
The Effrontery of the “Open Space” Movement

BY P. GARDNER GOLDSMITH

New Hampshire is called the “Live Free or Die” state. It has garnered such a reputation as a bastion of freedom that the “Porcupine” members of the Free State Project selected it as the place to which they would like to relocate in order to live more independently and more productively.

Unfortunately, the very principles that have helped keep the New Hampshire government small, and that have helped keep its impact on the economy to a minimum relative to the states around it, have created a market environment that attracts migrants who do not understand or appreciate the philosophy that fosters such prosperity. Thus in a place that once reflected General John Stark’s Revolution-era motto, “Live Free or Die,” the population that has just swelled to over 1.3 million seems more interested in the idea of living off someone else than in living free.

As the “Porcupines” contemplate relocating to their chosen redoubt, they may want to consider this political reality, and study a case in point.

Last spring, towns and cities all across New Hampshire had on their ballots what are called “open space” initiatives. These ballot questions, infused with that peculiar Baby Boomer desire to make everything look like a photo from an L.L. Bean catalogue, asked citizens to support enormous bond issues, eventually to be paid off with tax money, with which to buy select properties. The purpose is to “protect” them from residential development.

As strange as it may seem, the ostensible rationale offered by the well-organized proponents of these initiatives was that they would actually *save* taxpayers money in the long run. How? By buying land and preventing residential development, the sages of “open

space” would be stopping more families from moving to town. This would restrict the growth of the school system, which is the largest portion of any budget in any New Hampshire municipality, sometimes comprising nearly 80 percent of the overall tax burden. By preventing land from housing more children, the taxpayers are, theoretically, protected in the long run. In other words, we must promise tax money to issue government bonds in order to save citizens from being taxed even more for government services. Supposedly, the purchase of pristine tracts of New Hampshire woodland and fields would decrease the pressures placed on many residents who cannot afford their property taxes.

Older people, who no longer have children in school, are often depicted as the most notable beneficiaries.

In 25 New Hampshire communities between 2004 and 2005, some \$26 million in taxpayer money was promised in order to sell bonds with which to purchase “open space,” all under the guise of “helping save” taxpayers’ money. My town of Amherst is no exception.

The ethical principle of seizing money from someone against his will, and the economic complications that arise from deciding for someone how best he should use his money, were not discussed.

Gardner Goldsmith (elgrande@yahoo.com) is a writer in New Hampshire.

In a typical gathering organized in the basement of a local church, the members of our Open Space Advisory Committee—which, it was my masochistic pleasure to discover, had been appointed by our own town selectmen—presented their arguments for taking from me in order to protect me.

There were posters and fliers, a PowerPoint presentation, and numerous speakers, all selected for their unique ability to espouse the eventual seizure of \$5.5 million for the purpose of taking land out of the hands of residential developers, thus keeping our taxes low.

Of course, the ethical principle of seizing money from someone against his will, and the economic complications that arise from deciding *for* someone how best he should use his money, were not discussed. What was stressed was the tax benefit of keeping “open space” free of residential development, with the added sentiment that government ownership of pristine lands would allow our town to retain its “rustic” flavor and visual beauty.

However, the proponents did not even have an economic argument with which to convince voters to support their initiative. A person inquisitive about the committee’s claim might want to know how much money is, on average, paid into the tax system by a homeowner during the time his children are in school and after they are finished. This would give interested parties an idea of whether residential home development is a net gain or a net expense to the town. But when asked if anyone on the committee had an estimate regarding how long homeowners held on to their homes after their children left school, the head of the committee replied, “That would probably be a good thing to know.”

Probably.

The proponents also seemed blissfully unaware of another important consideration. Their own PowerPoint presentation indicated that the use of land which is “least burdensome” to the government is commercial use. It brings in taxes, while demanding fewer “services” such as schools and recreation activities run by the government.

This was a point I thought deserved emphasizing, and so I brought it up. “Since,” I explained (tongue in cheek), “your presentation shows that the most benefi-

cial use of land for a town’s tax purposes is to allow it to be developed commercially, and we are supposedly here to buy land in order to save taxpayers money, then why aren’t we here discussing a \$5.5 million bond to buy property and ensure that it is developed commercially?”

There were some blank faces, so I went on.

“The very fact that we *aren’t* here discussing purchasing land for commercial development indicates that this meeting has nothing to do with trying to save the taxpayers money. The organizers cannot even support their claims that holding ‘open space’ really *would* decrease taxes, because they do not have enough data regarding how long people pay into the tax system after their children may have left the schools. This meeting is clearly not about saving tax money. It is about taxing our neighbors in order to keep land looking the way you want it to look; it is about taxing your neighbor to pay for something you think is pretty. And before you vote, you need to ask yourselves, would you really take your neighbor’s money against his will in order to buy something you think is pretty?”

In an instant, I was greeted with sharp looks, and bold answers in the affirmative.

“Absolutely,” said one man.

“Darn right,” proclaimed another as he pursed his brow at me.

I left the meeting wondering what had happened to New Hampshire. Two weeks later, by a margin of 26 points, the supporters of the \$5.5 million bond secured their victory, and the supposed protection of all our wallets.

Were We Too Ignorant?

It may seem odd, but I find it difficult to thank the “open space” proponents for their guidance in leading my life. Perhaps I, and others like me who opposed the initiative, were simply too ignorant to see the wisdom of increasing taxes now to keep taxes low in the future. Perhaps we just spend too much time thinking of other arbitrary government restrictions on property owners: things like zoning ordinances, building permits, and eminent domain must capture too much of our attention to allow us to contemplate this clearly beneficial move toward a brighter community future.

Of course, it could be that they were wrong, and we

in the minority were right, but that's irrelevant as far as democracy is concerned, and the leftists do tell me America was founded as a democracy, not a constitutional republic.

New Hampshire used to be a place where individual rights were respected, where economic freedom walked hand in hand with political freedom. Today, it is turning into an egalitarian wonderland, where aging '60s survivors tell their neighbors they know better how to spend their neighbors' money, and where private attempts to preserve "open space" are forgone in favor of tax initiatives enacted for the "public good."

Frédéric Bastiat, the French political economist who

spent much of his life opposing the socialistic bromides promulgated by his nineteenth-century countrymen, is famous for having garnered many keen insights into the workings of the state. Among his trenchant observations was one that still bothers many welfare statist, perhaps because it is so appallingly true.

"The state," he noted, "is that great fiction by which everyone seeks to live at the expense of everyone else."

Here is a message to the courageous members of the Free State Project: Welcome to your new home, where the motto used to be "Live Free or Die."

We are trying to figure out whether that phrase still applies.



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