

Libertarianism in the woods of New Hampshire

Parker Richards

April 18, 2016

This article is the first in a three-part series on libertarianism and liberty in New Hampshire. Subsequent articles will be published on Thursday and Friday, and the full story will be available online Friday morning.

On the morning of June 16, it will be just over 60 degrees in Lancaster if average temperatures hold. The city lies on the southern edge of Coös County, near the banks of the Connecticut River. At its heart is a small, insular community cut off from the state around it by forests and mountains stretching out for miles around. At the edge of town, out in the woods, is Roger's Campground. That morning, the final preparations will be underway in these woods for one of the largest gatherings of libertarians in the world: PorcFest.

The Porcupine Freedom Festival — entering its 13th year — is the annual gathering for supporters of the Free State Project, a libertarian group that, in February, reached its longstanding goal of committing 20,000 individuals to move to New Hampshire to shift the state's politics toward ideals of personal liberty, individual freedom and limited government.

The Free State Project began in New Haven, Connecticut 16 years ago, founded by Dartmouth government professor Jason Sorens, who wrote an essay while working on his dissertation at Yale University on the merits of a state-by-state approach to securing limited government in America, an alternative method to advance his political views at a time when the “libertarian moment” of the 1980s and 1990s was waning.

“This idea of focusing on the state level came to me, and I think it was partly because of my research,” he said.

Sorens specializes in secessionism. His doctoral dissertation focused on small political parties in western democracies that aim for the secession of distinct regions and, through those efforts, secure increased powers for their homelands.

Sorens thought the time was ripe for a new approach to securing that same sort of power for state governments in the United States.

“The Berlin Wall had fallen, globalization was preceding apace, China and India were liberalizing, the internet was spreading, there was a sense of optimism that maybe all these new technologies and new markets were going to make governments less relevant,” he said.

But then the dot-com bubble burst. The economy started turning downhill, George W. Bush won the presidency. Sorens could not have predicted the USA PATRIOT Act, the National Security Agency’s domestic and international surveillance programs and the two major overseas wars that would spring out of the 9/11 attacks, but those events likely sped enthusiasm for his new project.

Sorens published his first essay proposing the Free State Project in July 2001. Within two weeks, hundreds of people had contacted Sorens. Their message? “Let’s do this.”

Chris Lopez — the Free State Project’s administrator who, like many libertarians, signs his emails “in liberty” — wrote in an email that the group’s participants began moving to New Hampshire in droves even before the official move was triggered in February. Currently, there are about 1,900 active “Free Staters” in New Hampshire, he wrote.

In the Granite State, government strives to be close to the people — there is essentially no county government to speak of, so policymaking must be done either in small town meetings or at the state level, and each member of the state House represents just 3,000 people, the smallest legislative constituencies in the U.S. Diehard libertarians may wish to paint those politicians — who play a large role in state politics despite the state’s localism — as agents of an ever-enlarging state, but many of those same representatives vow to keep government small.

Steve Merrill served as New Hampshire’s governor for four years in the mid-1990s, a time when the state faced a \$40 million shortfall in revenues. A Republican, he oversaw cutting of the budget and was twice selected as “the most fiscally responsible governor in America” by The Wall Street Journal and the libertarian-leaning Cato Institute, a Washington-based think tank.

“The key to understanding New Hampshire’s politics in my view is appreciating the fact that there’s an independent streak that is represented by libertarianism that is as strong here as I can ever see in any state, and it represents the feeling that the individual, him or herself, should have a great deal to say about how politics is conducted,” Merrill said.

Friendliness to business is a key part of “the New Hampshire advantage,” a phrase Merrill coined and championed during his time in office. Today, that advantage — low taxes, a good atmosphere for businesses, strong community support — may be under threat, he said. The advantage “has persisted but not grown, and it has not persisted as vigorously” since he left office.

There have been three Democrats and just one Republican in the governor's mansion since Merrill's term ended. The Democrats — current Sen. Jeanne Shaheen, Tuck School of Business fellow John Lynch and incumbent Maggie Hassan — supported more libertarian policies than their national Democratic counterparts but nonetheless may not have been as friendly to Merrill's pro-business vision as he would have liked.

And Merrill was not even the most libertarian-minded governor the state has had in its recent past. Enter Craig Benson, a Republican with libertarian learnings who welcomed the Free State Project with open arms when they selected New Hampshire as their destination in 2003. Benson served just one two-year term as governor before being narrowly defeated by Lynch in 2004.

An interview with Benson was not possible by press time, and Lynch did not respond to a request seeking comment.

According to Merrill, his pro-business, pro-liberty approach works. He cited New Hampshire's unemployment rate during his term — 7.8 percent when he entered office, 3.2 percent when he left it — as just one sign of his successes.

“I think there's a growing tendency to take businesses for granted, and we can never do that and succeed,” he said. “I was a believer in individual responsibility, and I think people appreciated the fact that if we were going to give them that responsibility, we expected them to respond, and they did, and therefore we were able to do it without larger government.”

And much in the laws of the “Live Free or Die” state does suggest a libertarian streak more redoubtable than the White Mountains. In terms of overall tax burden, New Hampshire ranks 44th in the country, well behind every other New England state (Vermont, Rhode Island, Massachusetts and Maine take four of the five spots between nine and 13; Connecticut is ranked second). That's almost all from property tax, a substantial levy on New Hampshireites who own large properties in the state.

“Some states have no income tax, some states have no sales tax, but having neither makes any kind of energetic government virtually impossible unless you tax people to death on their property taxes, and most people aren't thrilled with that,” said Ronald Shaiko, associate director of the Rockefeller Center for Public Policy.

All of that comes from “the pledge,” a guarantee signed onto by almost all elected officials in the state to guarantee that they will never introduce state income or sales taxes, Shaiko said. The measure is largely popular, but it can tie the hands of state legislators.

Those policies are broadly popular according to Shaiko, who organizes the Rockefeller Center's annual State of the State Poll, a yearly survey conducted at Dartmouth that analyzes public opinion throughout the state.

New Hampshire's libertarianism appears obvious when viewed through a wide-angle lens. There is no law mandating motorcycle helmets nor seatbelt use — New Hampshire is the only state in the country to lack either — and government intervention is rarely seen. But the reality of the situation may be more complicated.

Disclosure: The author participated in the organization of the 2015 Rockefeller Center State of the State Poll.