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# Liberty & LAW

## SPEAKING FREELY About Wine in Minnesota



### By Nick Dranias

The Institute for Justice scored a huge victory for wine entrepreneurs and free-market believers this past May when the U.S. Supreme Court struck down protectionist laws that prevented out-of-state wineries from selling directly to consumers in New York and Michigan.

A ripple effect here in Minnesota was that legislators opened the state to direct shipping from wineries in all 50 states—up from only 12. But wineries across the country that want to ship to local residents are still stymied by unconstitutional speech restrictions that prohibit wineries from advertising, soliciting or using the Internet to accept orders for direct sales of wine from Minnesotans.

In essence, wineries are free to ship directly, but forbidden from telling any Minnesotan about their direct-shipping services. The state-imposed silence has trumped the wineries' newfound commercial freedom. Even worse than an advertising ban, Minnesota law takes away small wineries' most effective selling tool—the Internet. When it comes to ordering wine online, Minnesotans must log off their computer, put down their mouse and order by telephone, fax or mail. By contrast, in a striking example of reflecting near-perfect regulatory capture, Minnesota regulators allow the corner liquor store to advertise direct shipping and to sell wine online.

**Speech** continued on page 8



# Justice Has A New Address

By Chip Mellor

The Institute for Justice has a new home and we invite you to come by! On October 28, IJ moved across the Potomac River to Arlington, Va., and when you visit, you'll see staff busy at work in space designed to reflect the Institute's

culture of openness and easy interactivity.

Occupying most of the 9th floor in a brand new office building, we will have room to grow over the next 10 years. (Indeed, one attractive aspect of the move is the chance to get 60 percent more space for only 20 percent more in rent.) And we are just a short Metro or cab ride from the District of Columbia, easily accessible for any of you with business in the nation's capital.

Upon entering, you'll observe a distinctively contemporary layout with innovative space for team meetings and litigation crunches. Throughout our new offices, the story of IJ is reflected in displays that bring home all we have accomplished and underscores the boundless

**“The proven combination of entrepreneurial energy, strategic vision and staff talent that has brought us this far will make IJ more effective than ever in the coming years.”**

potential of the Institute for Justice.

When we started IJ, we thought it was important as a fledgling organization to have an address in the District of Columbia. But while we've been *in* D.C., we've never been *of* D.C. Our work occurs across the nation, and we are not part of the political scene in Washington. So whatever cachet was once attached to being in D.C. waned over the years in the

face of extremely high rents, increasing traffic congestion and numerous interruptions over security alerts. (In fact, since 9/11 we've lost about 15 days of work due to various disruptions and threats to the nearby White House and World Bank.)

People ask me where I see IJ in 5 or 10 years. My answer is always the same. Each year since our

founding we have exceeded our goals and made the most of unanticipated opportunities. That has led to an IJ that, quite frankly, is far more successful than we ever dared dream when we started. There never has been and never will be a simple linear path to success. So I can't tell you exactly what IJ will look like in 10 years. But I can tell you this with confidence: the proven combination of entre-

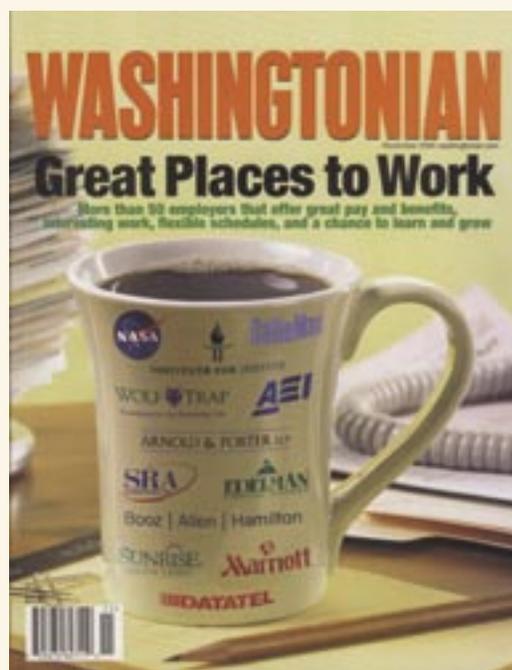
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preneurial energy, strategic vision and staff talent that has brought us this far will make IJ more effective than ever in the coming years.

By offering space perfectly designed to let these dynamics play out most effectively, our new home promises to offer an important new boost to our quest for justice. This is one more way in which we make sure that your investment in IJ will achieve the highest return. So as you consider your tax-deductible year-end contributions, please help us move into our new headquarters and begin the New Year with the greatest possible momentum.

With your support, we will take IJ to even greater heights. ♦

**Chip Mellor** is IJ's president and general counsel.



## *Institute for Justice Named One of Metro D.C.'s Greatest Places to Work!*

Washingtonian magazine, the leading metropolitan Washington, D.C., monthly magazine, recently named the Institute for Justice as one of the top places to work. Along with touting IJ's libertarian philosophy, the magazine also spotlighted the Institute for Justice's important work litigating for liberty: "IJ represents clients who cannot represent themselves in cases involving libertarian pillars—property rights, school choice, economic liberty, and free speech. They have represented homeowners fighting eminent-domain seizure for private developers. IJ litigated a case before the Supreme Court that allowed New York residents to have wine shipped to them directly by wineries. IJ successfully represented a discount casket store that had been ordered shut by Tennessee's Board of Funeral Directors and Embalmers. A tombstone in the lobby reads TENNESSEE'S CASKET MONOPOLY—PUT TO REST AUGUST 21, 2000. People are passionate about causes and respect each other's opinions." ♦



# WEEDING OUT GOVERNMENT PESTS

**“Occupational  
licensing schemes around the nation  
serve only to cut off the bottom rungs  
of the economic ladder.”**

## By Jennifer Barnett

Monsoon season has come and gone in Arizona, leaving in its wake a larger crop of weeds than usual. But Arizonans must be warned if their solution to a weed problem is to hire a gardener to spray weeds with over-the-counter products: Arizona’s Structural Pest Control Commission (SPCC) could be watching. (In Arizona, weeds are considered “pests” and thus are regulated by the SPCC.) If a gardener or landscaper cannot show he has 3,000 hours of experience actually spraying weeds in the last five years, a pest from the SPCC could scurry out from behind a bush to issue him a fine for as much as \$2,000.

According to the SPCC, only a select few are qualified to spray weed control products readily available over the counter at your local home improvement store; one of those qualifying requirements is 3,000 hours of actual field experience. Even if a gardener spent 40 hours a week spraying

weeds and carefully documenting each hour, not including any time driving between jobs, it would take him a year and a half to get the requisite hours to become a “qualifying party.”

The Institute for Justice Arizona Chapter (IJ-AZ) is challenging this absurd requirement in our latest effort to secure economic liberty in the Grand Canyon state.

On September 28, 2005, IJ-AZ filed suit against the SPCC on behalf of Gary Rissmiller and Larry Park, two landscape maintenance professionals in Tucson, Ariz. Both Rissmiller and Park have been working in the landscaping and gardening field for more than a decade without incident. Two years ago, however, the Arizona Legislature, at the SPCC’s request, stepped in to criminalize an integral part of the services both men offer.

Before 2003, the SPCC laws exempted anyone like Rissmiller and Park who “functions as a gardener by performing lawn, garden, shrub and tree maintenance.” In 2003, the SPCC convinced the Legislature to rewrite the law and require several licenses before spraying weeds.

Equally disturbing, until 2003 another exemption existed for those who “own, lease

or rent” the property they are spraying. The SPCC went after this exemption, too, convincing the Legislature to narrow the field so that now, outside of those who can meet the outrageous 3,000-hour requirement, the only people allowed to spray weeds with over-the-counter products are those who own *and* occupy the property. Landlords, renters or even just nice neighbors are now prohibited by law from spraying the weeds in their yard or the yard next door.

While the SPCC claims its actions were to protect consumers, the two years since the Legislature passed this law tell a different story. Investigators for the SPCC have spent the last two years hovering on streets near hardworking landscapers and gardeners waiting until after weed control products are sprayed so they can slap the unsuspecting gardener with a fine. In a one-year period, the SPCC targeted 56 improperly licensed landscapers and gardeners, issuing fines between \$200 and \$2,000. It seems the SPCC is more concerned with weeding out the competition than with uprooting garden pests.

Occupational licensing schemes around

# Building Support for School Choice From the Grassroots Up

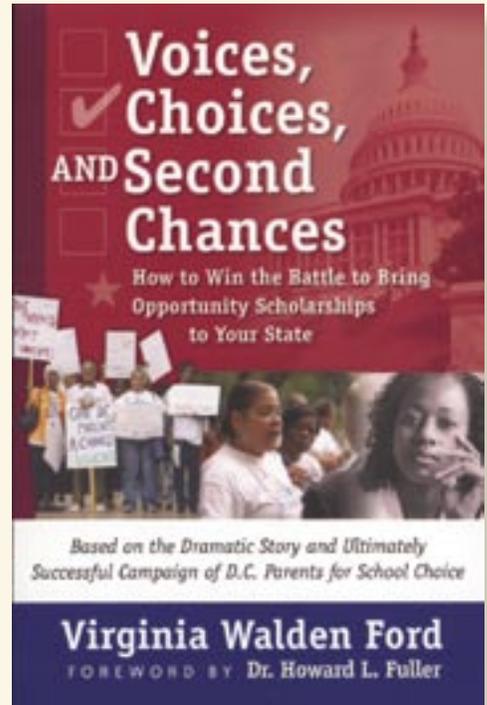
By Clark Neily

When Virginia Walden Ford speaks about school choice, people listen. They listen because when it comes to turning school choice from a dream into reality, Virginia knows what she's talking about. She knows how to identify and organize parents who will fight for choice, how to craft a message and get it out to the media and the community, and how to make sure legislators understand they will be held accountable for standing in the way of educational opportunity for low-income children.

In short, when it comes to grassroots activism for school choice, Virginia Walden Ford wrote the book. Literally. The book is called *Voices, Choices, and Second Chances*, and it tells the story of (and lessons learned in) Virginia's remarkable fight to bring school choice to Washington, D.C. Through a multi-state tour organized by IJ, Virginia has been traveling the country this fall promoting her book as a blueprint for parents seeking an escape route from some of the nation's worst public schools. On October 20, IJ's Director of Communications Lisa Knepper and I were honored to join Virginia in Chicago, where she offered instruction and inspiration to over 100 activists and parents who want to do for the children of Chicago what she helped do in Washington, D.C., where the D.C. School Choice Incentive Program provides scholarships of up to \$7,500 to 1,700 low-income children.

Although she says she still feels nervous, Virginia is truly in her element when standing before a group of parents and telling them, based on her own personal experience, how school choice can turn a child's life around and what they can do to secure choice in their own communities.

Parents are central to the success of the choice movement. Virginia's experience will



**Virginia Walden Ford** at the Chicago event, co-sponsored by the Illinois School Choice Initiative and IJ.

help them maximize their impact. We look forward to helping Virginia spread those ideas for years to come and to celebrating with her as they continue to take root and flourish. ♦

**Clark Neily** is an IJ senior attorney.



IJ client **Gary Rissmiller** just wants to earn an honest living without government interference.

the nation serve only to cut off the bottom rungs of the economic ladder. By challenging this outrageous licensing scheme, IJ-AZ is working hard to replace those rungs and allow Arizonans the freedom to pursue their chosen occupation. ♦



**Jennifer Barnett** is an IJ Arizona Chapter attorney.

To energize your own campaign, get a copy of *Voices, Choices, and Second Chances*. Send \$23.95 (includes shipping and handling) for each book. Make checks payable to D.C. Parents for School Choice. MAIL TO: D.C. Parents for School Choice, 809 Virginia Ave., SE, Washington, DC 20003.

# Fighting Eminent

## Eminent Domain Abuse SUCCESSSES

Activists around the country are successfully employing the tactics of the Castle Coalition to defeat eminent domain abuse. In 2004, Wal-Mart proposed replacing a neighborhood in Ogden, Utah, with one of its Supercenters. Dorothy Littrell, a 76-year-old retiree, led the fight against the world's largest retailer—and won. The group held rallies, wrote letters to the editor and exerted tremendous political pressure through the media and state legislature. In early 2005, the group's activism ultimately resulted in the passage of an eminent domain reform bill that effectively stopped the development and saved a neighborhood.

Last December, city officials in Lincoln, Neb., and developer John Q. Hammons announced plans to replace a block of businesses with a hotel. Using the Castle Coalition website, activists like Sean Wieting of Samurai Sam's Teriyaki Grills raised awareness in the media about this threatened and unconstitutional use of eminent domain for private development. On March 1, 2005, the City approved the hotel development, but refused to authorize the use of eminent domain.

Nancy and Dick Saha bought their Pennsylvania farmhouse in 1971, and with their five children restored the 250-year-old residence and made it a home for their children and grandchildren. But the neighboring City of Coatesville decided it would rather see the family farm become a golf course and threatened condemnation. The Sahas waged an aggressive grassroots battle, and after three petitions, scores of protesters at local meetings, an approved referendum and a strong push to elect a new city council, the City finally dropped the condemnation. ♦

## Expanding the *Kelo* Fight

*IJ Case in Ohio Will Determine Limits  
On Eminent Domain in the Buckeye State*

By Scott Bullock

In October, the Supreme Court of Ohio accepted for review the most important post-*Kelo* eminent domain case in the country: *Gamble v. City of Norwood*.

The bright spot of the U.S. Supreme Court's otherwise dreadful opinion in *Kelo v. City of New London* is its reminder to state courts that they are free to recognize greater protections for home and small business owners under their respective state constitutions. Indeed, it almost seemed like Justice Stevens, the author of the majority opinion, invited them to do so. Now, Ohio residents will be the first in the nation to learn if their supreme court steps up and does what the U.S. Supreme Court failed to do: protect home and small business owners from eminent domain abuse for private commercial development.

IJ litigated the *Kelo* case from the trial court all the way up to the U.S. Supreme Court. Likewise, we litigated the Norwood case, now before Ohio's top court, from the very beginning. The case started when private developer Jeffrey Anderson decided that he wanted to expand his \$500,000,000 real estate empire by building a complex of chain stores, condominiums and office space on top of a neighborhood where our clients have their homes and a business. Using a "blight" study initiated and paid for by Anderson, the City of Norwood declared the well-kept neighborhood "blighted" and "deteriorating" so it could use eminent domain to take properties from those who refused to

sell. The blight study was such a sham that the trial court found the City Council had abused its discretion by labeling the area blighted. However, the Norwood city code also allows the use of eminent domain if a neighborhood is "deteriorating," a standard so broad and vague that virtually any neighborhood in Ohio would

**"The Norwood case will determine whether there will be any meaningful limits on the use of eminent domain in Ohio."**

meet it. For instance, under the Norwood code, a neighborhood can be called "deteriorating" if it has "diversity of ownership" alone—in other words, several people owning separate parcels of property within a certain area, almost a textbook definition of an ordinary neighborhood.

In 1953, the Ohio Supreme Court held that blighted property could be taken for urban renewal purposes, but it has never held that property could be taken simply for economic development purposes or under the absurdly broad "deteriorating" standard. The Norwood case will determine whether there will be any meaningful limits on the use of eminent domain in Ohio. Carl and Joy Gamble, who stand to lose their home of over 35 years, will be watching very closely. So will all home and small business owners in Ohio and throughout the country. ♦

Scott Bullock is an IJ senior attorney.



# It Domain Abuse

## Reality Check

### *Educating Legislators and the Public About Eminent Domain Abuse*

By Bert Gall

In the aftermath of the U.S. Supreme Court's now-infamous decision in *Kelo v. City of New London*, the floodgates to the abuse of eminent domain for private gain are now wide open. As Justice O'Connor wrote in her dissenting opinion, "The specter of condemnation hangs over all property. Nothing is to prevent the state from replacing any Motel 6 with a Ritz-Carlton, any home with a shopping mall, and any farm with a factory."

A silver lining in the Court's opinion was its statement that states are free to enact legislation that provides home and business owners greater protection than the Court chose to provide. As every opinion poll taken after the *Kelo* decision demonstrates, the vast majority of Americans are appalled by the Court's sanctioning of the abuse of eminent domain for privately driven land-grabs, and they want their legislators to put an end to that abuse. Currently, legislators in more than 35 states have introduced bills that address the problem. And the Castle Coalition, as part of IJ's Hands Off My Home campaign, is helping state legislators craft laws that afford real protection to home and business owners who want nothing more than to keep what is rightfully theirs.

Of course, the beneficiaries of eminent domain abuse—tax-hungry municipalities and land-hungry developers—want to maintain business as usual and thus oppose real reform. They advance such myths as "*Kelo* didn't really change the law" and "Eminent domain abuse isn't a real threat." Worse yet, they advance so-called "reforms" that are purely cosmetic and do nothing to stop the use of eminent domain

for private commercial development.

For that reason, IJ Senior Attorney Dana Berliner authored a white paper (located at <http://www.castlecoalition.org/kelo-whitepaper>) for legislators and the public about *Kelo* that sets the record straight about the case and explodes the myths advanced by apologists for eminent domain abuse. The paper explains not only how the Supreme Court changed the law by equating "public use" with "private use," but also how the decision has paved the way for further abuse of eminent domain. The paper also debunks myths such as, "Economic development can't happen without eminent domain" and "Eminent domain is always a 'last resort.'" (Of course, economic development happens all the time all over the country without eminent domain, and the threat of eminent domain is always on the table when a city wants to take land from A and give it to B.)

Just as importantly, the white paper gives legislators specific guidance about how to rein in the abuse of eminent domain for private gain. Along with IJ's and the Castle Coalition's model eminent domain legislation, it gives legislators the tools they need to create meaningful reforms that will protect all Americans from eminent domain abuse. The legislative battle against eminent domain abuse will not be easy; the beneficiaries of that abuse will fight frantically to keep their power. That's why IJ and the Castle Coalition will continue to counter the myths of the apologists for eminent domain abuse with something much more powerful: the truth. ♦

**Bert Gall** is an IJ staff attorney.



## Eminent Domain Abuse CONTINUES

In Long Branch, N.J., the City is seeking to acquire 36 waterfront homes owned by families for generations in order to replace them with expensive condominiums that will enjoy the same view. Residents from the three threatened streets—Marine and Ocean Terraces and Seaview Avenue—have formed an activist group to fight the condemnations. On September 13, 2005, the City Council voted to reaffirm its use of eminent domain for the 23 remaining properties in the project area. The owners are now receiving offers granting them 14 days to initiate negotiations or be condemned.

Riviera Beach—a poor, predominantly black community in Florida—is undergoing a massive redevelopment plan along its affordable waterfront that may involve the condemnation of up to 2,000 homes, businesses and churches in favor of more expensive homes and retail businesses. On October 17, Florida legislators ordered an audit to look into allegations of financial mismanagement by the City of Riviera Beach and its Community Redevelopment Agency, the entity leading the development.

And in Ardmore, Pa., the Township is planning to raze 10 historic buildings in the charming downtown business district for newer businesses and condominiums.

In each of these communities, Castle Coalition-trained activists are joining with their neighbors and the Institute for Justice to save their homes and small businesses. ♦



Top, IJ Attorney **Nick Dranias** and client **Kim Hamilton**. Bottom, IJ Minnesota Executive Director **Lee McGrath** chats with a reporter.

From left IJ Attorney **Nick Dranias**, clients **Kim** and **Jon Hamilton** of White Winter Winery of Iron River, Wis., and **Charlie Quast** of Fieldstone Vineyards of Morgan, Minn., launch IJ-MN's challenge to Minnesota's restrictions on the advertisement of wine in the state.

**Speech** continued from page 1

Having the freedom to ship wine doesn't mean much if you cannot tell anyone about it. That is why consumer Kim Crockett, Fieldstone Vineyards and White Winter Winery joined with the Institute for Justice Minnesota Chapter (IJ-MN) to challenge Minnesota's advertising and Internet speech ban. We filed suit on their behalf in federal court on October 12, 2005.

Crockett, Fieldstone and White Winter are typical IJ clients—hardworking, sympathetic and principled. Crockett is a wife, busy mother of two school-aged children, city councillor and an attorney. She is also a wine enthusiast, but her free time rarely coincides with when wineries are open. She joined the lawsuit to challenge the idea that the State can allow speech over certain media, like the phone or mail, but prohibit it over another medium, the Internet.

Located on a century-old family farm, Fieldstone Vineyards ([www.fieldstonevineyards.com](http://www.fieldstonevineyards.com)) was founded five years ago when Don Reding, his son, Chad, and son-in-law, Charlie Quast, pooled their resources and planted 256 cold-hardy grapevines. In a stunning success, 238 vines survived Minnesota's bitterly cold winter, proving that grapes are a viable alternative crop here. Charlie, Don and Chad then joined with Mark Wedge, a self-

taught winemaker, who succeeded in crafting a variety of specialty wines by counteracting the excessive fertility of Minnesota's soil. The four are parties to the lawsuit because Fieldstone's growth depends on its ability to advertise their direct-shipping services to existing and potential customers.

White Winter Winery ([www.whitewinter-winery.com](http://www.whitewinter-winery.com)) specializes in mead wine—an ancient form of wine made with honey and fresh fruit, like strawberries, blueberries and apples. Jon and Kim Hamilton founded White Winter in 1996 after years of backyard bee-keeping and amateur winemaking. Located near the shores of Lake Superior, White Winter benefits from a microclimate that allows for cool nights and warm days, extending the growing season by several weeks. At first reluctant to sue the government, Jon and Kim joined the lawsuit after recognizing that to be successful, they must be able to solicit wine-lovers in northern Minnesota cities, like Duluth—just 40 miles west of their winery.

At the well-attended case-launch press conference, Charlie turned to reporters and asked, "Are we supposed to ignore the fact that our website gets 2,000 hits per month?" Judging from the widespread coverage in *USA Today*, Minnesota Public Radio, *St. Paul Pioneer Press*, *Minneapolis Star Tribune* and the local NBC and CBS affiliates, the over-

whelming response has been an emphatic, "No!"

Of course, Minnesota's speech ban does not just inconvenience consumers and threaten the dreams of entrepreneurs. It also violates the First Amendment by stifling free speech. Nearly 30 years ago, the U.S. Supreme Court held that the First Amendment protects the free flow of information necessary for a market economy. And barely 10 years ago the Court said, "The First Amendment directs us to be especially skeptical of regulations that seek to keep people in the dark for what the government perceives to be their own good."

Banning advertising, solicitations and the use of the Internet undermines the free exchange of information between wineries and consumers. Moreover, it tramples a consumer's right to receive information about wine and to order it using the most convenient medium—the Internet. For these reasons, IJ-MN is determined to have the U.S. District Court strike down Minnesota's senseless advertising and Internet speech ban. ♦

**Nick Dranias** is an Institute for Justice Minnesota Chapter attorney.





## Together In Cedargrove. Together In Our Homes!

By Debbie Kubiak

On February 3, 2005, the New York town of Cheektowaga and developer Dominic Piestrak presented my community of Cedargrove Heights with a slideshow and colorful map layout of a development called Renaissance Village. They envisioned replacing our 300 homes, 700 rental units and church with an upscale community of new homes, brownstones, a hotel, offices and retail space. By night's end this presentation—with all its promise—left us without one thing: a choice.

They mentioned "eminent domain" and I had no idea what that meant. After the meeting, I searched eminent domain online and found the Institute for Justice and the Castle Coalition. The wealth of information on the website was astounding, as were the many stories about eminent domain abuse. Most impressive of all was the Eminent Domain Abuse Survival Guide, which has become a bible to me. Without this, we would have been completely lost during our nine-month fight to stop this madness.

**“Most impressive of all was the Eminent Domain Abuse Survival Guide, which has become a bible to me. Without this, we would have been completely lost during our nine-month fight to stop this madness.”**

Following the advice of the Castle Coalition, we started networking and uniting with others in the community opposed to this project. We led petition drives and presented them before the Town Board. We staged a protest and continued to attend every Town Board meeting, wearing our now well-recognized red shirts. We found out there was no written proposal or funding for the project. We hit the local media for coverage and found allies in politicians and other community groups. Our Assemblyman, Paul Tokasz, even came to our area to announce his sponsorship of legislation against eminent domain abuse. Our actions were getting results.

In July, five of us attended the Castle Coalition's national Eminent Domain Conference. I found there was much more to learn about fighting eminent domain abuse and was in awe of the strength and

creativity of the diverse group in attendance. After meeting Susette Kelo, I wondered how she had the determination to continue on—but then realized that we, too, believe in our hearts that justice will be served and our homes will not be taken. I left the conference with two goals: to stop the project before it passed a vote, and to have a plan to follow to secure our homes for good once we did.

Upon returning, we found ourselves more and more involved in community activities—not just in Cedargrove, but all over Cheektowaga. We began attending political fundraisers and started a plan to take back our neighborhood with regular clean-ups and meetings with the Town on code enforcements, all the while creating more allies.

At an August work session with our Town Board, the developer was asked to show his progress on the project. The proposal had not moved an inch. In response to our complaints, the Board gave the developer until October 1 to submit a proposal and show consensus of the community. Prior to the deadline, the developer asked for an extension, as he had once again made no progress. The frustrated Town Board drew up a resolution to halt consideration of Renaissance Village, and struck the clause "at this time" at our recommendation. It passed unanimously.

At this point we feel victorious, but as we have all learned from this experience, at another time there could be another project. We will continue to attend all board meetings and have become increasingly involved in our community and its politics. This experience brought our community closer together, and we are working to make it the best it can be. Together is how we won. Our red shirts have not been retired. The words printed on them say "Together In Cedargrove." Together in our homes!♦

**Debbie Kubiak** is a new activist for liberty trained by the Castle Coalition.



IJ recently presented *Orange County Register* editorial writer **Steven Greenhut** with the "Thomas Paine Award" for his journalistic work advancing liberty.

## IJ Recognizes A Modern-day Thomas Paine

By John E. Kramer

*Orange County Register* editorial writer Steven Greenhut recently received the Institute for Justice's "Thomas Paine Award," which IJ presents to journalists who advance individual liberty through their craft. Past recipients include syndicated columnist George F. Will, *Wall Street Journal* editorial writer John Fund, and host of ABC News "20/20" John Stossel.

The plaque presented to Greenhut reads, "As a tireless champion of individual liberty, your inspiring words have helped preserve the freedoms that are every American's birthright. Presented to Steven Greenhut by his friends at the Institute for Justice with our sincere appreciation and heartfelt thanks."

At the award dinner in San Francisco in October, Greenhut said, "I'm honored to receive the Thomas Paine Award from the Institute for Justice. Sure, it puts me in great company with past winners. And who wouldn't want their name attached to anything bearing freedom-lover Thomas Paine's moniker? But I'm particularly honored given the role the Institute has played in promoting freedom; not just talking about it, but getting

down in the trenches and helping individual property owners and entrepreneurs stand up for their rights. That's what I pride myself in at the *Orange County Register*."

Greenhut said, "IJ best epitomizes my favorite quotation about property rights. It's from William Pitt, and I included it in my book, *Abuse of Power*: 'The poorest man may in his cottage bid defiance to all the forces of the crown—it may be frail. Its roof may shake, the wind may blow through it—the storm may enter, the rain may enter, but the king of England cannot enter; all his forces dare not cross the threshold of the ruined tenement.'"

"That is the ideal upon which this nation was founded," Greenhut concluded. "It is the ideal I strive for and IJ strives for. It is the key to freedom."

IJ congratulates Steven Greenhut on his outstanding work and wishes him continued success in his principled advocacy. ♦

**John E. Kramer** is IJ's vice president for communications.



### Seeking Liberty-Minded Law Students

Know hardworking, intelligent law students dedicated to individual rights and a free society? Encourage them to litigate for liberty next summer through the Institute for Justice's summer clerkship program.

Applicants should send a cover letter, resumé and writing sample to: *Clerk/Intern Coordinator, Institute for Justice, 901 N. Glebe Road, Suite 900, Arlington, VA, 22203*. Applicants may also email that information to [training@ij.org](mailto:training@ij.org).

Summer clerkship applications receive consideration beginning in January.

Those unable to devote an entire summer to the cause should consider joining dozens of students from the nation's top law schools to learn how to shape the world through public interest litigation at IJ's annual Law Student Conference, held July 28th-31st at Georgetown University Law School. In addition to being trained in public interest litigation tactics and media relations, conference participants learn about natural rights, public choice and cutting-edge constitutional theories.

Interested law students can fill out the application online at <http://www.ij.org/students/index.html>. ♦

**About the publication**

*Liberty & Law* is published bimonthly by the Institute for Justice, which, through strategic litigation, training, communication and outreach, advances a rule of law under which individuals can control their destinies as free and responsible members of society. IJ litigates to secure economic liberty, school choice, private property rights, freedom of speech and other vital individual liberties, and to restore constitutional limits on the power of government. In addition, IJ trains law students, lawyers and policy activists in the tactics of public interest litigation.

Through these activities, IJ challenges the ideology of the welfare state and illustrates and extends the benefits of freedom to those whose full enjoyment of liberty is denied by government.

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# Quotable Quotes

***The Philadelphia Inquirer***

“Susette Kelo, whose riverfront house in New London, Conn., is set to be razed, said she was glad politicians in Washington are working against the court ruling. ‘I think the people in this country are outraged in this decision, and rightly so. Everyone in this country has just lost the right to own their own property.’”

***The New York Times***

“Under the slogan ‘Hands Off My Home,’ the Institute for Justice, which is financed by individuals and foundations, said it was asking governors to sign a pledge to stop governments from taking homes and small businesses for private development. It said it would also push for changes in state constitutions to prohibit such actions. The efforts would ‘turn what was a disastrous decision by the Supreme Court into victories for private homeowners and small business owners,’ said Scott G. Bullock, a senior lawyer at the institute.”

***Newsweek***

“[T]he Institute for Justice, the merry band of libertarian litigators who are defending Floridians desperate for school choice, says: There is nothing ‘uniform’ about a state school system in which many schools—mostly attended by minority children from poor families—are consistently assigned an F grade by the state, while many other schools, particularly in affluent areas, consistently receive high state grades for delivering the ‘high quality’ education to which Florida’s constitution says all the state’s children are entitled.”

***Tallahassee Democrat***

“‘At the end of the day, school choice is the civil rights issue of the 21st century,’ said Clark Neily, attorney for the families currently using vouchers. ‘There’s no other single issue in the country that truly divides the haves and the have-nots . . . about who gets to choose their child’s education and who’s stuck with what they’re given.’”

The city government wants to condemn our home.

They've already bulldozed our neighbors' properties  
for private commercial development.

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*Carl and Joy Gamble  
Norwood, OH*

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**“The Institute for Justice—a pro-entrepreneur public-interest law firm—originally filed the suit against Oklahoma’s anti-competitive cofin regulation that the high court punted on. However, suits challenging similar laws in other states guarantee that the justices can’t keep ignoring this issue.”**

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