libertarians recognize that, despite the apparent justice of the death penalty in certain categories of crimes, it may be a wiser course for our legislators to abandon it in order to better instill respect for human life in the minds of our citizens.

As the debate on the death penalty proceeds, the Libertarian Party of Louisiana declares its position that at most only deliberate murders should ever be capital crimes in the United States, and that where capital punishment does exist, procedural reforms should be enacted to ensure the correctness of verdicts and uniformity in prosecution of all defendants.

Such reforms should include changing the burden of proof to allow death verdicts only when there is no doubt whatsoever of guilt, and allowing persons with all variations of conscientious opinion on capital punishment to serve on juries in capital cases. Criminal juries, formed to express the judgment of the community on fact and law, should truly represent the character of the community.

G. Government Crime

Although federal, State, and local governments are charged with enforcing our constitutions and laws, they often ignore constitutional and legal commands. Legislators, judges, and executive officers routinely abuse their authority by breaking laws they have sworn to enforce and abusing the people whose rights they have sworn to defend. Government crime threatens the security of all Americans.

The Libertarian Party of Louisiana decries the prevalence of corruption, fraud, extortion, false swearing, constitutional violations, and essentially all forms of crime at every level of American government. We call on all law enforcement officers to quit generating victimless crimes through entrapment, solicitation, and intrusive spying on our citizens. We call on police and prosecutors to confine their enforcement activities to the honest, even-handed, and constitutional prosecution of real crime.

Government agents who commit murders and other serious crimes should not be excused from criminal responsibility because they are motivated by foreign policy considerations, because they commit their crimes outside of the United States, or because their superiors approve of their crimes.

4. CIVIL JUSTICE

A. Federalism

Except for limited reservations of federal authority and general requirements of fairness embodied in the Bill of Rights, the United States Constitution leaves the enactment of civil law to the States. The mass of unconstitutional congressional legislation prescribing civil law for the States must be repealed or judicially invalidated, along with the similarly unconstitutional federal criminal laws. Congress has no more authority to enact nationwide divorce laws, personal injury laws, tort immunities, debt collection procedures, or employment laws, for example, than it does to write ordinary criminal laws, safety regulations, or local school rules for the States.

B. Louisiana's Civilian Tradition

Louisiana's tradition of codified civil law offers significant advantages compared to the common law traditions of our sister States, but the potential benefits of our Civil Code cannot be fully realized unless our Legislature will use care and good judgment both in modernizing our civil law and in preserving its key principles, as changing social and economic conditions and political pressures of special interests create demands for changing outcomes in civil justice.

The fundamental principles of our civil law are thoroughly libertarian. They include self-determination, fulfillment of family responsibilities, security of property, facilitation of commerce, freedom of contract, honoring obligations, just reparation of injuries, and expeditious and fair resolution of disputes. If our legislators would not depart from these common-sense principles to impose arbitrary values on others, to subsidize or unduly protect particular businesses or institutions, or to compel the market choices of individuals, then our civil justice system would provide an effective foundation for a prosperous and harmonious State community.

C. Tort Law

(1) Fault Reparation The essence of sensible tort law is stated succinctly in the Louisiana Civil Code: "Every act whatever of man that causes damage to another obliges him by whose fault it happened to repair it." The civil law should require that those who injure others intentionally, negligently, or in the course of activities creating serious hazards to others be responsible in reasonable damages for the injuries they cause.

On the other hand, no one should be entitled to demand compensation from other persons or from the government merely because he has suffered injury, illness, or misfortune. In a fair tort system, while no one should be excused for careless or

deliberate actions causing injuries, neither should anyone be liable for damages without fault or causal responsibility.

The costs and uncertainties of litigation are so great that civil justice is often denied to those not wealthy enough to afford the necessary expenses. Subject to careful judicial supervision, Louisiana law should allow successful civil litigants to be awarded attorney fees in cases in which there is overwhelming proof of deliberate infliction of personal injuries, or overwhelming proof of the falseness of suits making such claims. While allowing such remedies in deserving cases, our law should always recognize that totally just and valid claims may fail solely for want of proof, and that in such cases, it would be very unjust to burden a rightful but losing litigant with having to pay the attorney fees of his successful but blameworthy opponents.

Workers' compensation laws and similar no-fault compensation plans which assure limited remedies for certain kinds of injuries (such as job-related accidents or infant vaccine reactions) and spread the risks over the producers and consumers of the relevant industries can reduce the total costs of accidents and expedite relief to the injured, but raise questions of equity and a fair balance of responsibility between the creation of risks and the provision of adequate compensation for resulting injuries. Such plans, when desirable, should be created by State legislation and not imposed on the States by the United States Congress without constitutional authority.

- (2) Products Liability** The sound law rendering manufacturers of products unreasonably dangerous in ordinary use liable for actual damages caused to innocent users has been weakened by the willingness of some courts and juries to disregard the contributing fault of careless claimants or other intervening causes in order to redistribute economic risks. We call upon the judiciary to maintain the fairness of our products liability laws by allowing the imposition of such liability only when it is plainly justified by the causal facts. Manufacturers of weapons or other dangerous instrumentalities should not be held responsible without fault for the deliberate misuse of their products to commit crimes or injure people. Persons who knowingly choose to consume dangerous products like cigarettes, intoxicants, or unhealthy foods have no right to claim compensation for the consequences of their own fault.
- (3) Prescription** Persons injured by the fault of others should have reasonable opportunities to investigate and assert their claims. Accordingly we advocate extension of the general prescription period for tort actions in Louisiana from one year to two years.
- (4) Unreasonable Claims and Verdicts; Punitive Damages** Tort victims are entitled to reasonable compensation for their injuries, but the civil law should not be an arena for exaggerated claims, extortion, and remedies not justified by the facts. Judges should impose appropriate sanctions, including possible attorney fee awards, on litigants and

lawyers who assert frivolous claims or defenses. Using Louisiana's unique procedure for appellate review of jury fact-finding, our courts of appeal should be vigilant to correct excessive damage awards and other unreasonable verdicts.

Unlike the law of the other States and of the federal government, derived from the common law tradition, the civil law of Louisiana has traditionally not allowed the award of punitive damages, which are damages awarded against those who willfully or recklessly injure others, for the purposes of punishment and deterrence rather than compensation. The Louisiana Legislature has started to create exceptions to this legal tradition, passing laws allowing punitive damages for certain torts, such as hazardous waste pollution, newspaper libel, and drunken driving accidents. Recognizing the relevance of both punishment and compensation when people willfully injure others, we also recognize that in practice the use of punitive damages has produced extremely arbitrary damage verdicts and brought into question the justice of American tort law.

We believe that the better policy would be to leave punishment to the criminal law and maintain our traditional civil law that tort damages should be limited to reasonable compensation for actual injuries. We advocate amendment of Louisiana law to once again prohibit the award of punitive damages in civil suits. We recommend elimination of punitive damages to the citizens of our sister States, and we call upon the national Congress to legislate an end to such damages in federal law.

(5) Immunities, Damage Limitations, and Special Privileges Nothing destroys justice more than the creation of arbitrary exceptions to reasonable general principles that should apply equally to all persons similarly situated. Not only do such exceptions corrupt the law, but they distort the effective functioning of economic markets by giving unearned benefits to some and forcing unjustified costs on others. It is not proper for the Legislature or the courts to enact arbitrary limitations on damages for the benefit of particular classes of individuals or organizations, or to grant special immunities to excuse favored persons, firms, or institutions from the same liabilities for negligence and injurious actions incurred by everyone else. Government officials and agencies, nonprofit organizations and their officers, and malicious prosecutors or witnesses in judicial proceedings, for example, should be as accountable for the wrongful injuries they cause as are all other citizens and business firms. All statutes and rules of law granting judicial immunity to particular classes of persons should be reconsidered and modified as necessary to maintain the equal security of all persons and require personal responsibility of all wrongdoers. When there are valid justifications for the legislation of immunities, they should be drawn narrowly and equitably, limited to cases of good faith, and not used to enrich special-interest groups.

We oppose arbitrary damage limitations enacted for the benefit of physicians, nuclear power companies, airlines, or any other occupational group or industry. Every person,

corporation, and institution should be fairly answerable at law for all the damages he or it may wrongfully cause to others.

In lawsuits against government offices and agents, the public defendants should not be entitled to extraordinary legal advantages not granted to private litigants. Thus citizens suing government bodies should have the same rights to jury trials, interest on damage awards, and remedies for enforcement of judgments against government property that are available to those with claims against private individuals and organizations, provided only that public bodies be given a reasonable opportunity to discharge their lawful debts by specific appropriations prior to the execution of judgments against public property.

D. Contract Law

- (1) Freedom of Contract** Competent adults are entitled to do as they wish with their persons and property, provided they do not thereby violate the rights of others. They should be free to make whatever agreements they voluntarily choose, and they should be legally bound to fulfill their contractual obligations.

Freedom of contract is a vital requirement for an effective market economy because it allows all persons to utilize their property and personal resources as they see fit, in voluntary cooperation and exchange with others. The more that government interferes with private contractual relationships to dictate the economic choices of its citizens, the more the law becomes an apparatus of coercion in the service of special interests instead of the foundation for a free market of equal rights and opportunities for all.

- (2) Government Coercion** Except for enforcing general laws necessary for the protection of all against real crime, fraud, and serious hazards to public health and safety, the government should neither prohibit consensual private agreements nor impose contracts upon those unwilling to make them voluntarily. Accordingly we oppose in principle the forced imposition of labor contracts on employers and employees through minimum wage laws, so-called “right-to-work” laws, and other laws, State or federal, designed to control the employment, personnel, and management decisions of business firms. Such matters should be negotiated and agreed to voluntarily by employers and employees, without violence or unlawful coercion exerted either by the government or by the individuals and businesses involved.

Likewise we oppose laws forcing people to buy insurance, invest in retirement plans, pay minimum prices for any goods or services, or do business with state-supported monopolies.

Recognizing that freedom of contract is violated as much by prohibiting voluntary transactions as by coercing consent to unchosen agreements, we seek generally the repeal of State and federal laws prohibiting consensual adult transactions in various foods, liquors, drugs, or medicines; in forms of entertainment and personal services; in money and banking arrangements; and so forth. In the free society that we are determined to build, individuals and businesses will be free to make their own decisions about buying and selling, hiring and firing, working or resting, and all of the other activities as to which independent citizens are capable of making conscious choices.

As long as people are held responsible for the injuries they cause and the bargains they make, there is no legal justification for, or overall economic benefit to be gained from, coercing their decisions with arbitrary government commands.

- (3) Enforcement of Obligations and Bankruptcy** The laws of civil justice in a free society allow individuals freedom of action but render them responsible for the consequences of their acts. They are free to decide what risks to take and upon what terms to limit their freedom and spend their wealth, but they are obliged to fulfill their commitments and repair the wrongful injuries they cause.

The decisions to marry and have children, for example, generate corresponding obligations of support and guidance. Careless drivers and all other tortfeasors must pay for the damages they cause. Contracting debt obliges payment.

Our civil law enforces obligations by giving creditors claims against the property and income of their debtors. In order to preserve to all debtors the means of personal livelihood despite the level of their debts, our law exempts a portion of any debtor's wages and property from seizure for debt. While we support reasonable exemptions of this kind, we oppose the enactment of unreasonable laws by any States or by the federal government allowing wealthy debtors to escape fair payment of their obligations by prohibiting the seizure of substantial trust funds, personal earnings, retirement accounts, mansion homes, and other shielded assets that should be available to satisfy the just claims of those the debtors have injured or cheated.

The obligation to pay just debts was so important in the American legal tradition that the writers of the United States Constitution reserved the legislation of bankruptcy law to the federal government and forbade the States to pass any laws impairing contractual obligations. The United States bankruptcy law has assisted creditors and debtors in maintaining their rights and resolving conflicts, but it has also allowed and encouraged the unjust avoidance of debts by persons fully able to make reasonable payments on their obligations. We favor amending the bankruptcy law to restrict the practice of voluntary bankruptcy, whereby, without the consent of their creditors, individuals are enabled to escape obligations they justly owe which they can and

should try to pay. Reduction of bankruptcy abuse would increase the justice of our civil law and allow free market incentives to function as they should.

E. Family Law

The relationships among parents, children, spouses, and other domestic partners are governed in the first place by the individuals involved. Domestic responsibilities and choices are private matters into which state law should not intrude except for the most serious reasons of personal protection and resolution of disputes.

Laws regulating marriage, adoption, divorce, and other family matters should not discriminate unreasonably against the unmarried, homosexuals, or any other categories of people. There are many ways that reasonable family laws can protect the interests of all parties when relationships dissolve and domestic conflicts arise. The Libertarian Party of Louisiana takes no position on the details of such laws as long as they are fair to all the parties and support both self-determination and fulfillment of personal responsibilities concerning the care of children, spouses, and other family members and loved ones.

It is not necessary to change the traditional definition of marriage in order to protect the reasonable expectations of any persons making personal agreements on family matters. Freedom of contract must be respected in domestic affairs as in other areas of civil law.

Regardless of how the separate States choose to define marriage or regulate domestic relationships, the federal government must recognize that it has no constitutional authority to legislate at large in the field of family law. Under the United States Constitution, ordinary family law, except in the District of Columbia or other purely federal territories, is the exclusive responsibility of the States, which adequately discharge that responsibility through appropriate State legislation. There is no need for national or State constitutional amendments to safeguard the institution of marriage from homosexuals, polygamists, or individualists of any other kind.

The federal government should not attempt to force an arbitrary conformity upon the States, whose citizens are entitled to diversify their family laws as they see fit. If any States wish either to recognize or not recognize homosexual marriages, they are and should remain constitutionally free to do so, provided they do not infringe on fundamental human rights such as freedom of contract, personal privacy, due process, and equal protection of the applicable laws.

III. ECONOMIC AND SOCIAL WELFARE POLICY (Partial Text and Outline)

1. BASIC ECONOMIC POLICY

The economic policy of the Libertarian Party of Louisiana is grounded in the development,

defense, and expansion of free markets based on private property and freedom of contract. Economic prosperity and material progress for all depend on the broadest possible freedom for all individuals and business firms to make their own economic decisions and craft their own personal or corporate welfare as they see fit.

Only a society allowing individuals and businesses freedom of action in economic matters can realize to the fullest the benefits of the productive capabilities of its population and its territory. Government efforts to determine economic outcomes through legal coercion can only distort the neutral and impersonal allocation of costs and revenues naturally produced by free markets and replace it with a less efficient and less fair system rigged for the unjust benefit of those with political power.

A political and legal system which protects the natural rights and liberties of individuals – a lawful constitutional democracy – cannot exist outside the environment of a market economy. Unless people are free to make their own decisions about what to do for a living and how to employ their material resources and creative skills, then the same forces making their economic decisions for them will constrain the rest of their personal choices as well.

Democratic government is dependent on the freedom of action afforded citizens in a market economy. Conversely, the less any state protects the natural rights of its citizens, even if it tolerates some degree of independent business activity, the more will it reduce the overall prosperity and productivity of its people. In short, human prosperity demands self-determination in all dimensions of human action. When governments or political majorities attempt to dictate personal choices of any kind to individuals, they reduce accordingly the justice, the prosperity, and the productivity of the societies they attempt to administer.

Government actions to intervene in economic markets with coercive commands, other than reasonable prohibitions against violence, fraud, and other tortious injuries or contract breaches, always seek the differential benefit of some citizens at the expense of others. Such policies must generally be avoided to ensure equity and civil justice; moreover, such invidious economic interventions inevitably distort markets and prices, thereby imposing heavier burdens on most consumers and bestowing undue benefits on the favored few.

Likewise, the public resources of the state should generally not be expended for the differential benefit of particular individuals or business firms, but only for reasonable purposes of broad public need for which private markets are not capable of furnishing adequate remedies.

2. MONETARY POLICY: Sound Money and Free Banking

The United States Constitution assigns to the national government the responsibility “to coin money” and “regulate the value thereof,” and it prohibits the States from making “any thing but gold and silver coin a tender in payment of debts.” Although these provisions indicate

that the Founders anticipated only a metallic commodity monetary standard, subsequent legislation has transformed the United States monetary system into a purely fiat system of paper currency and bank deposits dominated by the discretionary actions of a central bank, the Federal Reserve System. Unfortunately, all nations now employ similar systems of discretionary, political monetary administration.

While the control of money by central banks affords various advantages to national economies, such as the ability to expand the monetary base in an orderly manner, and protection against liquidity crises in the banking system, hard experience has proven that, among disastrous government policies, the improvident and abusive exercise of discretion by monetary authorities is second only to the deliberate destruction of war and despotism in its potential for ruining economic prosperity and destroying the wealth of the great mass of the population.

Wealth and prosperity are based on self-determination and the widespread liberty of all persons to use their skills, property, and resources as they see fit; but the concentrated power of government central banks to arbitrarily devalue all savings and economic assets renders the property of every person insecure and subject to confiscation at the whims of the monetary authorities.

Central banks with unlimited powers of money and credit creation inevitably abuse their powers to finance unlimited government deficit spending. They abuse their powers of altering bank reserves and interest rates in order to artificially stimulate or restrain economic activity. Such actions always selectively benefit some groups of citizens and businesses at the expense of others. They encourage the national government to exceed the constitutional and budgetary limits on its activities and correspondingly deprive the States and local communities of the means and motivations to assume their own governmental responsibilities. Furthermore such ill-conceived market interventions and monetary manipulations always distort prices, values, production, and profits throughout the economy; impair rational economic calculation by all; and give rise to disastrous business cycles of boom and bust.

The reckless expansion or contraction of money and credit by central banks is the cause of general price inflation or deflation, long-run changes in the purchasing power of money which either raise the costs of living and destroy the value of savings or else reduce incomes and employment, to the great detriment of all but those fortunately situated to withstand the erratic swings of the business cycles generated by the government bankers.

The tragic results of such monetary manipulation have included depressions and recessions; stock market bubbles; the defrauding of savers, lenders, and investors; the impoverishment of the elderly and all those on low or fixed incomes; and in great measure the falling standard of living experienced by most Americans today. As it is only through undue expansion of the money supply that an economy can experience universal, continuous price inflation,

responsibility for the relentless inflationary impoverishment of the poor and all those of moderate income in the United States and elsewhere lies squarely on the shoulders of the central bankers and politicians whose ill-advised monetary policies have created the inflation.

The Libertarian Party of Louisiana is committed to the attainment of sound money of reasonably stable value and purchasing power in the United States. We are persuaded that the best way to accomplish this is to end central bank control of our money supply and thereby remove monetary policy from politics. Accordingly we favor elimination of the monetary activity of the Federal Reserve System. By legislation or constitutional amendment, the monetary base of currency and Federal Reserve deposits should be frozen and banks, businesses, and individuals set free to negotiate whatever monetary arrangements they choose.

Under monetary privatization and free banking, the free market will produce the most effective monetary system, and no one will be able to manipulate the entire market for personal or political advantage. No privileged government bank should have the power to grant unlimited credit to the federal government and the commercial banking system, or to dictate interest rates in the United States. Interest rates should be set by commercial banks and other private financial institutions in an open market of free enterprise and wholesome competition for the financial business of the consumers. Federal government spending, like the spending of the State governments, should be limited to the real amounts of government revenues and whatever loans our citizens and business firms or foreign investors may freely decide to make to the Treasury of the United States. The lending practices of private banks should be governed by the neutral discipline of competitive markets, and not by the arbitrary actions of the Federal Reserve.

Recognizing that confidence in monetary arrangements may depend in part on institutional continuity, we propose for consideration as a more incremental alternative that the money-creating powers of the Federal Reserve could be maintained but strictly limited by legislative or constitutional rule to a fixed and predictable course of monetary growth consistent with a healthy, noninflationary economy. Whether the monetary responsibilities of the Fed be sharply limited or ended altogether, our citizens must be freed from the economic tyranny of an arbitrary and all-powerful government bank

3. UNITED STATES SPENDING AND NATIONAL DEBT

A. Federal Spending and Borrowing

The United States government has long been extremely profligate in spending public revenues and engaging in excessive borrowing and taxation. Except in truly exceptional circumstances, the federal government should not finance its operations with borrowing. If recurring government activities cannot be paid for with ordinary tax revenues, user fees, and other routine receipts, those activities should ordinarily not be undertaken.

Without the reckless spending of the United States government and its resulting demands for deficit financing, the Federal Reserve Board would not have been able to work its devastating history of monetary inflation.

The Libertarian Party of Louisiana demands that the federal government live within its means, balance all of its spending accounts, and not resort to excessive borrowing and monetary manipulation to fund its ordinary activities.

We favor amendments to the United States Constitution to require true balancing of the entire federal budget and the imposition of strict limitations on total federal spending.

We demand the curtailment of off-budget federal accounting and off-budget federal enterprises. All actual government expenditures and obligations, including contingent liabilities, should be reflected in federal government accounting, and not obscured to falsify financial realities.

B. Balancing Budgets and Managing Public Debt

The long-term debt of the United States government threatens the security and prosperity of all citizens. It is unjust and financially unsound to burden taxpayers of the distant future with the financing of government expenditures for consumption today.

When the federal government engages in reasonable borrowing for necessary capital or emergency expenditures, the costs should be amortized over moderate terms and funds obtained only on the open financial market rather than through phony, inflationary credit concocted by the Federal Reserve.

The Libertarian Party of Louisiana calls on all responsible citizens to join us in repudiating the spendthrift practices of the Democrats and the Republicans. No institution can be maintained if it does not confine its spending to the amount of its income. We reject both monetary inflation and debt repudiation as strategies for financing federal deficits. If the federal government cannot pay for its current expenditures and debt service with current revenues, savings, and reasonable open-market borrowing, then it must reduce expenditures, liquidate assets, or else increase revenues or donations to raise the necessary cash.

Under the present conditions of exorbitant growth in federal spending, debt, and contingent liabilities, we strongly favor spending cuts as the primary means of balancing the federal budgets. As for increasing revenues, unfair tax preferences should always be eliminated and unreasonably low fees and rents for government services be raised before consideration is ever given to increasing general levels of taxation.

Repayment and permanent reduction of the national debt must become a major priority in

the United States. Any uncommitted revenues or fiscal surpluses obtained by the federal government should be applied first to debt reduction rather than new program expenditures or general tax refunds. The federal government must undertake a serious long-term process of reducing and ultimately ending all of its programs which insure the financial risks of any business firms, banks, non-profit institutions, or other organizations or individuals. Until such programs are eliminated, they must be made actuarially sound, with the costs of all risks reasonably insured and financed at true market rates, at the expense of the program beneficiaries.

C. Federal Spending Reductions

(1) General Policy Current levels of federal spending are so excessive, unjustified, and unconstitutional that no adequate listing of all the undue spending can be made in a brief statement. In order to illustrate the nature of the spending reductions advocated by the Libertarian Party, we present the following as examples of substantial reductions in federal spending that should quickly be implemented.

The United States should abandon all subsidies to business firms and individuals, and all legal restrictions of economic markets designed to favor or penalize particular persons or businesses. Protection of individual businesses or persons from economic risks is not a proper function of government, which should always serve the general public interest. Most of the excessive spending of the federal government, on the contrary, is designed purely to give financial favors to particular people without regard for any reasonable conception of the true public interest.

Areas in which the federal government is dominated or unduly influenced by private interests include the leasing of public lands, the organization of telecommunications, defense procurement, business insurance, and virtually innumerable other fields and industries where the overriding purpose of most government action is simply corporate welfare.

The federal government should be dramatically reduced in size and activity. Government programs should be privatized, government agencies consolidated or eliminated, bureaucratic budgets sharply reduced, and subsidies and give-aways of all kinds ended.

(2) Particular Spending Reductions The Libertarian Party of Louisiana advocates the following measures for the achievement of major reductions in federal spending.

(a) Unnecessary Federal Departments There is no essential need for the United States Departments of Agriculture, Commerce, Education, Energy, Housing and Urban Development, Labor, and Veterans Affairs; accordingly we favor their elimination. The few useful and constitutional functions of these departments can be

transferred to other departments or agencies, thereby providing substantial savings in administrative expenses. As long as these federal departments remain in existence, we favor continual major reductions in their budgets and governmental responsibilities to accord with authentic constitutional restrictions, rigorous fiscal economies, and sound principles of market freedom.

(b) Federal Agencies to Be Abolished Offices solely concerned with implementation of unconstitutional laws or deeply corrupted by years of statist abuse should be ended immediately or quickly phased out. Accordingly we favor rapid abolition of the Drug Enforcement Administration, the Office of National Drug Control Policy, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Export-Import Bank, the Overseas Private Investment Corporation, the Equal Employment Opportunity Commission, the Consumer Product Safety Commission, the Federal Housing Administration, and the Small Business Administration.

All such federal offices and programs devoted to the violation of constitutional rights or seeking to improve on free markets and the ordinary operation of civil law to protect certain people and businesses from the natural risks of life and commerce are very expensive and highly wasteful of government resources. Even when their missions are not inherently evil, such agencies exceed the constitutional authority of the national government, coerce private choices, and foster undue dependency by private interests on government support.

(c) Corporate and Personal Welfare Programs All federal government programs intended to grant special financial or material benefits to individuals and businesses should be phased out. The exploitation of the United States Treasury for the benefit of private businesses and individuals must end. Procurement of goods and services by the United States government must continually be reformed to maintain cost efficiency and avoid the colossal wastes of corporate welfare and other special-interest spending.

All federal programs of general, routine income support, housing, health care, education, and other forms of personal welfare should be phased out, along with all programs of corporate and business subsidies. There is no constitutional authority for such fiscal extravagances no matter how well intentioned or long practiced.

If United States citizens wish to subsidize businesses or pay the personal expenses of themselves and their neighbors, they should do so privately, through personal contributions and institutional charities, or, if they wish to provide such benefits as public welfare support, they should do so through their State or local governments. Redistributing income throughout the United States for the arbitrary benefit of favored persons is not a constitutional prerogative of the United States Congress. If real economic prosperity is ever to be restored to our country, such federal excesses

must be abandoned, and American citizens and businesses must resume primary responsibility for their own welfare.

Until the roles of the national and State governments in furnishing business and personal welfare support have been restored to their constitutional limits, great economies of administration could be achieved by replacing federal welfare programs with broad financial grants to the States for the funding of similar State programs better adapted to the particular needs of their citizens and businesses.

(d) Entitlement Spending The most costly federal programs of personal welfare support are those granted so liberally to broad segments of the general population that they have acquired the nature of “entitlements,” spending that increases rapidly and automatically when growing numbers of people apply for program benefits, or when benefits are increased and extended. Such entitlement programs, including Social Security, Medicare, Medicaid, and any others devised to make the United States government routinely responsible for the ordinary personal care of individuals, threaten to exhaust federal revenues in coming years, and they are clearly beyond any constitutional authority conferred on our national government.

In general, the Libertarian Party of Louisiana favors massive reductions in federal entitlement spending, combined with large-scale privatization and devolution of national welfare programs to the discretion of the States. Major welfare entitlement programs are discussed further in Section III (4) below.

(e) Defense Spending The military defense of the United States requires enormous expenditures that are constantly subject to waste and special-interest corruption. Acknowledging both of these realities, the Libertarian Party of Louisiana favors a well-funded Department of Defense whose funding appropriations are subjected to the greatest, most cost-conscious scrutiny. Overspending for weapon systems and military supplies and services weakens our defense capabilities and rewards profiteering at public expense. Defense budgets cannot be set in isolation from all other federal spending. National deficits and monetary inflation are as damaging to the United States when driven by defense spending as when caused by any other kinds of spending. The Pentagon should be subject to the same budgetary restraint necessary for every other federal agency. National defense should never be an excuse for graft and financial waste.

(f) Grossly Destructive Programs Large, powerful governments are always prone to fiscal waste because of bureaucratic irresponsibility and special-interest manipulation. The government of the United States will always suffer from such shortcomings, and our citizens will always have to be vigilant to restrain unnecessary public spending.

There is no greater waste imposed by governments than when, led by misguided

public officials, they directly destroy human lives, happiness, and property, as they have done with heinous enthusiasm in all ages. Our own national history is filled with shameful incidents of genocide, ethnic and religious persecution, imperialistic conquest, and other forms of deliberate wrongdoing by national and State officials. Many of these crimes and wrongs were never recompensed through civil justice and are now beyond remedy. Our inability to answer collectively for ancient wrongs however great will not allow us to escape civic responsibility for contemporary injustices knowingly perpetrated through government action.

Grossly destructive activities of the United States government, such as unjust wars and repressive police efforts to control private behavior, must be stopped at once and all possible restitution made to deserving victims. Beyond the payment of reasonable restitution to the victims of the wrongful wars, murders, and persecutions committed by the United States government, ending such atrocious policies and practices will prevent massive ongoing expenditures for military, police, and correctional personnel; weapons and equipment; combat and enforcement operations; prisons and hospitals; litigation and diplomacy; eventual peacemaking and reconstruction; and all the other endless financial and moral consequences of doing evil through government.

The Libertarian Party of Louisiana is committed to the institutionalization of justice and the rule of just law in both public and private affairs. Unless the United States at large recommits itself to justice, prudence, and constitutional rule, then neither our government nor our citizens will escape the dire accumulating costs of our irresponsibility and neglect.

(g) Business and Social Insurance, Loan Guarantees, and Bailouts One of the major factors contributing to excessive federal spending and seriously threatening the long-term health of the American economy is the reckless practice of the United States government of guaranteeing all manner of business and personal obligations. When the government undertakes to guarantee private transactions such as bank deposits, real estate investments, commercial and personal loans, and pension payments, the resources of the taxpaying community are depleted for the benefit of particular individuals and businesses whose interests are rarely identical with the public good.

Through such entities as the Federal Deposit Insurance Corporation (FDIC) and the former Federal Savings and Loan Insurance Corporation (FSLIC), the federal government has undertaken to guarantee the solvency of financial institutions; but the means employed have encouraged irresponsibility on the part of depositors, lenders, and investors. The collapse of the savings and loan industry and the FSLIC in the 1980s, with the ensuing enormous taxpayer-funded bailout of the depositors and thrift executives, illustrates the kind of results to be expected when the government eliminates incentives for personal responsibility by insuring the public too much

against the ordinary risks of life and business.

The federal government should not bail out banks, investors, insurance companies, manufacturers, commercial firms, or any other business ventures when they experience financial losses. The American people should not have to pay for the business mistakes or misfortunes of entrepreneurs and corporations. Likewise, the public revenues of our country should not ordinarily be used to bail out individual consumers, borrowers, or employees from the natural consequences of their economic choices. Individuals and businesses should be expected to use reasonable care and foresight in deciding how to spend their income and manage their financial affairs. If the government were to guarantee all persons against the results of their own negligence, there would be no limit ever to the public spending that would be required to insure everyone.

Privatization of the insurance of private risks, including all of the risks assumed by the federal government in its depositor, investor, employee, and retiree insurance programs, would not only honor the constitutional limits on federal power, but also save an enormous amount of eventual federal spending and thereby reduce pressures for monetary inflation and fiscal irresponsibility. In addition, privatization of financial insurance is likely to be much more effective in the identification of risks and the control of costs.

Insurance of depositors or pensioners, for example, can be more efficiently achieved by market systems of cross-guarantees, with risk-sensitive premiums, than by government blank checks that become disastrous to the taxpayers when widespread losses occur. Broad-based programs of social insurance like those of the Pension Benefit Guaranty Corporation, the FDIC, and the Social Security Administration invariably provide consumers smaller benefits, at greater costs, than would private alternatives available on the open financial markets.

(h) Agriculture Programs Among the most outrageous federal programs of corporate welfare and counter-productive business subsidies are those established to serve the agriculture industry. Year after year the politicians of the Democrat and Republican parties raid the Treasury of our country to bestow millions of dollars of unearned benefits on persons and corporations engaged in the farming business. Through many extremely expensive farm programs, the United States government attempts to guarantee profitable operations to agribusiness interests and to protect those businesses from the natural economic hazards of weather, competition, and global trade.

The federal farm programs destroy the natural market for agricultural products, in which, as in other industries, financial success would depend on foresight, good management, hard work, chance, and the costs and prices determined by the universal

laws of supply and demand. In place of a free agricultural market, the federal government constructs an artificial one in which supply, demand, and prices are rigged to block open competition and guarantee profits to the protected businesses. Federal laws and regulations set prices for agricultural products, pay farm companies to limit production, commit the government to purchase farm products at supported prices, impose tariffs and quotas on imported products, subsidize exports, finance farm enterprises at below-market rates, and attempt to maintain the relative buying power of agricultural entrepreneurs at an arbitrary level supposedly enjoyed by them in a prosperous past era.

No other industry enjoys such privileges and none deserves them. In a dynamic, creative economy relative gains and losses in different businesses and employments are always changing. Trying to lock in profits for anyone in a free market economy only injures the public at large and discourages the protected groups from becoming more efficient. Our agricultural programs demonstrate the folly of subsidies and political economic intervention. Originally rationalized as necessary relief measures at a long-past time when a much larger part of our population was engaged in farming, the federal farm programs are clearly insupportable today, when most farming is done by a relatively small number of big corporations with great political influence.

Instead of earning their profits like all other businessmen by better meeting the needs of their customers, the agribusinessmen served by the federal farm programs expect to prosper at public expense regardless of how little they may benefit the consuming public. Through manipulation of federal agricultural programs, farming businessmen can secure guaranteed profits without having to provide better or less expensive goods to the public. For them and all other businesses that rely on government subsidies, the political process replaces the market process, and the ordinary risks of doing business are escaped by those able to get places on the government gravy train.

Like agricultural programs conceived as public benefits that end up benefiting mainly powerful private interests, and hurting the interests of ordinary consumers, all federal programs designed to distort natural market processes to produce contrived gains for special groups invariably sacrifice the true welfare of the general population to the special interests of the favored few.

The Libertarian Party of Louisiana calls for the elimination of all federal programs of agricultural subsidy and protection. Such programs are totally unconstitutional as well as extremely expensive, wasteful, inflationary, and ineffective at improving the general welfare. The government of the United States should follow the plain imperatives of the Constitution as well as of objective economic science in ceasing its futile efforts to control market outcomes, and in allowing the natural genius of a free economy to function normally for the greater benefit of all Americans.

(i) Payrolls and Employee Benefits Personnel costs throughout the federal government should be reduced not only by closing offices, ending programs, and reducing workforces, but also by reducing extravagant salaries, pensions, and other fringe benefits for present and future government employees. Recruiting capable persons to perform the essential activities of the United States government should not require excessive compensation, sweetheart deals, and the creation of a privileged class of overpaid public employees and contractors. Exorbitant salaries and compensation for officials, employees, and contractors must be reduced in all departments of the federal government, including the Congress. The American taxpayers should not reward their representatives for violating their oaths of office, trampling the Constitution, ruining the national economy, and continually undermining the general welfare of the great mass of their constituents.

(j) Interest Expense The excessive borrowing done by the United States government, abetted by the profligate financial practices of the Federal Reserve, has not only destroyed the value of the United States dollar, but also contributed seriously to the burden of total federal debt by forever raising the interest obligations and expenditures of the United States Treasury for the financing of our national debt.

(k) Sunset Principle In order to force the federal government to economize and reconsider legislative programs and financial commitments, all congressional legislation establishing ongoing spending programs should be subject to periodical review or “sunset” provisions under which the programs will terminate unless continuation is specifically authorized by subsequent legislation.

D. Government-Sponsored Enterprises and Public-Private Partnerships

A method often used by the United States Congress to subsidize various interests while disguising its role and keeping the financial transactions off the accounting books of the government is to establish government-sponsored enterprises (GSEs) that operate approximately as private business firms. Federal GSEs with great economic impact include the Federal National Mortgage Association (“Fannie Mae”), the Federal Home Loan Mortgage Corporation (“Freddie Mac”), the Federal Home Loan Banks, the Student Loan Marketing Association (“Sallie Mae”), and the Farm Credit System with all its affiliated banks, lending institutions, and security brokers (like the Federal Agricultural Mortgage Corporation or “Farmer Mac”).

Commonly the GSEs are set up and financed by the government, benefiting from lavish government loans or loan guarantees and enjoying special tax exemptions and other advantages not available to private businesses. Banks, investors, consumers, and competitors deal with the GSEs as they do with private firms except that the government backing causes almost everyone to assume that if a GSE gets into financial difficulty the government (the taxpayers) will bail it out. Although the GSEs are always ostensibly

dedicated to beneficial public purposes, they always produce large opportunities for private gain at public expense.

Because of their public subsidies and the general belief that the government will bail them out if insolvency threatens, the securities issued by the GSEs in the financial markets sell very well even without explicit government guarantees. Their government sponsorship causes GSEs to gain business and market share disproportionate to their actual resources, and, as with all businesses subsidized by the government, encourages undue risk-taking by GSEs and those dealing with them in the financial markets. The total amounts of debt accumulated in the financial obligations of the GSEs have become enormous and dangerous. As with many of the contingent liabilities of the federal government, there is a growing danger that major financial defaults crippling large sections of the economy may confront an insolvent national government incapable of funding its implicit guarantees except through the devastating mechanism of massive monetary inflation.

Government subsidies dispensed through political negotiation can never match the effectiveness of natural market incentives in producing the safest and most efficient utilization of capital resources. Besides generating the most productive allocation of resources, free markets, in the absence of monopolistic practices and government intervention, tend to generate a more just distribution of financial rewards by making more profitable those enterprises most successful in satisfying consumer needs, rather than those blessed merely by the favoritism of politicians.

The Constitution does not authorize the federal government to make home loans, farm loans, business loans, or school loans, or to engage in the banking, real estate, insurance, or investment businesses. As a general rule, public revenues and financial assets should not be used to fund, guarantee, or operate private enterprises of any kind.

Reasonable public services may often be provided most efficiently through private charitable organizations or through public contracts with private individuals or businesses. The Libertarian Party encourages the utilization of private-sector resources for the fulfillment of legitimate public needs under fair, competitive contractual arrangements; but we oppose any public-private partnerships that serve private interests more than the general welfare, or that falsely identify the public interest with the enrichment of particular persons, businesses, or organizations.

E. Disaster Relief

It is an inherently legitimate function of government to assist the constituent community in dealing with natural disasters or other widespread emergencies requiring action beyond the private means of the citizens. Under the United States Constitution, with its emphatic limitations on the legal powers of the national government, it is necessarily questionable

to what extent the federal government should undertake disaster relief measures as opposed to the governments of the States involved. Misguided characterizations of ordinary economic hardships as national emergencies have led to great fiscal and constitutional abuses on the part of the federal government.

At a minimal level of constitutional restraint, national resources expended for disaster relief should be reserved for major catastrophes exceeding State, local, and private capabilities for remediation and significantly damaging essential national interests.

The need to finance disaster relief, when warranted by constitutional and practical considerations, may justify reasonable expenditures and borrowing by the national government, but the officials charged with making those judgments should never sacrifice the long-term welfare of the entire nation for short-term relief of temporary and localized disaster conditions. The principles of economy which force all governments to live within their means are not rendered inoperable by disasters and emergencies. One reason why moderation and thrift are desirable is that they afford more resources and freedom of action to individuals and governments when disasters and other unexpected losses occur. If all surplus revenues are routinely spent by government on endless demands for corporate and personal welfare support, and if all potential revenue resources are routinely exhausted for current consumption, then there will be no reserves or potential revenue available for genuine emergencies.

When a lack of funds on hand and the expense of borrowing at market rates lead officials to monetize debt by issuing fiat credit from a central bank, the ledgerdmain contributes directly to the impoverishment of almost all the people through the insidious practice of inflation as well as through other resulting economic distortions.

When national interests and national financial resources justify reasonable programs of disaster relief by the central government, such relief should be accomplished as much as possible through general loans and grants channeled through State governments rather than by the establishment of large new federal bureaucracies to micromanage State and local relief from Washington.

The principle that government should not unduly impoverish everyone to relieve the extraordinary losses of a few is applicable to international relations as well as to domestic disasters. When natural disasters, epidemics, famines, or wars in other countries raise proposals for humanitarian relief and other forms of foreign aid, the needy populations may be very large and the material needs may be virtually infinite. In such cases, United States assistance should be provided as much as possible through private resources. Any aid provided by the federal government must be granted judiciously, especially when federal accounts are in deficit. No matter how great the needs, the United States should not spend money for financial assistance, domestically or internationally, when the funds are not actually available to the Treasury. In emergencies when government borrowing is

the only means of raising necessary funds, the borrowing should always be done on the open financial markets, at free market rates, and not on inflationary terms artificially produced by market interventions of the Federal Reserve.

Disaster relief is not fundamentally different from other issues concerning public spending for private welfare. When the genuine public interest in government assistance to individuals or businesses is great enough, relevant constitutional and legal limitations are observed, and sound monetary and fiscal principles are followed, it is within the prudent discretion of political authorities to provide such assistance, within reason. But since public resources are always limited, and their expenditure for private benefit always risks injustice, corruption, and widespread economic injury to the general public, the national and State governments should always strive to leave the relief of private needs to private charity, private firms, and private institutions.

4. NATIONAL WELFARE ENTITLEMENTS

The most costly area of federal spending is that consisting of national welfare entitlement programs. Among these are Social Security, Medicare, and Medicaid. Programs such as these that promise unlimited financial benefits to all citizens are simply not sustainable in the long run. As illustrated by recent huge increases in promised Medicare benefits to pay for prescription drugs, the Democrat and Republican politicians have abandoned fiscal responsibility in order to lavish ever greater government assistance on the public.

Any massive federal government spending programs lead inevitably to deficits, waste, graft, inflation, and the destruction of economic welfare for most of the taxpayers and consumers. When foolish politicians, ignorant of economic laws, lead the public to depend on government financial support for all their personal and business needs, the maintenance of a free and prosperous economy becomes impossible.

The guaranteed personal and business welfare of all individuals is neither a legitimate nor a feasible objective of national economic policy. Though wise free-market economic policies based on constitutional values will always bring general benefits to most people, the promotion of private welfare through direct financial subsidies granted as entitlements is not authorized by the United States Constitution. Even when public welfare entitlements are constitutionally permitted, for example under State constitutions, they should be avoided as much as possible. Not only are entitlements costly and wasteful, but they create perverse incentives of all sorts and lead citizens to become unduly dependent on government services.

The Libertarian Party is committed to the eventual privatization of all national entitlement programs. If particular States wish to institute public welfare, retirement, or health care programs on their own, they will no more be able to fund unlimited welfare spending than the national government, and will suffer the adverse financial and economic consequences of such policies. Nevertheless it would be far better for the United States to transfer any such

programs to the discretion of the States than to continue trying to do the impossible on a national scale.

Accordingly, we favor an immediate freeze on the growth of all national entitlement programs, followed by their gradual rollback and privatization, until ultimately the federal government is out of the welfare entitlement business altogether. The public welfare safety net, State or federal, should not be universal insurance against all of life's hazards, but only emergency aid for basic needs. Amounts of benefits, years of allowed participation, relative need of recipients, and other program conditions should be closely controlled to avoid waste and inappropriate disincentives to self-reliance.

The greatest engine for personal economic welfare and prosperity of all kinds is a free and active market economy, based on an unmanipulated and trustworthy monetary system, and devoted to the preservation of constitutional rights and personal responsibility. In a free and energetic economy, generous and civic-minded private individuals and institutions will always develop charitable resources for the benefit of unusually needy members of their communities, just as they always did in America before the arrival of the welfare state.

When services such as education, housing, medical care, and feeding are provided by government under present laws, we generally favor the provision of such services through voucher payment systems that give discretion to the consumers in the purchase of goods and services. Market-based incentives should always be utilized in order that the most efficient and effective systems of public assistance may evolve.

The responsibility for providing the material needs of children should always lie primarily with their parents and families. Neither the citizens of the United States of America nor those of the State of Louisiana should be obliged to pay the expenses of whatever children their neighbors may produce. The personal responsibility the Libertarian Party supports includes responsibility for one's offspring and the burdens one's family may impose on the community. If people are unequipped to raise and provide for children, they shouldn't be having them. The national and State governments should always encourage responsible reproduction and sensible family planning so that demands for personal financial support from the public will be minimized.

As Libertarians, we do not oppose government welfare programs because we have no sympathy for those in need or distress. We oppose such programs in general because we are convinced that the cultivation of personal responsibility, private initiative, and self-determination are the only really effective means of increasing the material welfare of our communities, and that the cultivation of ever-increasing economic dependency on government assistance will certainly lead eventually to far greater poverty, suffering, and injustice for all.

5. FEDERAL TAXATION

A. General Policy

The existing system of federal taxation is a complex and unjust scheme combining excessive levels of taxation for many with a labyrinthine system of special-interest exceptions, preferences, and incentives. While recognizing that a reasonable amount of taxation is necessary to fund the essential activities of the federal government and repay the enormous debt the United States has so unwisely incurred, the Libertarian Party of Louisiana strongly opposes the present structure of the Internal Revenue Code and its utilization for the funding of excessive and unconstitutional federal expenditures.

To be just, any system of taxation must apply equally to all individuals, businesses, and institutions, without preference or prejudice. The tax laws should not be used to confer subsidies upon any persons or organizations, nor to penalize any economic activities, except as necessary to pay for public expenses or injuries directly caused by specific taxpayer actions. By filling the tax laws with preferential breaks designed to encourage or discourage particular enterprises or consumer behavior, the United States Congress has gravely violated the principle of basic fairness which demands equal treatment of all taxpayers.

In addition to being equitable and even-handed for all taxpayers, general taxes should be broad-based, affordable, and easily administered. They should apply in the same way to all citizens and organizations. They should be moderate in amount, so they do not unduly penalize citizenship or participation in the national economy. They should be capable of fair and economical administration. They should not overburden taxpayers or commerce in general, nor should they impose disproportionate burdens on any particular persons, industries, occupational groups, or geographical areas. When taxes, licenses, or user fees are charged to defray the expenses or damages caused by particular uses of public resources or services, they should be reasonably targeted to the relevant users.

In short, taxation should be fair, non-discriminatory, moderate, and reasonable in principle and practice. If fair and reasonable kinds of taxation are incapable of generating sufficient revenue to fund the ordinary activities of the federal government and its debt service, then government expenditures and debt must be reduced. Any reform of United States taxation must address excessive government spending and insist that outlays and unfunded liabilities not exceed what can be financed through reasonable levels of taxation and user charges.

B. Federal Taxation Alternatives

Currently the main federal taxes are (1) income taxes, individual and corporate; (2) employment taxes, including Social Security, Medicare, and unemployment taxes; and (3) excise taxes imposed on various goods and services, such as gasoline, telephone

services, airplane tickets, alcoholic beverages, tobacco, and expensive cars, boats, and planes. The federal government also taxes transfers of wealth through estate and gift taxes, and imposes customs duties on many kinds of imported merchandise.

The current federal income tax laws are so unfair, complex, and intrusive that many Libertarians favor eliminating them altogether or else replacing them with a national sales tax, a value-added tax, or some other form of transaction tax. Wholesale changes in the national tax system of such kinds could require constitutional amendments and cause difficulties to States and local communities traditionally dependent on certain forms of taxation. There is also always a danger that new forms of taxation may not actually replace, but only add to, existing taxation.

In view of the extremely high levels of spending, debt, and contingent liabilities recklessly enacted by the United States Congress, and in view of the many practical difficulties that would be involved in totally changing the main system of federal taxation from a tax on incomes to a tax on sales or other transactions, we believe that it would be preferable to perform a radical reform of the present Internal Revenue Code than to establish a vast new arena of taxation for the federal government to exploit. A system of federal transactional taxes created in the special-interest environment of contemporary politics could easily become just as complex, unfair, and intrusive as the present income tax.

We believe the best way to reform the federal income tax system would be to end all special preferences, combine the corporate and individual income taxes, and apply a greatly simplified income tax flatly, or with only a mild graduation, to all taxpayers. The corporate income tax can be eliminated by charging all corporate income directly to the shareholders or trustees of any organization. Illustrative proposals for creating a fair income tax system that doesn't favor one taxpayer over another are detailed further below.

Social Security, Medicare, and unemployment taxes should be reduced for all taxpayers, employers, and employees as the entitlement programs they fund are phased out at the federal level and gradually returned to the discretion of the States, or privatized. As long as participation in the Social Security and Medicare programs is mandatory for most citizens, it should be mandatory for all government employees as well. Government employees and officials should not have privileged retirement programs at public expense, but should share the burdens and taxes of the same social insurance schemes imposed on the rest of the population.

If and when federal outlays are ever reduced to the level of federal revenues, and if prudent budgeting permits it, all federal excise and import taxes should be re-examined and lowered or eliminated. Excise taxes should assume the form of targeted user fees rather than arbitrary impositions on particular goods or services.

All federal estate and gift taxes, which are imposed on donors and decedents, should be abolished. We support the current policy of not taxing gifts and donations as income to the recipients, because it is a broad-based exemption that substantially simplifies the identification of taxable income and maintains consistency with the treatment of inheritances and other transfers of ownership.

Libertarian reconstruction of the federal tax laws must strive to avoid creating exceptions from general rules to provide particular benefits for any interest groups. If, despite constitutional limitations and the counsels of justice and fiscal responsibility, our national legislators insist on bestowing financial favors – public subsidies – upon any persons, businesses, or organizations, they should do so by direct appropriations clearly identified, and not by subtle measures hidden in a massive tax code.

If the tax code were not used as a vehicle for countless special-interest subsidies and exceptions, overall tax rates could be lowered and the public could be better informed of the true costs and purposes of government activities. If taxes are imposed broadly, applying equally to all citizens and organizations, in all industries, not only will justice and economy be served, but the broadest group of individuals and economic interests will always share a common interest in keeping the tax rates as low as possible.

C. Federal Income Taxation

In accordance with the general principles of just taxation, including nondiscrimination, moderation, and simplicity, the United States system of income taxation must be radically reformed to reduce or eliminate the unequal treatment of different taxpayers and to reduce overall rates of taxation.

All tax exemptions, credits, deductions, and exceptional benefits of any kind should be scrutinized skeptically and modified or eliminated if they are found to favor special interests more than the general public interest. Whenever different kinds of income are taxed differently, or organizations in different businesses are taxed differently – in general, whenever different taxpayers are taxed differently – we should examine the reasons for the unequal treatment and end all unreasonable tax benefits or penalties legislated as special rules for particular persons or organizations.

Although well-intentioned opponents of excessive taxation and supporters of good causes often favor any tax breaks reducing total taxation, as well as any financial subsidies for activities they like, such policies clearly promote injustice and unfairness among different taxpayers, interfere with the freedom and efficiency of economic markets, and tend to reduce the economic welfare of the general public, especially of persons with lower skills and incomes, who are less able to withstand the adverse effects of misguided government monetary and fiscal policies.

Thus dividend and capital gain income should be taxed the same as any other income. There is no fair reason why someone who makes his living buying and selling securities or real estate should be taxed at a lower rate than someone who buys and sells cars or groceries.

Many of the popular personal deductions and other tax preferences under the federal income tax are fundamentally unfair. It is not fair that married and single persons with the same amounts of income should owe different amounts of taxes. It is not fair that persons who choose not to spend their income on having children, paying for higher education, making charitable contributions, investing in retirement plans, or purchasing expensive health care services, for example, should have to pay higher taxes than persons who make such expenditures and get tax breaks for them.

It is not fair that persons who choose to buy homes or borrow money against their homes should be able to deduct their mortgage and interest costs, while persons who choose to rent homes and buy vacations or anything else without mortgage financing are not able to deduct their financial expenses. It is not fair that investors earning interest on government bonds should not be taxed on that income, while persons earning interest on CDs and savings accounts are taxed on their interest income.

Inequities of these kinds should be eliminated. One way to do so would be to end all exemptions, deductions, and credits, except for legitimate business expenses of the self-employed, and require all individuals to pay the same tax rate (for example 10%) on all net income. Alternatively, a personal exemption or standard deduction providing the same benefit to every taxpayer might be allowed, or there might be a small range of graduation in tax rates, for example from 10% at the lowest rate to 20% at the highest. A simple flat tax, or a narrow range of graduated rates, applicable to the actual income of all taxpayers would be a major improvement over the present complex system of personal income taxation.

Under the Internal Revenue Code, corporate and business income taxes are subject to more arbitrary, special-interest exceptions and breaks than individual income taxes are. Accelerated depreciation and depletion rules, investment credits, and innumerable other special credits, deductions, and benefits of all kinds fill the tax code with exceptions and preferences for particular businesses. General taxes should not be lowered to encourage the growth or success of any businesses or corporations. The present corporate and personal income tax arrangement, with its double taxation of corporate profits and dividends, both discourages corporate investment by the public and encourages corporations to retain their earnings rather than distribute them to shareholders.

The Libertarian Party of Louisiana recommends ending the corporate income tax entirely by folding it into the individual income tax. In the case of business corporations, net earnings (and losses) would be passed through to all shareholders and reported pro rata on

their personal tax returns, with no income taxes being paid at the corporate level, as now done with partnerships, small business corporations, and limited liability companies. This would create a great broadening of the taxpayer base for the personal income tax and should increase the political pressures for equity and moderation in rates.

We favor a total re-examination of the application of federal income tax laws to “nonprofit” and tax-exempt organizations. In principle, if all organizations are to be treated alike, then universities, think tanks, churches, foundations, political advocacy groups, and other “nonprofits” should be subject to the same taxes as commercial organizations. Theoretically most tax-exempt organizations are devoted to philanthropic or educational work, which is said to justify exempting them from the income tax and making contributions to them tax-deductible to the donors. Many tax-exempt organizations, however, are big businesses with huge payrolls and expensive overhead. Their goals and activities are often supported by major business corporations. Just as the profits of ordinary business organizations could be taxed to their ultimate owners, the net revenues of “nonprofit” organizations could also be taxed to their members, shareholders, or directors. Though we support excluding gifts and donations from taxable income, we favor taxing the owners of nonprofit ventures on any revenues they derive from commercial activities, and we propose ending the deductibility of charitable contributions by the donors.

The foregoing proposals for libertarian reform of federal income taxation are intended to be illustrative, and not comprehensive or final. They are examples of steps that could be taken to make the income tax more just, broad-based, transparent, and low. As with all fair and constitutional legislation, reform of the federal tax laws should ensure that there will be “equal rights for all and special privileges for none.”

TENTATIVE OUTLINE FOR REMAINDER OF SECTION III

6. Public Health and Environmental Protection

- A. Support and improve national epidemiological and research institutions like the National Centers for Disease Control and the National Institutes of Health.
- B. Maintain reasonable nationwide standards for food and drug safety.
- C. Maintain reasonable national and regional standards for environmental pollution, combined with vigorous enforcement of anti-pollution laws.
- D. Recognize such things as violence, reckless reproduction, drug abuse, obesity, and bigotry as public health problems, but acknowledge that improvements depend mainly on private, individual efforts.

7. Labor Law (Federal and State); Opposition to Compulsory National Service

- A. Abolish minimum wage laws.
- B. In general, government should not mandate employment terms for private

industry (e.g. striker replacement laws, mandatory leave laws, plant closure laws, sexual harassment laws, and equal opportunity laws). Consider whether any such issues warrant legislation, e.g. child labor laws or equal opportunity laws, etc.

- C. Consider whether to make any statement about basic federal labor law (collective bargaining).
- D. Abolish so-called “right to work” laws.
- E. The law should discourage irrelevant employment-related “drug testing” and similar invasions of privacy.
- F. Avoid all compulsory national service programs. Abolish the military draft.

8. Trade Regulation; Antitrust Policy; Maintenance of Free Markets, Domestic and International

- A. Antitrust laws should be limited to regulation of severe, industry-wide anti-competitive practices. They should not be used to penalize successful entrepreneurship that is fair and reasonable.
- B. Trade regulation: FCC, ICC, FDA, Department of Agriculture, Consumer Product Safety Commission, EPA, etc.
- C. Public utility regulation
- D. End the Postal Service monopoly.
- E. Support free trade and oppose protectionism. Address WTO and regional international trade agreements.

9. State Economic Policy

- A. In general, the proper role of the state is to permit free enterprise to operate fairly, not to benefit or discourage particular enterprises or to control markets. Economic prosperity comes from collective individual efforts. The state helps most by restraining crime and fraud, and encouraging personal responsibility and creativity.
- B. Encourage free markets and private property.
 - (1) End business development subsidies.
 - (2) Make cities, governmental subdivisions, and businesses rely on the competitive market for financing. Curb “public trust,” industrial revenue bond, and tax increment financing of private projects. End all corporate welfare and public-private business ventures.
 - (3) Avoid eminent domain abuse.
 - (4) Privatize government services as much as possible. Reduce fraud and waste.
 - (5) Reduce business taxes, especially employment taxes, and reform the state tax structure toward greater equity among taxpayers.
 - (6) Allow sale of alcohol and other “recreational drugs,” gambling, prostitution, and other unconventional businesses as long as they don’t hurt or cheat anybody.
- C. State Taxation
- D. Education Policy

(1) Role of State and Federal Governments

Education is essentially a private responsibility of parents and educational professionals. Our history teaches that state, local, and national governments *can* constructively operate schools and support education at all levels, as with public schools, land grant colleges, and the G.I. Bill. But excessive, unnecessary, and inefficient government involvement in education should be avoided. For example, there is no need for a federal Department of Education or “No Child Left Behind” laws, and public schools should be subject to market competition and administrative accountability.

(2) Institute an experimental state-funded voucher program in several parishes to permit parental choice of schools, kindergarten through high school, and to submit the public school system to market competition. If the experimental programs prove cost-effective, implement a voucher system statewide. (Should endorsement of vouchers be more qualified?)

(3) Improve the quality of public educational institutions: elementary, secondary, vocational, collegiate, and post-graduate.

E. State Welfare Policy

(1) In general, it is not the responsibility of the state to provide food, shelter, health care, or employment to its citizens. Individuals are personally responsible for the care of themselves, their children, their aged parents, and their needy loved ones. Private charitable, kinship, and fraternal institutions should be the first source of assistance for those in material need. State and local governments may appropriately experiment with different levels of social services within their means, but such benefits should never be taken as absolute entitlements.

(2) Encourage family planning and birth control. The welfare system should feature incentives for personal and parental responsibility.

(3) Indigent health care should be privatized as much as possible. Institute a voucher system for state-subsidized health care.

(4) End the practice of routinely raising benefits for state and local government retirees. Like private employees, government employees should be limited to the public benefits for which they have fairly contracted.

F. State Spending and Waste, and Government Administration

IV. NATIONAL DEFENSE, FOREIGN POLICY, AND IMMIGRATION

1. NATIONAL DEFENSE

A. United States Armed Forces

The United States should maintain a military force adequate for the defense of the United States and our territories, and for the fulfillment of our international obligations and undertakings.

The United States Department of Defense should not be a public works project or a conduit for corporate welfare. Military procurement and administration should be frugal and cost-effective. Supply and service contracts should be awarded through competitive bidding practices.

The United States armed forces should be voluntary and professional. There should be no conscription in the United States.

B. International Defense

Although collective security treaties should be a major part of our defense policy, the United States should strive to minimize our military presence in other countries, both for reasons of economy and to avoid unnecessary provocations and entanglements in foreign conflicts. We should encourage our foreign allies to take greater responsibility for their own defense.

Protecting private American commercial interests is not necessarily essential to our national defense.

In addition to relying on military power for our defense, the United States should utilize diplomacy, trade, and international legal, political, educational, and commercial institutions to reduce the risks of international war, terrorism, and crime.

2. GLOBAL INTERDEPENDENCE AND INTERNATIONAL LAW

A. International Cooperation and Security

The Libertarian Party of Louisiana recognizes that all the people on Earth inhabit a single world, and that the fortunes and prosperity of all are interdependent. We reject both eager intervention in the affairs of other countries and reflexive isolationism. Global peace requires global cooperation and the meeting of global responsibilities by individuals, corporations, states, and international institutions.

Many security, economic, social, health, and environmental problems are international in character, for example, pollution, crime, terrorism, ethnic and religious hatreds, infectious diseases, economic inflation and depression, protectionism, and so forth. The United States should pursue cooperative international approaches to such problems, in addition to appropriate national and regional measures.

Above all, United States foreign policy should aim to persuade other countries and international institutions of the superiority of libertarian solutions to social conflicts and economic difficulties. Our goal is an open world of free citizens in free and sovereign states living in peace and cooperative harmony, with universal respect for the natural

rights of all and worldwide repudiation of violence, injustice, and war. As Libertarians, we realize that intelligence and moral values cannot be automated or imposed by force, nor can they be brought about by wishful thinking. Accordingly, our foreign policy, like our domestic policy, will always hope for the best in men while being well prepared for the worst.

B. Human Rights

Natural human rights, protecting essential personal liberty, are the common property of all people and all nations. We support the cause of human liberty and justice in all places and, with Jefferson, “swear eternal hostility against every form of tyranny over the mind of man.”

Natural human rights cannot be significantly expanded or reduced by the changing opinions of individuals, organizations, or national governments.

We deny the validity of the welfare rights asserted by the General Assembly of the United Nations – along with valid expressions of natural rights – in its Universal Declaration of Human Rights. Rather than fundamental human rights, such claimed rights to economic outcomes are only human wishes of some people hoping to obligate others to provide their material needs. As long as people are allowed to live freely and make their own decisions, with respect for the rights of others, they are owed nothing more by the world community than by their immediate neighbors.

The United States should always respect the true human rights of all persons on Earth, but we will never be obliged to provide material needs to anyone for whose poverty we are not responsible. The best opportunities for both material prosperity and the flourishing of human rights worldwide arise from constitutional liberty and free markets adopted as guiding principles by the citizens of all nations.

C. Peace and Free Trade

The overriding principles of international relations should be peace, mutual respect, and non-coercion. All countries and individuals should be free to communicate, trade goods and services, transfer capital, and work together in open international markets affording reasonable protection to contracts, property rights, and personal choice.

D. International Crime and Injury

Murder, crime, and aggression are not acceptable instruments of foreign policy. All persons should have the right to fair compensation from any states for intentional unjustified injuries inflicted by government agents.

E. International Law and Institutions

The Libertarian Party of Louisiana supports the development and enforcement of libertarian international law upholding universal human rights, free trade, and the productive coordination of necessary global endeavors. We support the development and improvement of international legal institutions such as the United Nations, the International Court of Justice, and international criminal tribunals to facilitate international cooperation and to protect the fundamental rights of all people from violation by states, organizations, and individuals when national legal systems are unable to protect such rights.

All treaties and international engagements of the United States government are necessarily subordinate to the fundamental principles of the United States Constitution. Treaties made by the federal government cannot be valid if they violate the human rights of any persons or the constitutional rights of our citizens.

F. International Coercion

International institutions should evolve through cooperation, not coercion. When coercion must be used to enforce international law, economic sanctions are preferable to military action. When military force must be used, it should be applied in coordination with other states and in compliance with the principles of international law.

3. NON-INTERVENTION

Non-intervention should always be the preferred foreign policy of the United States. We should not intervene militarily in foreign disputes, nor in the domestic affairs of other countries, unless such involvement is strongly compelled by critical interests of international law, national defense, or global protection.

The pursuit of mere commercial or political advantages can never justify sending United States citizens to war or engaging in criminal acts abroad.

The United States can neither police the entire world nor guarantee prosperity to the people of other lands, and we should not undertake to do so.

All treaties and foreign commitments of the United States should expire according to routine “sunset” provisions and be subject to periodical renegotiation, extension, or termination.

4. FOREIGN AID

The United States should not spend government funds on foreign aid unless it is strictly necessary for national defense or other overriding national goals or obligations. Ordinarily,

any foreign aid should be funded only from financial surpluses. We should not devalue our currency or otherwise impoverish our citizens to give aid to foreign countries.

When our government funds, manpower, or commitments are contributed to foreign countries, they should be utilized only for the development of essential public institutions and resources, free markets, and the libertarian rule of law, and not for the development of statist systems of central economic control or the suppression of human rights.

We oppose all expenditure of public funds for bailout or subsidy of banks and corporations suffering financial losses in foreign investments or trade.

5. IMMIGRATION

All persons have the natural right to leave their country of residence without political obstacles, and to travel to any other places, subject to the reasonable immigration laws of the countries they visit, but no one has an automatic right to demand residence or citizenship in a foreign country.

Every sovereign state has the right to limit immigration into its territory; nevertheless, the economic and cultural prosperity of any country will often depend on its willingness to permit visitors and immigrants to enter. The United States was created by immigration, and United States immigration policy should encourage the immigration of productive individuals likely to improve American society.

Though immigration often confers economic advantages on host countries, it may worsen problems such as urban congestion, unemployment, crime, environmental pollution, and overburdening of public services and budgets. Rapid growth of immigrant populations seeking permanent residence in the United States may contribute to the deterioration of constitutional values if the foreigners immigrating do not understand or accept the rights and duties of American citizenship. The massive amount of illegal immigration occurring in the United States in recent years has contributed to our economic productivity in certain industries; but while increasing the supply of workers, it has also reduced wages in the relevant labor markets and generated other social and economic problems of these kinds.

Unlimited permanent immigration to the United States is not desirable at the present time, and it will not be for the foreseeable future. Whatever limitations on immigration are lawfully enacted by the United States Congress should be fully enforced while they are in effect. Serious violations of immigration laws should be punished by deportation. Legal penalties should be imposed on persons and businesses hiring illegal aliens as well as on the illegal aliens themselves.

Unduly lenient immigration policies in the United States will encourage irresponsible neighboring countries to disregard the sound free-market economic and legal principles

necessary for the achievement of widespread prosperity. By giving them open access through illegal immigration to the huge, much freer United States market, we provide a major safety valve to mismanaged foreign economies that enables them more easily to maintain the hopeless practices of arbitrary government protectionism and socialist economic control which doom them to mass poverty in the first place. As with other forms of human folly, forcing such countries to endure the natural consequences of their bad habits may offer the only chance for improvement. United States trade and foreign policies can enhance the prosperity of our foreign neighbors if we will always support free trade and the enactment of libertarian laws and economic policies both within and beyond our national borders.

United States immigration laws should be reformed to allow temporary or permanent immigration to this country of any person not a threat to national security who is offered employment by an American citizen or business firm, or who will engage in substantial constructive investment or entrepreneurial activities in the United States, subject to reasonable provisions against public dependency and overpopulation.

Subject to the same conditions, our immigration laws should encourage the granting of asylum to aliens suffering political, religious, or ethnic persecution in their homelands; however, the United States cannot guarantee refuge to all people in the world suffering persecution or seeking better economic opportunities.

The United States should not guarantee the material needs of either illegal aliens, lawful immigrants, or native-born citizens. Although the legal rights of immigrants may differ from those of citizens, all immigrants and aliens in our country are entitled to protection of their natural human rights, including due process of law.

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