

PLATFORM
OF THE
LIBERTARIAN PARTY OF OREGON
ADOPTED IN CONVENTION 5 MARCH 2005

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A. STATEMENT OF PRINCIPLES

The Libertarian Party of Oregon supports the Statement of Principles of the National Libertarian Party.

B. PREAMBLE

The fundamental political principle of the Libertarian Party is that no individual, group, or government may initiate force against any individual. This leads to the following beliefs.

The protection of individual rights is the only proper purpose of government. No conflict exists between civil order and individual rights. Government is instituted to protect individual rights and must be limited to prevent the infringement of individual rights. Continuous growth of government is a serious threat to our liberty and property.

The free market is the only form of economic activity consistent with a free society. The only proper role of government in the economic realm is to protect property rights, adjudicate disputes, and provide a legal framework in which voluntary trade is protected. All efforts by government to redistribute wealth or to control or manage trade are improper in a free society. The right to trade includes the right not to trade for any reasons whatever.

Government intervention in such areas as pollution, health care delivery, decaying cities, and poverty, must properly be limited to protection of individual rights. Government must not interfere with voluntary relationships between individuals. In those areas where voluntary relations are not involved, we support an immediate reduction of the government's present role. Ultimately, we urge a total withdrawal of government intervention and the establishment of a legal framework in which private voluntary solutions to these problems can be developed and implemented.

The role of government is to respect and protect the diversity and individuality of all its citizens. It is not the role of government to enforce the moral code of some citizens on others. Therefore, the Libertarian Party believes the right of individual citizens to make moral decisions and take responsibility for the consequences must be recognized, allowed, and protected as needed. Freedom of action and responsibility for one's actions are twin pillars of civilized society. They must not be separated lest they both collapse.

C. INDIVIDUAL RIGHTS AND CIVIL ORDER

1. CRIME

- a) Impartial and consistent law enforcement protecting individual rights is the appropriate way to suppress crime. Each individual accused of a crime must be assured a fair and speedy trial.
- b) On conviction, sentencing must be oriented toward restitution to those injured by the crime and protection of society from the criminal. Rehabilitation of the criminal is outside the scope of responsibility of government.
- c) We support the right of self-defense for each individual. We hold that force used in self-defense is justified. We hold that the defender incurs no liability to the criminal for acts of self-defense. We hold that any injury to an innocent party caused by reasonable actions of a defender is the responsibility of the criminal.
- d) "Victim's Rights" laws that infringe on the rights of the accused and do not enhance those of the victim must be repealed.

2. VICTIMLESS CRIME

Only actions that infringe the rights of others may properly be termed "crimes". We urge repeal of all laws creating "crimes" without victims. In particular, we urge:

- a) Repeal of all laws prohibiting the sale, cultivation, possession, or use of drugs, vitamins, and similar substances.
- b) Repeal of all laws regarding consensual sexual relations between adults of whatever gender, including prostitution and solicitation.
- c) Repeal of all laws regulating or prohibiting gambling.

- d) Repeal of all laws interfering with the right to commit suicide. We demand that the Federal Government cease interfering with Oregon laws related to physician-assisted suicide.
- e) Repeal of all laws that require an individual to use safety equipment for his own protection. We support holding adults accountable for harm to dependents under their care.
- f) The use of executive pardon to free all those presently incarcerated for the commission of these "crimes."

3. DUE PROCESS

All persons accused of crimes must be accorded full respect for their individual rights. We oppose any reduction to safeguards of the rights of the criminally accused. Specifically, we are opposed to preventive detention, so-called "no-knock" laws, all prior restraints based upon a fear that certain actions may lead to a crime, and all other measures that threaten individual rights.

- a) We advocate repeal of all laws establishing any category of crime applicable to minors for which adults would not be similarly answerable and an end to the practice of involuntary detention of children accused of no crime. We demand an end to teen curfews, involuntary drug testing, and searches without warrant.
- b) We support full restitution of all loss suffered by persons arrested, indicted, tried, imprisoned, or otherwise injured in the course of criminal proceedings against them that do not result in their conviction or in which their conviction is later overturned. Law enforcement agencies must be liable for this restitution unless malfeasance of the officials involved is proven, in which case they must be personally liable.
- c) We demand repeal of all laws and regulations allowing property forfeiture before the owner is convicted of an offense. We demand the immediate return of all property presently held under these regulations to its owner or the compensation of the owner if that is not possible.
- d) We support the right of the accused, or his attorney, in any case where the government is the plaintiff, to inform the jury without contradiction from judge or prosecutor, of its power to judge the merit, intent and applicability of the law and to acquit based on conscience.
- e) We demand an end to racial profiling.
- f) Convictions by less-than-unanimous juries undermine the principle that the accused must be proven guilty beyond reasonable doubt. We demand restoration of the requirement that guilty verdicts in criminal jury trials be unanimous.

4. JUSTICE FOR THE VICTIM

The purpose of any system of courts is to provide justice. The present system of criminal law is based on punishment with little concern for the victim. We support restitution for the victim to the fullest degree possible at the expense of the criminal or negligent wrongdoer.

- a) We urge repeal of all "no-fault" insurance laws that deprive the victim of the right to recover damages from those responsible in case of injury or property loss.
- b) We support the right of the victim to voluntarily waive restitution from the criminal or wrongdoer.
- c) We support the right to seek adjudication of disputes by mutually acceptable means including private arbitrators or judges.
- d) We support facilitating the restitution of victims by private means such as insurance including the ability to transfer responsibility for restitution to the insurance policy provider.

5. DEATH PENALTY

Execution by the state violates the right of the criminal's victims to seek restitution. The history of government is so replete with errors and misconduct that it is exceedingly dangerous to place the power of such an irrevocable act in government hands. We therefore seek alternatives to the death penalty.

6. GOVERNMENT AND "MENTAL HEALTH"

We oppose the involuntary commitment of any person to a mental institution. To incarcerate an individual not convicted of any crime, but merely asserted to be incompetent, is a violation of that individual's rights. We further advocate:

- a) The repeal of all laws permitting psychiatric treatment of any persons, including children, and those incarcerated in prisons or mental institutions, without their informed consent.
- b) An immediate end to spending tax money for any program of psychiatric or psychological research.
- c) An end to all treatments of prisoners in such areas as psychosurgery, drug therapy, and aversion therapy, without their informed consent.
- d) Ending tax supported "mental health" propaganda campaigns and community mental "health" centers and programs.

7. FREEDOM OF SPEECH AND THE PRESS

We demand elimination of all forms of government censorship, including anti-pornography laws, whatever the medium involved. We urge elimination of government franchising, subsidy, or restriction of cable, internet, or other broadcasting facilities.

8. FREEDOM OF RELIGION

We defend the rights of individuals to engage in any religious activities that do not violate the rights of others. To defend religious freedom, we advocate strict separation of church and state. Any government actions that either aid or attack any religion must cease.

9. PROTECTION OF PRIVACY

The right to privacy is fundamental to a free society.

- a) Electronic and other covert government surveillance of citizens must be restricted to activity that can be shown beforehand, under strict and clearly defined standards of probable cause, to be criminal and to present immediate and grave danger to other citizens, and for which a judicial warrant or court order from a court of proper jurisdiction has been issued.
- b) Correspondence, bank and other financial transactions and records, accountants, doctors' and lawyers' communications, employment records, and the like must not be open to review by government without the consent of a party involved.
- c) The private interaction of individuals transmitted by the Internet is no different than that transmitted by mail or telephone and must be treated no differently. We support the free and unrestricted use of cipher technology.

10. INTERNAL SECURITY AND CIVIL LIBERTIES

- a) We call for close legislative, judicial, and private supervision and strict restraints on all police and intelligence agencies.
- b) The gathering of individuals in private areas on the Internet must be treated no differently than gatherings in private homes.

11. THE RIGHT TO KEEP AND BEAR ARMS

We maintain the inviolability of the rights to keep and bear arms.

We demand repeal of all laws at any level of government requiring registration of or restricting the ownership, manufacture, concealment, transfer or sale of firearms or ammunition by peaceable persons.

12. RIGHT TO PROPERTY

The right to property is a human right and is entitled to the same respect and protection as all other individual rights.

- a) We hold that the owners of property have the full rights to control, use, dispose of, defend, or in any manner enjoy their property without interference until and unless the exercise of their control infringes the valid rights of others.

- b) We demand the strict and immediate enforcement of trespass laws to remove so-called “peaceful” protesters from private property.
- c) We support the Oregon Supreme Court ruling limiting access to private property by petitioners.
- d) Where property, including land, has been taken, even partially, by statute, regulation or administrative rule, from its rightful owners by government or private action in violation of individual rights, we favor restitution to the rightful owners. We support the immediate and full implementation of Measure 37 (governments must pay owners, or forgo enforcement, when certain land use restrictions reduce property value) passed in 2004 C.E.
- e) We support that annexation by cities require the consent of each property owner whose property is to be annexed.
- f) We condemn government efforts to regulate or ban the use of property in the name of aesthetic values, moral standards, cost benefit estimates, or the promotion or restriction of economic growth. We demand repeal of land use regulations including exclusionary zoning and urban growth boundaries.
- g) Any crimes related to the Internet and “hacking” must be based on common concepts such as trespass, theft, blackmail, and extortion.

13. UNIONS AND COLLECTIVE BARGAINING

The rights to seek to employ and be employed are fundamental in a free market.

- a) We support the right of free persons to voluntarily establish, or associate in labor unions.
- b) We support repeal of all laws interfering with the right of an employer to recognize or refuse to recognize a union as the collective bargaining agent of some or all of his or her employees. Laws requiring "closed shop" as well as "right to work" laws must be repealed.
- c) We demand repeal of all laws against secondary boycotts.
- d) We urge elimination of government interference in bargaining, such as compulsory arbitration or imposing an obligation to bargain.
- e) We oppose the use of union dues for political purposes without the consent of the member.

14. DISCRIMINATION

- a) Individual rights may not be denied or abridged by the laws, regulations, agencies, employees, or agents of any government for any reason except the conviction of a crime as defined in this platform.
- b) We uphold the right of individuals to discriminate in their private actions for any reason whatever.

D. TRADE AND THE ECONOMY

1. MONEY

We call for the repeal of all legal tender laws. We favor the abolition of government fiat money and compulsory governmental units of account. Individuals and firms should be free to stipulate payment for goods and services in the unit of value of their choice.

We call for immediate and full enforcement of Article XI, Section 1 of the Constitution of Oregon which prohibits the legislature from establishing or incorporating banks and bans from the state any institution "with the privilege of making, issuing, or putting in circulation, any bill, check, certificate, promisory (sic) note, or other paper, or the paper of any bank company, or person, to circulate as money."

2. THE ECONOMY

Government intervention in the economy imperils both the personal freedom and the material prosperity of every American. We therefore demand the following specific immediate reforms:

- a) Drastic reduction of both taxes and spending;
- b) Repeal of all controls on wages, prices, rents, profits, production, and interest rates

- c) Repeal of Oregon occupational licensure laws that deny to individuals the right to pursue their chosen professions or vocations, provided they do not violate the rights of others.

15. SUBSIDIES

- a) We oppose all government subsidies to business, labor, education, agriculture, science, broadcasting, the arts, or any other special interest. Relief or exemption from involuntary taxation must not be considered a subsidy.
- b) We urge elimination of regulated taxi and limousine services to be replaced by private transportation services with free entry into the market.
- c) We urge elimination of the Oregon Liquor Control Commission.
- d) We urge repeal of any laws preventing "self-service" pumps at gas stations.

16. TAXATION

We oppose all government activity that forcibly collects money or goods from individuals in violation of their individual rights. Specifically we:

- a) Recognize the right of any individual to challenge the payment of taxes on moral, religious, legal, or Constitutional grounds;
- b) Oppose all personal and corporate income taxation, including capital gains taxes;
- c) Support interim limits on levels of taxation, including, but not limited to, ad valorem real property taxes;
- d) Oppose any increase in existing tax rates and the imposition of any new taxes.
- e) Support the eventual repeal of all taxation to be replaced by a system of fees for services;
- f) Oppose as involuntary servitude any legal requirements forcing employers or business owners to serve as tax collectors or accountants for tax agencies;

While we favor ultimate elimination of all taxes, we recognize the need for steps that will lead us in that direction. It is as such a step that we favor full tax credit for all money expended directly for any activity government now carries out with tax money. We insist on the ethical difference between: being taxed and subsequently receiving a subsidy, and simply keeping your own money at the outset through a tax credit.

17. LIMITING GOVERNMENT GROWTH

- a) We favor strict limits both on spending by government at every level and on the number of people who may be employed by any agency or branch of government.
- b) We favor strong requirements for balanced budgets at all levels of government.
- c) We oppose all bookkeeping sleights-of-hand such as creation of "off-budget" items.
- d) To strengthen the power of the voter and to resist the growth of government, we favor, as an interim measure, limiting to one the number of special levy requests any unit of government may make in any fiscal year.
- e) We urge repeal of the Oregon PERS system to be replaced for all future employees by a system funded by employees or employer contributions, which is transferable to 401(k) or IRA programs, with returns that are not guaranteed by future tax liabilities.

18. ENERGY

- a) We oppose all government control of energy pricing, allocation and production, such as that imposed by the Oregon Public Utility Commission.
- b) We advocate decontrol of all prices of oil, petroleum products, natural gas, electricity and all other energy products.
- c) We urge elimination of all government subsidies for energy research, development, and operation.
- d) We oppose use of state bonds for capital formation in the energy industry, as in all industries.

- e) We favor privatization of the atomic energy industry and the Bonneville Power Administration and elimination of any limitations of liability for the industry.
- f) We favor eliminating present restrictions on energy production and marketing, including exclusive franchise privileges enjoyed by the present utilities, whether privately or publicly owned.
- g) We favor an end to Public Utility Districts.
- h) We favor the creation of a free market in oil by repeal of all state proration laws that impose quotas reducing oil production.
- i) We urge privatization of public domain land resources including coal fields, offshore oil, shale oil deposits, and geothermal resources.

E. DOMESTIC ISSUES

1. POLLUTION

Pollution of other people's property is a violation of individual rights. Present legal principles, especially the concept of "public property," encourage the continued violation of individual rights by polluters.

- a) We advocate the development of an objective system defining individual property rights to air and water.
- b) We urge modification of the laws governing such torts as trespass and nuisance to cover damages done by air, water and noise pollution.
- c) The imposition of strict liability must regulate pollution -- not government agencies and arbitrary standards. Damage caused by dissemination of toxic substances into the air, water, and other people's property must be compensated by the polluter.
- d) We support the abolition of the Oregon Department of Environmental Quality.
- e) We oppose the introduction of any toxic substances onto the property of individuals without their explicit or implied consent.
- f) Public waterways shall be afforded the same protection as private property.

19. CONSUMER PROTECTION

- a) We support strong and effective laws against fraud and misrepresentation. However, we urge repeal of paternalistic regulations that, impose prices, define standards for products, or otherwise restrict free choice.
- b) We urge repeal of all so-called "consumer protection" legislation that infringes upon voluntary trade.
- c) We urge repeal of all laws banning or restricting the advertising of prices, products, or services.
- d) We specifically oppose laws forcing an individual to buy or use so-called "self protection" equipment such as safety belts, air bags, or crash helmets.
- e) We demand repeal of all laws specifying what substances (nicotine, alcohol, hallucinogens, narcotics, vitamin supplements, or other "drugs") a person may ingest or otherwise use.

20. EDUCATION

- a) We urge repeal of all compulsory education laws, and an end to government operation, regulation, and subsidy of schools and colleges.
- b) As an interim measure to encourage the growth of private schools and variety in education, we support both a system of tax credits for educational expenses and a steady reduction of tax support for schools.
- c) We support repeal of all taxes on the income or property of private schools, whether they are profit or nonprofit.
- d) We further support immediate relief from the burden of school taxes for those not responsible for the education of children.

21. POVERTY AND UNEMPLOYMENT

- a) We demand repeal of all laws that impede the ability of any person to find employment -- including, but not limited to, minimum wage laws, so-called protective labor legislation for women and children, governmental restrictions on the establishment of private day care centers, and licensing requirements.
- b) We urge elimination of all government welfare, relief projects and "aid to the poor" programs. All charity must come from private sources.
- c) We support full tax credits for charitable assistance to the poor.

22. MEDICAL CARE

- a) We urge repeal of all laws that infringe on the right of individuals to contract freely with practitioners of their choice, whether licensed by the government or not, for all medical service.
- b) We urge repeal of compulsory insurance or tax supported plans to provide health services including the Oregon Health Plan.
- c) We urge elimination of governmental interference in the doctor-patient relationship through regulatory agencies such as the professional standards review organization.
- d) We urge elimination of any governmental planning boards whose purpose is to consolidate medical services or avoid their duplication.
- e) We urge repeal of all laws limiting the liability of medical providers for negligence, or restricting legal aid on a contingency basis.
- f) We urge repeal of all laws invalidating settlements of malpractice suits through the use of private arbitration services.
- g) We urge deregulation of the medical insurance industry.
- h) We demand repeal of laws compelling individuals to submit to medical treatment or to the administration of drugs or other substances.

23. LAND USE

The role of planning is properly the responsibility and right of the owners of the land.

- a) We urge elimination of government control of land use such as urban renewal, zoning laws, building codes, eminent domain, regional planning, comprehensive plans, or purchase of development rights with tax money. These violate property rights, discriminate against minorities, and tend to cause higher rents and housing shortages.
- b) We urge elimination of the use of tax funds for the acquisition or maintenance of land or other real property.
- c) We recognize the legitimacy of private, voluntary land use covenants.
- d) We demand abolition of the Land Conservation and Development Commission.
- e) We support the transfer of all government owned real property to private ownership.

24. POPULATION AND FAMILY LAW

- a) We support an end to all subsidies for child bearing built into our present laws, including all welfare plans and the provision of special tax supported services for children.
- b) We oppose all laws restricting voluntary birth control.
- c) We uphold the right of a woman to make a personal moral choice regarding the abortion of her pregnancy; however, we demand elimination of tax supported abortions.
- d) We oppose attempts to restrict advertising for contraception or abortion.
- e) We call for elimination of special tax burdens based on marital status.
- f) We oppose all coercive measures to control population growth.

- g) We urge repeal of all laws limiting private contractual relationships between consenting adults to certain forms. In particular, we urge repeal of any laws limiting marriage to a relationship between a male and a female.
- h) We urge repeal of any laws requiring employers to provide benefits, or limiting the employer's ability to provide benefits, based on a form of marriage.
- i) We urge the codification of a presumption of joint custody and support that preserves the rights and responsibilities of all parents to equitably share in raising their children.

25. CAMPAIGN FINANCE LAWS

We urge the repeal of federal campaign finance laws, which repress the voluntary support of candidates and parties, compel taxpayers to subsidize politicians and politics they do not wish to support, and entrench the two major political parties. We oppose the federal and state income tax checkoff system as a means of subsidizing political parties.

26. ELECTION LAWS

We favor modification of Oregon election law to open the candidate selection process to greater participation by independent voters. We do not favor an open primary, as the method and cost of choosing candidates by a political party is a private matter of the members of that party.

We favor inclusion on the ballot in every election of public officials the choice of "None of the above."

One characteristic of the free economy is the minimization of separation between payer and consumer -- they are normally the same person. Feedback to suppliers results when satisfied customers spend more, and when dissatisfied customers stop spending. To minimize that separation in government, we urge that election dates and tax due dates be shifted so that the former follow the latter as closely as possible.

27. NATURAL DISASTERS

The function of governments, where they exist, is to protect individual rights against violations by other people, not to protect individuals from themselves or from natural disasters. It is appropriate for government during a disaster to prevent looting and other crimes against life and property. It is not the business of government to provide relief, rescue teams, disaster insurance, evacuation, or disaster area parks or wilderness areas.

28. REGIONAL GOVERNMENT.

Government at all levels must be accountable to the people and bound by constitutional limits. We urge abolition of the Portland area's Tri-Met, the Columbia Gorge Commission, the Lane Transit District, and any other quasi-governmental body empowered to violate individual rights or not subject to voter recall.

F. OMISSIONS

Our silence about any other particular government law, regulation, ordinance, directive, edict, control, regulatory agency, activity, or machination should not be construed to imply approval.