

# LPM Platform 2011

As revised in convention, April 30, 2011

## **STATEMENT OF PRINCIPLE:**

The Libertarian Party does not believe in or advocate the initiation of force to achieve social or political goals.

## **PREAMBLE:**

Libertarians seek a society based on personal liberty and responsibility—a society in which all individuals are sovereign over their own lives. This most desirable method of organizing society is the natural order that arises when the inalienable rights of individuals to life, liberty and property ownership are respected and protected.

People have the right to engage in any activity that is peaceful and honest, and pursue happiness in whatever manner they choose so long as they do not forcibly interfere with the equal rights of others. Libertarians welcome the peace, prosperity, and diversity that freedom brings.

The essential precondition for a free society is that people follow their own dreams in their own ways without government interference. This precondition allows that the only legitimate function of government is the protection of the inalienable rights of its citizens. To that end, government at all levels should be strictly limited to the essential services necessary to uphold individual rights, maintain public order, and adjudicate disputes. Government at the state and federal level should be involved only in issues not best handled by local or regional government.

## **I. STATE GOVERNMENT**

1. In the absence of a declaration of war by the United States Congress, we oppose any use of Michigan troops by the federal government for any purpose other than natural disaster relief.

2. Individuals have the right to defend themselves and others. Article I, Section 6 of the Michigan Constitution states: “Every person has a right to keep and bear arms for the defense of himself and the state.” We oppose any law that dilutes the right of a law-abiding person to own a firearm or other means of self defense.

3. We endorse the Tenth Amendment to the U.S. Constitution, which reserves to our state and its people all powers not expressly delegated to the federal government by the U.S. Constitution, or prohibited from the states or the people by the Constitution.

4. We oppose any form of discrimination by government based on race, ethnicity, religion, gender, or any other group identification. Each person has the same inalienable rights that the State has a duty to protect.

5. State government should be removed entirely from the licensing process, including occupational licensing. It has produced no better results than private licensing and amounts to another tax. For example, marriage licenses are contracts between individuals and should be left to the individuals, their attorneys and religious officials, without the need to pay the state for a stamp of approval.

6. We support returning to a part-time legislature, which is sufficient to carry out the legislative duties as prescribed by our State Constitution.

7. We advocate a sunset law requiring an automatic end to most government offices, agencies, departments, laws, regulations, taxes, and expenditures within ten years if not reauthorized.

8. We oppose immunities for any public officials or employees for illegal acts or omissions. Like any citizen, they should be subject to criminal prosecution and held liable for any injuries caused by their actions.

9. To restore a necessary check on federal power, we advocate the repeal of the 17th Amendment.

## **II. ELECTIONS**

1. The only electoral duty of the State government should be providing for fair and efficient conduct of elections. Political parties, like any private voluntary group, should be free from government control and allowed to establish their own rules for nomination procedures and conventions. All taxpayer-funded subsidies to candidates for public office and political parties, including primaries and conventions, should be eliminated.

2. We support the addition of the alternative "None of the above is acceptable" to all ballots. We further propose that in the event that "None of the above is acceptable" receives a plurality of votes in any election, a new election shall be held for which none of the losing candidates shall be eligible. Other forms of voting should also be considered, such as instant runoff voting or proportional representation.

3. Campaign finance laws are unwarranted restrictions of free speech or association and should be repealed.

4. The time during which voters may circulate any statewide petition should be extended to two years.

5. Voters should have the power of referendum on all existing or new legislation.

## **III. COURTS**

1. The current practice of forced jury duty should be replaced by volunteer juries.

2. The common law authority of a trial by jury preceded our constitution and is the foundation of our legal system. If a jury of peers deems a law unjust, oppressive or inappropriately applied, it has the right and duty to acquit the defendant. We support the right of defendants to a fully informed jury, which would require judges to instruct jurors of their authority to judge not only the facts, but also the justice of the law according to their own good consciences.

3. We support restitution for victims of crimes or civil infractions at the expense of the perpetrator. The victim should have the right to pardon the perpetrator, provided the victim is not threatened or coerced.
4. Private adjudication of disputes by mutually acceptable judges or mediators should be encouraged.
5. No-fault laws should be repealed because they deprive the victim of the right to recover damages from those responsible for causing harm.
6. The right of trial by jury should be allowed in all civil or criminal cases.
7. The use of civil asset forfeiture to enforce laws circumvents constitutional protections and should be ended.
8. Random police roadblocks and other searches without probable cause bypass constitutional protections and should be prohibited.
9. We support equal treatment and oppose sexual discrimination in any judicial proceeding adjudicating a parental right, privilege or obligation concerning his or her child.

#### **IV. PUBLIC SAFETY**

1. Law enforcement cannot guarantee individual safety. Self protection is a personal responsibility. All individuals have the right to defend themselves and to possess the means to do so, as guaranteed by the State Constitution Article I, Section 6.
2. State prison facilities should be used only for the incarceration of individuals who have proven themselves a threat to others.

3. Curfew laws should be repealed as the behavior of children is the responsibility of the parent, not the state.

4. Laws requiring the use of seat belts and helmets are misguided, paternal, and should be repealed. Individuals must assume responsibility for their own safety.

## **V. VICE LAWS**

1. Government should confine itself to protecting individuals from aggression, coercion and deceit. We oppose all laws and regulations that attempt to protect individuals from the consequences of their own behavior. While not necessarily condoning such activities, we advocate the repeal of all laws criminalizing gambling, possession and sale of drugs, and sexual relations between consenting adults. All those presently incarcerated or ever convicted solely for the commission of these victimless crimes should be pardoned and their records expunged.

2. Voluntary communities may enforce rules that prohibit certain activities to which all members subscribe, such as substance-free dorms.

## **VI. TAXES**

1. The legislature should find more voluntary means of supporting state services, such as lotteries and user fees.

2. The personal income tax should be repealed.

3. Taxation of privately owned real property should be eliminated. In effect, it makes the state the owner of all lands by forcing individuals to pay rent to the state or forfeit their title.

4. The personal property tax on Michigan businesses should be repealed.

5. Tax favoritism should be illegal. Abatements, subsidies, credits, or other incentives to businesses based on geographical area, job creation, or any other criteria deny equal protection under the law.

6. Sales tax on used merchandise that is resold results in double taxation and should be eliminated.

7. Adding sales tax to products already subject to specific state taxes, such as gasoline and cigarettes, should be ended. This practice results in double taxation, as consumers are paying a tax on a tax.

8. We oppose any sales or use tax on the Internet.

## **VII. ECONOMY**

1. We believe in the free market, thus the complete separation of the economy and the state.

2. No commercial enterprises should be granted legal monopoly status, including the so-called natural monopolies of electricity, natural gas, water supplies, telephones, and cable television. The Michigan Public Service Commission should be abolished and all rate regulation in these industries ended. The right to offer such services in the marketplace should not be curtailed. We also call on the legislature to end the state monopoly on lotteries.

3. State regulation of industries such as insurance and communications, and professions such as medicine and law, should be ended. They should be regulated by trade or consumer groups.

4. The condemnation of private property for public use should only be allowed when necessary for the protection of the rights of the citizens.

## **VIII. WELFARE and CHARITY**

Providing for the needy by forcibly taxing others is contrary to the legitimate function of government, which is to protect the rights of everyone. Disbursing charity from a welfare system costs society more than it gains. It is inefficient, open to fraud and abuse, and creates resentment. Traditional, voluntary sources of emergency support from families, churches, and private charities have always been more humane, more effective, and willingly borne by the givers. Therefore, until the income tax is repealed, we advocate dollar-for-dollar tax credits for all charitable contributions to encourage a transition from public welfare to private support.

## **IX. EDUCATION**

1. Education is a parental responsibility and best handled at the most local level. While we advocate the separation of school and state, regional cooperation in funding and administration should be encouraged for economies of scale.
2. Because parents are best situated to decide what is in their own children's best interests, we support all measures that enhance the educational choices available, such as charter schools, tax credits for private school tuition, and home schooling.
3. Compulsory attendance and truancy laws should be repealed. Students cannot be forced to learn, and teachers should not be forced to act as juvenile delinquency officers.
4. All individuals, regardless of age, are entitled to the protections of the constitutions of the United States and Michigan. Random drug tests, locker searches without probable cause, censorship of student publications, corporal punishment, or any similar actions violate those rights.
5. All votes relevant to school operations, including millage proposals, bond issues and school board elections, should be placed only on the regular, biannual ballot.

## **X. ENVIRONMENT**

1. Aside from public safety, there is no greater concern for the people of Michigan than having a safe, healthy environment. We look forward to the day when all property not required for police and court functions is returned to private ownership and control.

2. We call for the restoration of every individual's ancient, common law standing to sue for trespass any individual, business, government or other group that pollutes his or her property.

3. We oppose creation of new government parks or wilderness and recreation areas. Such parks and areas that already exist should be transferred to non-government ownership. Pending such transfer, their operating costs should be borne by their users rather than by taxpayers.

4. We support efforts to hold all individuals, businesses and governments accountable for the pollution they cause. With respect to so-called orphan sites, where those responsible for contamination of ground or water either cannot be found or cannot be made accountable for the damage they caused, we support the use of the Natural Resources Trust Fund currently earmarked for expansion of State parks to be redirected to clean up.

## **XI. HEALTH CARE**

1. The most fundamental property right is an individual's right to own and control his or her own body. All individuals have the right to determine their own health care needs and treatment. Government has no constitutional authority to interfere with the practitioner/patient relationship.

2. The right of people to extend or end their lives with dignity should not be infringed. We support the freedom to use living wills and durable medical powers of attorney.



## **XII. SECESSION**

We recognize the right to political secession. Exercise of this right, like the exercise of all other rights, does not remove legal and moral obligations not to violate the rights of others.

## **XIII. INCLUSION**

The Libertarian Party of Michigan ratifies and hereby includes in this document the platform of the national Libertarian Party.

## **XIV. OMISSIONS**

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