



## Episode 953: Sole 'No' Vote in Legislature Makes GOP Enemies, Racks Up Victories

Guest: Pat McGeehan

**WOODS:** This is a highly unusual book you've written, isn't it? I don't know of anything quite like it in – well, certainly in the 21st century, I don't know of anything quite like it. So I want to talk about two different parts of it. I want to start off first with the Stoic philosophy, which is going to strike a lot of people as a bit out of left field, and yet, I think when they hear about it and when they understand it more than in just the colloquial sense of the word "stoic," they'll see that there is quite a bit of merit in it. And then I want to see how actually you might be applying this in, of all places, a state legislature, where you would indeed want to keep your wits about you, I suppose. So first of all, how did you get interested in, of all things, Stoicism? And secondly, how would you describe it?

**MCGEEHAN:** Well, I got interested in stoicism a few years ago. Actually, I set out to write a book on harmonizing Christianity with libertarianism, and as I was doing my research into some of the Church fathers like Augustine – and as a Catholic, my favorite saint is Thomas Aquinas – and some of the other philosophers that I was studying to write this book, I started coming across some of the Stoics, namely Epictetus, who really caught my attention.

And then I started remembering a college class I had, my one and only philosophy class, really, I had at the U.S. Air Force Academy in my youth. And I remembered meeting one of my heroes growing up. My father was a professional military officer, and he had told me stories about all the great heroes from the Vietnam Age. And James Stockdale was one of the gentlemen that he had told me about and greatly respected, so by the time I got to college at the Air Force Academy in Colorado Springs, I had the chance encounter to actually meet Jim Stockdale, who by that time was a retired three-star admiral.

And in my one and only formal academic class where Stoicism made an appearance, I distinctly remember that Stockdale had used Stoicism and the teachings of Epictetus, who was one of the greater known Stoic philosophers, to weather and survive his imprisonment and incarceration in the infamous Hanoi Hilton. So James Stockdale spent nearly eight years as a prisoner of war. He was the senior ranking Naval officer held at the infamous Hanoi Hilton after he was shot down in late '64. And he was tortured maybe 30 different times, brutally. He was held in solitary confinement for four years. Two of those years he spent in solitary confinement in leg irons. And afterwards, he testified basically that Epictetus and the Stoic philosophy is what got him through it.

And so I met James Stockdale at the Air Force Academy. I got his autograph. I was just a measly little freshman at the Academy at the time, and I learned about Stoicism in a class later on where his name was brought up. And that always stuck in my memory. And so later on in life when I was studying and trying to write this book, which I just gave up on after I came to the Stoic philosophy, those experiences in my youth kind of carried me back to it.

And as an elected legislator in my first term of two years, I was very frustrated and angry because I thought I'd walk in and I had learned all the great principles of liberty from Congressman Ron Paul and – Actually, I'll have to admit this, Tom: I was a John McCain supporter back in early 2008 until a buddy of mine turned me on to Ron Paul.

**WOODS:** We're very forgiving on this show.

**MCGEEHAN:** [laughing] Okay, thank you very much. So I came to Ron Paul and I came to the philosophy of political liberty through a buddy of mine, but then once I got elected to the legislature in my first term, I was optimistic, I was young, I was very just enthusiastic about getting things done and promoting liberty. And I realized that that was not the case, that no one had interest in pursuing any of those ideas, and they were actually just more interested, as you could imagine, in power and their own reelection. A lot of dishonorable people. So I got frustrated, so I decided just to get out of political life.

But then I came to Stoicism, and so I ran again in 2014 and was elected again. And West Virginia was predominantly a Democratic area or state, but now it's a red state and a Republican state, so when I got elected in 2014, the Republicans took power and it was the first time the Republicans took over the statehouse since the Great Depression. So from there, I sort of started implementing the Stoic philosophy, and that led to a lot of success, effectively advancing the principles of liberty in the legislature.

**WOODS:** How long is the term that a West Virginia legislator serves?

**MCGEEHAN:** In the House, as a state representative in West Virginia, it's the House of Delegates, a traditional name from Virginia for the lower house, and it's two years, Tom.

**WOODS:** So that means you ran for reelection in 2016?

**MCGEEHAN:** Yeah, so this is my third term.

**WOODS:** Okay.

**MCGEEHAN:** Right, correct.

**WOODS:** What was that race like, by the way? Was it close? Did you have anybody in the Republican Party running against you at all?

**MCGEEHAN:** No, no one really touches me in the Republican Party in my district, but in 2014 when I decided to reenter politics, the leftists – all of the unions and the trial lawyers and all the different groups usually associated with the Democratic Party – came out and severely attacked me, smeared my name. They spend hundreds of thousands of dollars against me in that race, and I was actually running against the speaker protem, who was the second most powerful guy in the state legislature at the time, a Democrat, and he had been in office for 14 years. And I raised about \$6,000 to \$7,000, knocked on a bunch of doors, had some help, and prevailed, beat him by – it was close, but I beat him by, I don't know, 400 or 500 votes. So that was a close race, and they bombarded me with negative ads.

But then since then, my last reelection, I just wiped out the competition. Another Democrat who had served in the House for several years decided to challenge me, and I ended up beating him three to one. So I'm grateful I've had a little bit of success, and you know, I've never deviated from the libertarian first principles in office.

Had some very difficult votes, though. Actually, right before that last election in 2016, there was a massive flood. You might recall on the national news in West Virginia. A huge flood wiped out several parts of the state. And right before the election in November of 2016, there was a special session called in the West Virginia legislature in late September to approve hundreds of millions of tax dollars to go towards flood relief to hand out to victims and rebuild their homes in these flood areas. And of course I disagree with that. It's just not the government's role.

And I was the only one, and it was a pressureful vote, because that was the only vote in the – all the media from around the state were there and they were focusing on me, What's he going to do? And I went in and voted no, and that was the lone "no" vote, and everyone was basically staring at me in the chamber, and the media just crucified me over that. They can't believe that I voted against all these poor people that had their homes destroyed. But amazingly – that was right before the election, and amazingly, I just went around on the news and said, Hey listen, this is not the government's job. We're in debt. We just can't do this. And I won reelection three to one over a pretty hard Democratic opponent who was attacking me on that one vote.

So I've tried to apply Stoicism in this way to many factors, in that one thing that Stoicism, which is an ancient philosophy that was developed in Athens around 300 BC. It's one of the so-called Greek splinter schools that developed around this era. And one thing that it stresses is of course the pursuit of virtue, but also only focusing on what you have control over and dismissing anything that's outside of your control. And if you can do that effectively, along with several other Stoic practices that some of these great Stoic philosophers like Epictetus, of course, Marcus Aurelius with his *Meditations* – Cicero was not a self-identified Stoic, but there are very much Stoic themes in some of his major treatises. If you stick to that, then you will find you can come about to peace, a peaceful mind and tranquility of mind and be content that you know that you are doing the right thing, regardless of what others say about you.

**WOODS:** It's interesting that you would mention success that you've had, and yet Stoicism doesn't generally count successes. I don't mean that you can't celebrate successes, but it doesn't make success the lodestone of your career and you have to

look back and say, How many winds did I have? And yet, you did have some wins. So isn't that interesting?

**MCGEEHAN:** Yeah, it is interesting. One of the utilitarian advantages, I guess, indirectly that's come about has been that myself, I'm the chairman of the so-called Liberty Caucus, which basically I formed by writing on a whiteboard in my buddy's pizza restaurant the first time I came back to the legislature in 2014. Me and a couple of buddies said, Okay, I'm going to form a Liberty Caucus. Republicans have control. We know that they're just going to do the same thing that the Democrats have been doing, so let's try to call people that kind of have similar views as ours, libertarian views, first principle views. And so we got together a group of about a dozen guys. They're not all strict libertarians, but a lot of them are either fiscal hawks or strict constitutionalists.

And we got them together, and during the first session of — It's a part-time job in West Virginia. We have 60-day regular sessions every year. And during the first session of 2015 when the Republicans gained control of both chambers of the legislature, we were able to forward a lot of major pieces of policy on the agenda just by sticking together and continually beating the Republican establishment over the head. We forced constitutional carry through, which basically means you don't need a permit to carry a weapon. We forced the repeal of Common Core.

We also defeated a bill that all of a sudden came about — and this is sort of a typical conceptual example of when the Republicans gain power and all of a sudden everybody thinks things are going to be different in matters of corruption, but it's sort of the same. So all of a sudden during that first session, Republicans gained control for the first time since the Great Depression, and this huge, mammoth, far-reaching bill came up called forced land pooling, which is basically a policy that would allow natural gas companies to petition a new government commission to force certain landowners into leases they otherwise would not want to sign yet. And the commission would artificially set the price these guys would get for their mineral rights and for their land, and this bill would have affected about 5,600 square miles of Marcellus Shale in the northern part of West Virginia. And it was a far-reaching bill.

And at one point, actually, in that bill, it included a part that if the landowner was unwilling to sell or sign on the dotted line for the lease, the government — he was forced to be compelled into a forced pool, but then the natural gas company then could actually place their drilling rig on his property so long as it was within a certain amount of feet from the guy's home. So it was just an atrocious bill, and it came up out of the blue, and the Speaker of the House actually worked directly for the natural gas industry, so there was a lot of conflicts of interest.

So that was a big fight, and that was sort of I think when myself and the Liberty Caucus in West Virginia showed our muscle, because I got up and talked at length for weeks and weeks during that session in 2015, demonizing the bill, calling out that it was a property violation. And I had calls from all sorts of higher-power politicians threatening me, and the list goes on. One thing you want to do in the legislature is know the parliamentary rules like the back of your hand, so to obstruct, you use some of these rules, and that's what I was doing.

And anyway, by the time it was all said and done, I was able to get enough Democrats to realize how horrible this bill was, because effectively it would redistribute profits from landowners and mineral rights owners to gas companies. Because at that time, natural gas prices were very low, so they wanted to pass this law to lock in a bunch of these leases at very low prices and then sit on them until gas prices come back up and then start drilling. So it was sort of a redistribution, artificially, if you can follow that logic. But we prevailed, miraculously, by a tie vote at the very end of the last session, 49 to 49, and the bill went down. So that was sort of the first shot across the bow at the establishment that really started propelling the Liberty Caucus forward in West Virginia.

**WOODS:** All right, we're going to pick this conversation up in just a minute after we thank our sponsor.

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So compare the time you spent in the legislature the first time you were elected; then you were gone for I guess four years; then you came back. What's the difference between before and after, fundamentally?

**MCGEEHAN:** Well, before, my first term, the Republicans were very much in the minority, and you had several friends I had at the time. My officemate was a great guy. We had an office in the basement because the Republicans only had a fraction of the members compared to the Democrats. And my officemate from then now once the Republicans are in control, he is the chairman of a very powerful committee in the legislature. And I remember when we were officemates in the minority in that office in the basement, we had all sorts of conversations, Tom, about Ludwig von Mises, Hayek, Rothbard, Frederic Bastiat. I mean, we had all sorts of great, principled conversations. And then all of a sudden, once the Republicans took over in 2014 and I came back in the legislature, that gentleman I was just speaking of, my friend at the time while we were in the minority, essentially sold himself out for power to gain this high position, Chairman of the Judiciary Committee. And I don't even recognize the man anymore. And so there was a lot of people that did that. And you know, as Lord Acton said, power tends to corrupt. And that was very unfortunate.

But my first term, I was very frustrated. I just didn't think there was any hope for constitutional government to prevail in the long run, and I was always the lone "no" vote and was demonized for doing so. And so I just sort of kind of left politics and was dismayed. But then, you know, like I said, I sort of came to Stoicism. And one other thing I'd just like to mention is I'm a lifelong Catholic, and I'm proud to say that I finished Thomas Aquinas' *Summa Theologica*, which is about 1.5 million words. And by the way, Tom, I gave my priest one of my favorite books you've written, *The Church and the Market: A Catholic Defense of the Free Economy*, and I gave my priest that a couple years ago for Christmas. And I said, "I never want to hear you give another homily on politics and social justice warriors until you read this book by Tom Woods."

**WOODS:** Wow.

**MCGEEHAN:** My mom kind of got embarrassed because I said it right in front of a bunch of people after Mass [laughing]. But he did read the book and we had a discussion about it.

**WOODS:** That's good; that's good. I'm always embarrassing people's mothers, my influence. You know, when I talked about your book briefly on a previous episode, the author of the foreword, James Aragon had said about you the following things: "He went from being a lone "no" voter to creating a Liberty Caucus and even getting kicked out of the Republican Caucus by applying advice he has developed from Stoicism. He has been integral to defeating forced pooling, passing medical marijuana, passing constitutional carry, repealing Common Core, defeating a tax increase, stopping drug war laws from moving nonviolent felonies from criminal records, cutting the budget, and protecting speech. All these were laws that would otherwise have breezed through with bipartisan support." Well, that's quite an interesting testimony. So tell me more about this getting kicked out of the Republican Caucus. What's that all about?

**MCGEEHAN:** [laughing] Well, we'd been having problems financially in West Virginia. The Obama administration has not been very kind to the coal industry, and of course West Virginia is a big coal-producing state. And tax revenues have gone down, and we are always running deficits. And we are required to balance the budget, though, constitutionally, every year. And so in 2016, this past year, the Speaker said he was not willing to raise taxes, and I was pushing him to just reduce the budget in a reasonable way to balance everything out. Well, he came out and sort of sold everybody out, and most of the Republicans that were in the majority went along with it.

And once he announced that he was going to run a \$100 million tax increase bill, I got up on the House floor and I just announced that after the session, the Liberty Caucus would be holding a joint caucus with the Democratic Caucus. The Democrats were in the minority. And I guess that was a no-no, I guess, in the eyes of the overlords of the established Republican Party, so after the session, we broke, about 14 to 15 other Republicans who were either conservatives or libertarian-leaning followed me into a conference room with all the Democratic members in the legislature. And I got up in front of all of them and I said, Look, guys, I know we have a difference of opinion on a lot of things, but if you could please just stick with my Liberty Caucus, we'll have the votes to defeat this tax bill because this tax is actually going to be aimed at taxing the poorest in our society, and if you could please just help me defeat this and stick with us, we'd have the votes, and I'd really appreciate it.

And we had some good conversations. I developed a lot of good relationships with Democrats and progressive Democrats, as well, because we sort of have some common mutual principles – for different reasons, obviously, but you never want to alienate would-be allies. And that was part of my Stoic philosophy too, is to always recognize that your fellow man is sort of your brother and you treat them with respect, even though might disagree sometimes.

So the next day, the tax vote was up, and it went down in flames. I got up and talked, and we beat the Speaker's bill by a wide margin. And after that, the Republicans had a caucus later that night. I was in it. Of course when I don't want to listen to people that have no ideas in caucus and just want to ramble about how the public will be

perceived this or that, I just kind of read my books in the background, read Mises or read Epictetus or John Locke or what have you. And I was being called all sorts of names in the Republican Caucus. At one point, one guy who's loyal to the Speaker got up, another delegate, another state representative, and just called me a terrorist, a Taliban. You know, "We don't know who the enemies are in this caucus." And I just sort of ignored them, and that's what Stoicism teaches you, is to not respond to insults and be indifferent to the opinions of others and stay calm. And the Speaker started yelling and ranting.

And then even though about 14 or 15 other Republican members came with me to that joint Liberty Caucus-Democratic Caucus meeting the day before, the Speaker sent me a letter. He didn't even want to face me face-to-face. He had a courier hand-deliver a letter over to my office the next day that said I was no longer welcome in the Republican Caucus because I don't stand for Republican values, and I would be excluded from the Republican Caucus meetings for the remainder of the year.

And actually, you know what? It was sort of a badge of honor. He publicized it in the media to sort of exile me and disgrace me, but it actually worked out in my favor. I had no problem with it. People were irate they did that to me, and especially for beating a tax bill. And it was just sort of ironic. I thought Republican values were for small government. But I actually framed that letter in my office. I have it framed on my office wall right next to my crucifix [laughing].

**WOODS:** Wow, how about that?

**MCGEEHAN:** Yeah, so that was another story.

**WOODS:** You know, a lot of times when people study the Stoic philosophy, they read about it, they come across the urging that you should live according to nature. And people, when they study the ancient world, they take that to mean that I should do whatever comes naturally, which is what some people meant, but not what the Stoics meant. Live according to nature means examine your own nature, which is to be rational. You have a rational nature, so you should live according to reason, therefore.

**MCGEEHAN:** Right.

**WOODS:** But in terms of the rest of Stoic philosophy, it's interesting how much you can glean of it by simply looking at the headings in Part III of your book, "Stoic Counsel," because when you just go down this list — and these are points that you elaborate on in the book: "Know What You Can Control and What You Can't," "Be Comfortable by Yourself," "You Must Forego Power," "Others Will Scorn You," "Self-Restraint Requires Practice," "Resist Personal Ambition," "Concentrate on Your Main Duty," "Speak the Truth," "Victory Will Be Rare," "Endure the Consequences," "Mental Strength Takes Work," "Build Courage," "Insults Are to Be Taken, Not Given," and so forth. That's all fairly compelling stuff, and that could be useful for people who aren't state legislators too.

**MCGEEHAN:** Yeah, you know, and I went back and forth on how I was going to write the book, but I was determined to – like you said, it's tailored sort of for the liberty-oriented statesman, but I wanted to make sure that the advice section was conceptually generic enough in most parts that anybody who wants to live perhaps a better, virtuous, or more principled life could pick this book up, learn a lot from it, and apply those pieces of advice, those principles to their own life to gain a fuller life. Because one thing that, even though Stoic philosophy is rarely practiced by anyone today in modern society, it had a great influence on many other things, and one of them is cognitive behavioral therapy.

A guy named Albert Ellis, who was one of the three top psychologists of the 20th century, actually developed cognitive behavioral therapy, or one version of cognitive behavioral therapy based off of Stoicism. He studied the Stoic philosophers and came up with this psychological treatment. And cognitive behavioral therapy is probably the most widely used psychological treatment or psychiatric treatment to deal with mental disorders today, and it's just basically saying let's reason your way through your problems. Your problems are not as severe as you may think they are. And it's applying reason to your life, and you can conquer the passions like anger that – the Stoics talk about passions, the negative passions: anger, fear, aggression, hatred, lust. These are the negative emotions that you want to stay away from because they lead to vice.

So it's very much – it can be very much used in your modern-day life to really improve. And you don't have to adopt the entire Stoic philosophy. You can just use parts of it. But just solely focusing on, Hey look, don't worry about things that you are dreading in the future because they're probably not as dreadful as you're imagining them to be, and also, they probably are never going to come to pass. But if you do think about them in the future, think about ways to cope with them reasonably, and that really can help you out. I'm not an expert on cognitive behavioral therapy. I've read Albert Ellis' treatise, *Reason and Emotion in Psychotherapy* – it came out in 1962 – and a few others since then in cognitive behavioral therapy. But that was inspired by Stoicism.

So there's a lot of different ways you can apply the Stoic philosophy in modern life. And it's not – some people just say that being stoic, the adjective, is to repress emotion, but really, it has nothing to do with repressing emotion; it just has to do with preventing those negative thoughts from generating your mind in the first place.

**WOODS:** Well, the book is available at its own site. You have StoicismAndTheStatehouse, where you can get that and other works by you, and I will link to that site and the book on my own page, TomWoods.com/953. The book is *Stoicism and the Statehouse: An Old Philosophy Serving a New Idea*. I will leave you with the final word here.

**MCGEEHAN:** Well, I wanted to tell you a story about another legislative story, but I guess we're out of time.

**WOODS:** No, no, no. Tell the story. I forgot about it. Yeah, tell it.

**MCGEEHAN:** Okay. There's two stories, but I'm going to focus on one. There was a bill I introduced in the legislature the last several years. It was the Defend Guard Act, and

it was a National Guard bill. And as you know from the Militia Clause of the Constitution, there are only three different enumerated powers where the federal government can deploy the state militia. And the different National Guard units around the states actually cite that portion of the Constitution – I think it's Article 8, Section 11. And the National Guard actually cites that as their reason for existence. Well, I introduced a bill, and essentially it would prevent West Virginia Guard units from deploying into active duty combat scenarios without an official declaration of war from the U.S. Congress or if any of those three enumerated powers listed in the Militia Clause of the Constitution were met.

So I introduced this bill, and I happened to be the Vice Chair of the Homeland Security Committee, and I had it on the agenda. Well, as soon as I introduced the bill, I got called into the Speaker's office. And I walked in, and there in front of the Speaker was the Adjutant General of the West Virginia National Guard, a two-star – and he's a political appointee – along with several other aides. And essentially what happened was the Adjutant General of the West Virginia National Guard said as soon as I introduced that bill, he received a call from the Chief of Staff of the U.S. Army from the Pentagon who threatened him that if that bill saw the light of day, that he would either immediately place all the West Virginia Guard bases in our state on the so-called BRAC list, which means they will be terminated, or move all the West Virginia National Guard units into other states.

And I'm just a little old legislator from West Virginia. I introduced this bill because I thought, one, it's getting back to the principles of '98, and two, it's attacking the warfare state and it's forcing accountability on Washington. Because, you know, we don't have a draft anymore because essentially the active duty military uses the Guard as sort of their reserve force. They tell kids, "Hey, free college, one weekend a month, no big deal." And then of course when Iraq broke out and then Afghanistan, they're serving on active duty for two, three years.

So that was amazing, because that I think shows you that even though there may be a small minority of liberty legislators that are dedicated to these types of issues, it is a major threat to the warfare state and to the Pentagon in general, because if that sort of idea gained steam, then if other states followed, you could resist the warfare state by removing their ability to just willy-nilly activate the Guard and use them as sort of reserves in the empire.

And it was amazing. I mean, the Adjutant General in that meeting broke down in tears. He said he had lost people in Afghanistan. He agreed with the bill, but we just can't do it. And that's another example where I used the Stoic philosophy. I said, "Well, listen, General. I appreciate your comments. I don't understand why you are in this office right now with the Speaker, because you are in a two-star uniform and it sort of feels like a banana republic. But listen, if you agree with the bill, you should be supporting it." And so the Speaker asked me to back off the bill. I said I could not do that. I will push it as hard as I can.

And since I was Vice Chair of the committee it was assigned to, the Homeland Security Committee, I decided to go forward and push it and get it placed on the agenda. Well, when I did that, the Speaker actually sent, we'll just say large men, to block my

entrance to the committee the next day to not allow me to go and run the committee to put that on the agenda.

**WOODS:** I'm pretty sure they're not allowed to do that. What am I missing about that?

**MCGEEHAN:** [laughing] Well, there's a lot of things they're probably not allowed to do but they did. But I kept pushing it and I'm going to push it again. And I think things like that, where you assert the Tenth Amendment, you assert the enumerated powers of the Constitution, and you push back against the warfare state and other issues like that, they do work at the state level. They do threaten the status quo in Washington. And you know what? A lot of those ideas that I got, introducing those bills in the legislature and pushing them, bringing attention to them – by the way, that bill was very popular in West Virginia because a lot of West Virginians lost their lives in Iraq and in Afghanistan in the National Guard. But I got those ideas initially from reading your book a long time ago on nullification, Tom Woods.

**WOODS:** Oh, how about that?

**MCGEEHAN:** I really appreciate the work you've done. You've done one heck of a job.

**WOODS:** You know, you have so many stories. Do you ever keep in contact with – I mean, there are least a handful of state legislators like you around the country. Do you know any of them or do you keep in touch?

**MCGEEHAN:** Not yet. I've coordinated with the Tenth Amendment Center and become friends with some of them, and so they're I think going to try to put me in touch with other state legislators. Because if we could get a bill like that, they're scared. The war machine's scared of that bill, because if that catches fire and that was implemented in just a handful of states, we could really, really shut down the war machine, I believe, from the state level. And it's a lot easier to get liberty-oriented legislators elected to the state legislature because they're smaller districts and it takes less money.

But I'm just going to throw in one more story real quick.

**WOODS:** Yeah, go ahead. Why not?

**MCGEEHAN:** And I think this might be interesting. In late 2015, summer of 2015, there was a constituent of mine, and he was from a small town in my district. And everybody kind of knew this guy because he was sort of a rabble rouser in the community. He was a retired Air Force veteran and he moved back to New Cumberland, West Virginia, which is a small town in my district. And he was just disgusted with some of the corruption in our area in politics, and so he started some sort of Facebook group and he was always bashing politicians on his Facebook group. And he was just a political protestor, and he's actually bashed me several times over the years.

One Halloween a couple years ago before an election, actually, when everyone's going trick-or-treating, I had a lot of friends that were going trick-or-treating up and down the street he lived on. And he had a giant sign in his front yard that said something

like – I think profanity was on the sign, but it said something like "Pat McGeehan is a complete jerk. He doesn't care about anybody," or something like that.

But anyway, this gentleman was posting things on his Facebook account, criticizing different politicians and judges, elected judges in our area. And all of a sudden, a state trooper showed up at his house one day about a year and a half ago and arrested him without a warrant at his house and threw him in prison. And there was some old law on the books that said something like you are not allowed to retaliate against a public official if the public official is in the official capacity of his duty or office. And the law I think was put on the books years and years ago to protect from intimidation of jury members. But they found out about this law and they wanted to shut this guy up. And they loosely interpreted the retaliation part of this law to mean that you can't criticize politicians on social media.

So they arrested this guy. You know, he never had a criminal record. He's an Air Force veteran. He's just a protestor. And they threw him in prison, and his bond was set at \$200,000. And literally, the guy only posted comments like, "I don't like this judge because he let this heroin dealer off. Drugs are rampant through our community." You know, a lot of it was just harmless, but they didn't like this guy.

And so I find out about it – it made news – and I'm like, Are you kidding me? So I made a few calls to get the facts straight and make sure the local news was reporting the right facts. And I called the sheriff, and the sheriff told me that's what happened. It was a state trooper. The sheriff said I would never have done that.

So once I got the facts straight, I said I've got to do something about this because you have to uphold the office. If you don't stand for libertarian principles and protecting the Bill of Rights, no matter how unpopular it might be, you might as well not even do anything about – you might as well just throw away your principles altogether. And I had some close advisors, some good liberty folks who advise me on a lot of things, that said stay away from this, it's unpopular, no one likes that guy, don't say a word about it. And I just couldn't live with myself, so I considered it for about an hour. I knew the facts. So the next morning, I called the press, and then I just started beating up on the state troopers and the prosecutors that were doing this to him. And I compared it actually to the Sedition Acts that were passed. And I just kept railing about this.

And I actually went and visited him in prison. And I just went to Mass, and I think the priest recently gave a sermon about helping those that are in need and who are unjustly thrown in prison. And so I went down and visited him in prison, even though I know this guy hates my guts. I showed up; I think he was surprised, and I was kind of nervous, because I don't like prisons, Tom, being a liberty guy, you know? And I went in and I visited him.

And anyway, I got subpoenaed by the prosecutor later on and put on the stand for his initial hearing. And I went up and took the stand, and the prosecutor started grilling me on what exactly I talked about with him in prison. And I said, Hey, he's my constituent. He was thrown in prison unjustly in violation of the First Amendment, and that's why I visited him. And he wanted to ask what I talked about. And I said, you know, I don't know what I talked about. I asked him how he was doing and I was going to do everything I could to get him out.

And then all of a sudden, I started grilling the prosecutor. I felt like Jack Nicholson. One of my favorite movies is *A Few Good Men*. So I turned the page and started grilling the prosecutor and said, "Did you ever take an oath of office?" And he said, "Well, yes." And I go, "Well, you just disgraced yourself because you've thrown your oath of office out the window." And all the news cameras were in that courtroom, and a big crowd, and people started cheering. So I walked out and the prosecutor had no further questions. The judge said nothing. He just let me go on and lecture this guy basically on the Bill of Rights.

And what ended up happening was shortly thereafter, after I did about a dozen media interviews, they dropped his bond from tens and tens of thousands of dollars to zero overnight. He got released from prison. He spent, unfortunately, almost a month in prison before I could do something to get him out. And then I went back into the legislature and successfully changed the law so that it reflected the Supreme Court's imminent threat and imminent violence doctrine on free speech. So all the charges were dropped. He was charged with two felonies. Two felonies for terroristic threats is initially what he was charged with for just simple criticism of politicians. And so he's out and he got released. And actually, I talked to the ACLU and others, and a giant lawsuit has been filed now against the prosecutors and one of the state troopers who arrested him without a warrant, who happened to be the son of a judge who this gentleman in question who was put in prison unjustly happened to be criticizing on Facebook.

So anyway, sometimes I think when you might think that if I do this it's going to be so unpopular, I'll lose votes, people won't like it, this guy might be a dirt bag – you know, do the right thing and don't worry what other people think. And that's sort of part of the Stoic philosophy. But at the end of the day, sometimes it actually works out in your favor, because after it was all said and done, I gained a whole lot of support from people that I didn't have support from previously. So anyway, I felt like telling that story, because I think that's important for people to realize that you have to stand up for doing what's right if you're in public office and stick to first principles, no matter what the consequences are, even if it means you're not going to get reelected again.

**WOODS:** That's quite an extraordinary story. And of course it would have been terrible if –

**MCGEEHAN:** Oh, and by the way – Sorry, before I forget –

**WOODS:** Yeah.

**MCGEEHAN:** The prosecutors threatened me with perjury before this was all said and done [laughing].

**WOODS:** Man, that's unbelievable.

**MCGEEHAN:** Yeah, they wanted to basically – There was nothing there. I didn't say anything on the stand that wasn't truthful, but they threatened with me with charging me with perjury, which is ten years in prison and you can never hold public office again in West Virginia if you're found guilty of perjury.

**WOODS:** Oh man.

**MCGEEHAN:** But I think the main reason was because they knew if they went through with that charge, it would hit all the newspapers and disgrace my name. But it never ended up happening, and I continued with my defense of this gentleman, even after I found out that they were going to try to go after me with that. But I just figured I'd throw that in there.

**WOODS:** Wow, all right. Well, all the more reason you had to write a book, right? You had to write a book. And as I say, before we went on, it's not exactly the book I was expecting it to be, but in a way, it's more challenging than the book I expected it to be. So again, the book is *Stoicism and the Statehouse*. We've linked to it at [TomWoods.com/953](http://TomWoods.com/953). Pat, best of luck with everything and thanks for being here today.

**MCGEEHAN:** Thanks a lot, Tom. God bless. You keep up the good work.