



New Jersey Libertarian

Winter 2023

Print Edition

Note on Editions

This newsletter has been published in two editions. The Print Edition uses a font size of 9 points (12 pixels)—suitable for printed books and magazines, especially when the cost of printing is a concern—and spans six pages (plus some extra images). The Screen Edition includes the same content as the Print Edition, but uses a font size of 16 pixels (12 points)—suitable for files that are read on a screen—and spans nine pages (plus some extra images).

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General Meeting Announcement

The NJLP will hold its regular general meeting on February 12, 2023.

Sunday, February 12, 2023, at 12:00 PM

Princeton Junction, NJ

For details, RSVP at bit.ly/winter-gm.

See njlp.org for additional discussion of proposed bylaws amendments.

Note: The General Meeting will be followed by a regular Central Region business meeting.

NJLP Board Votes to Support Fusion Voting Case

By Michael Manieri

Last year, the newly formed Moderate Party submitted a petition to have the Democratic incumbent, Tom Malinowski, listed on the ballot under the Moderate Party's banner. In accordance with New Jersey's century-old fusion voting ban, state courts denied the petition. Now, the Moderate Party is challenging the ruling, arguing that the ban on fusion voting violates New Jersey's Constitution.

Fusion voting, frequently practiced in New York and other states, allows multiple parties to back a single candidate. For example, the Working Families and Democratic parties backed Kathy Hochul in New York's gubernatorial election, while the Republican and Conservative parties backed Lee Zeldin. Fusion voting allows multiple groups within

the electorate to band together to support a candidate that appeals to both groups. If the ban is struck down, Libertarian candidates will be able to vie for other parties' support while maintaining their status as NJLP candidates. For example, Gregg Mele, who holds a mix of libertarian and conservative views, ran for the GOP nomination in New Jersey Congressional District 6. In 2021, Mele ran for Governor on the LP ticket.

Recently, the NJLP Alternative Voting Committee met to consider supporting the Moderate Party's lawsuit. In accordance with the committee's recommendation, the NJLP State Board voted in favor of supporting the suit.

Bylaws Proposals Part 1

By the Bylaws Committee
Context added by the editors

~~Struck through~~ text is deleted, and underlined text is inserted.

A. Interim Elections

Modify § 11.c sentence 1 as follows: “At a designated time during each State Convention, if a majority of the regional membership in attendance feels there is sufficient opportunity to deliberate effectively, each Region shall caucus and elect a chair, a Secretary, and a State Board Representative, together with any other officers it may choose, from its membership, for terms to expire ~~at the next State Convention~~ according to the Region's bylaws, but no later than the adjournment of the next State Convention.”

Rationale

This eliminates the discrepancy between § 11.c and § 6.c.7.c (“The term of office for a Regional Representative shall be until the conclusion of the next State Convention or when the successors are elected.”).

B. VP Deputies

Renumber § 9.f (“Editors, webmasters, social media administrators and e-list moderators must all be members of the NJLP.”) as § 9.g.

Add new § 9.f:

VP Deputies for the VP Officials named in sections 9.b-9.e. Deputies shall be appointed by VPs and shall assist VPs in handling their portfolios.

Deputies shall have no voting rights on the State Board. However, in case a VP cannot attend a State Board meeting, that VP's Deputy shall be presumed alternate/designee in that VP's stead, as described in section 6.c.5 of these bylaws.

Rationale

This would codifying the existing practice of having VP Deputies. Adding the institution of VP Deputies would allow two members to be handling the respective portfolios. This redundancy would smooth knowledge transfer, aid leadership grooming, and allow for better continuing when life interferes with the VPs. Prior VPs, runner-ups in VP elections, or other members might be appointed VP Deputies.

Bylaws Proposals Part 2

By Mark Kapengut
Not endorsed by the Bylaws Committee
Context added by the editors

~~Struck through~~ text is deleted, and underlined text is inserted.

A. Annual Convention

Modify § 6.b.1 sentence 1 as follows: “The State Convention is a ~~special~~ Annual General Meeting with the sole power to set dues; to adopt, amend, or discard the NJLP Platform; and to elect the officers and other State Board members.”

Rationale

This minor editing change would bring the terminology used in NJLP bylaws in line with *Robert's Rules* (§§ 9:20–9:23). New Jersey laws also require corporations such as NJLP to have an “annual meeting”. Much of the confusion in the run-up to the January petitioned general meeting was rooted in ambiguity how the NJLP bylaws deal with special and regular meetings in a *Robert's Rules* sense.

B. Regular General Meetings

Coauthored by James Ripley

Add new business rules § 6.a: “Unless explicitly stated otherwise, NJLP General Meetings shall be ‘regular meetings.’”

Rationale

That would redress a confusion in January 2022 over “special” and “regular” meetings under *Robert's Rules* and NJLP practice.

C. Two-Tier Platform Structure

(1) Delete §§ 4.b.1 (“~~ISSUE, which shall be a statement of the reason why this subject is presented—the existence of a problem for the general population of New Jersey for which we believe we have a solution.~~”) and 4.b.3 (“~~SOLUTION, which shall be a summary presentation of the way this ISSUE should be addressed from a libertarian perspective.~~”).

(2) Modify the former § 4.b.2 (now numbered § 4.b.1) as follows: “PRINCIPLE, which shall be a statement of the specific implication of the Statement of Principles as it pertains to this ISSUE, and a summary presentation of the way this issue should be addressed from a libertarian perspective in the long run.”

(3) Modify the former § 4.b.4 (now numbered § 4.b.2) as follows:

§ 4.b.4 before amendment

TRANSITION, which shall be a presentation of some possible measures that might serve to get us closer to the SOLUTION, would relieve the immediate oppression specified in the ISSUE, or might make it easier to implement the SOLUTION.

Proposed deletions and insertions

TRANSITION, which shall be a presentation of a problem for the general population of New Jersey and of some possible measures that might make it easier to implement the PRINCIPLE or would serve to get us closer to the SOLUTION. ~~it, or would relieve the immediate oppression specified in the ISSUE, or might make it easier to implement the SOLUTION. The TRANSITION section may address both more radical and more moderate steps.~~

§ 4.b.2 after amendment

TRANSITION, which shall be a presentation of a problem for the general population of New Jersey and of some possible measures that might make it easier to implement the PRINCIPLE or would serve to get us closer to it, or would relieve the immediate oppression. The TRANSITION section may address both more radical and more moderate steps.

(4) Modify § 4.c.1 as follows: “~~ISSUE, PRINCIPLE, and SOLUTION~~ shall require two-thirds (2/3).”

Rationale

Currently, bylaws § 4.b prescribes a four-tier structure for NJLP platform planks, consisting of four sections: issue, principle, solution, and transition. This amendment would allow us to transition to a two-tier section structure instead: principle and transition. Principle would reflect a long-term libertarian ideal, require a two-thirds majority to amend, and be more stable over time. Transition would address more specific issues and interim proposals, require a simple majority to amend, and reflect the zeitgeist. The language used in the Amendment merges the old Principle and Solution as a new Principle, and the old Issue and Transition as a new Transition. The existing language of the Platform can be used as “additional materials”.

D. Constrained Approval Voting

Coauthored by James Ripley

Modify convention rules § 3.b sentence 1 as follows: “On a given ballot, a member shall cast one vote for any number of candidates ~~up to the total number left to be elected~~ not exceeding eight.”

Rationale

This constrained approval voting should make for more competitive elections. The suggested number of eight is picked as an estimate of how many members a typical freshman member attending regional events may meaningfully encounter within the first six months.

E. Joint Election of Chair and Vice Chair

Renumber convention rules § 4 (Delegate/Alternate Seating Procedure for National LP Convention) as § 5.

Renumber convention rules § 3 (Election Procedure for Filling Identical Positions) as § 4.

Add new convention rules § 3 (Elections), with subsection a (Elections for Chair and Vice Chair): “Elections of Chair and Vice Chair are held on the same ballot. A majority of ballots cast is required to be elected a Chair. The candidate having the second-largest level of support, but no less than 2 votes or 5% (whichever is greater), is elected as Vice Chair.”

Rationale

This amendment is intended to make Chair elections more competitive. The minimum threshold is meant to prevent a member from joining the board just by voting for himself.

Platform Committee Status

By R. Jay Edgar

The 2022–2023 Platform committee has been meeting biweekly. It currently consists of R. Jay Edgar (the chair), Nathan Cole, Zach Finkelstein, Hal Hamilton Jr., Max Heatter, Mark Kapengut, Ken Kaplan, Tara Murphy, and Jade Pao. We have been busy assembling a set of recommendations for the 2023 Annual Convention. At this point, changes have been proposed to the Resource Use, Right to Property, Education, Freedom of Communication, Discrimination, and Healthcare sections. We have not yet reached consensus on any changes. Once we have consensus, the results will be communicated with the membership.

End Special Tax Breaks

By Jim Tosone

Originally published as a letter to the editor of the Pascack Valley *Community Life* (December 8, 2022)

In response to *Will Party City lose tax breaks after announcing big job cuts?* (11/24/2022, p. 1):

Politicians should stop giving special tax breaks to companies to entice them to locate in New Jersey. These special breaks wind up shifting the overall tax burden to individual and business taxpayers. If politicians want to attract businesses to locate and stay here, they should reduce the corporate tax rate for all businesses. They should also eliminate those regulations that only serve to protect politically-connected incumbents, restrict consumer choice, raise prices to consumers, and do nothing to protect the health and safety of consumers.



FEBRUARY

GENERAL MEETING

See njlp.org for additional discussion of proposed bylaws amendments

SUNDAY, FEBRUARY 12, 2023

12 PM

PRINCETON JUNCTION, NJ

(courtesy of Rob Tannen)

The General Meeting will conclude and be followed by a Regular Central Region business meeting

Eliminate This Bureaucratic Process

By Jim Tosone

Originally published as a letter to the editor of the Pascack Valley *Community Life* (January 12, 2023)

There are 70 towns in Bergen County. The Open Space Trust Fund Advisory Committee approved 70 grants. Let's eliminate this unnecessary, inefficient, bureaucratic process. Leave the taxpayer dollars in the towns and return control to them on how the money is spent.

Currently, the town tax collector sends a portion of our property taxes to the County, which deposits the money in the Trust Fund. The towns then prepare grant requests, which a Trust Fund Advisory Committee reviews and recommends to County officials for approval. The money is then sent back to the towns.

It is programs like these, which give the illusion that our towns are somehow getting "free" money, that are one of many reasons why our property taxes are so high.

Lower Legal Marijuana Taxes to Page 4 of 6 End the Black Market

By Jim Tosone

Originally published as a letter to the editor of the Pascack Valley *Community Life* (January 26, 2023)

As your article points out, legal marijuana in NJ is one of the most expensive in the nation (an average of \$453/ounce, vs. \$275 in Massachusetts). This is due in part to excessive taxes. In addition to the regular sales tax, there is an SEEF tax (which is scheduled to rise even further in January) and a Transfer tax of up to 2% that towns can levy.

One of the biggest benefits of legalizing marijuana is to eliminate the black market, which is the cause of gang violence, adulterated products, selling to minors, and diversion of police resources from property crimes and crimes of violence. Yet, as California is learning the hard way, the black market thrives when the black-market price is cheaper than the legal price.

Let's eliminate these excess taxes and put an end to the black market.



NEW JERSEY

T LIBERTARIAN **CENTRAL**
PARTY

FEBRUARY

MEETING

****immediately following the**

12 PM NJLP General Meeting

Sunday, February 12, 2023

Princeton Junction, NJ

(courtesy of Rob Tannen)

Jailbreak Government Schools

By Mark Kapengut

mark18spring@gmail.com.

Adapted from a conversation on the NJLP Discord server

We've started a small internal discussion about libertarian stances for school board elections (see the previous issue of the *Libertarian*). Thanks to all who participated so far. Several of the more radical sample planks raised questions: How dare we to question school policing? Health mandates? The Pledge of Allegiance?

We are for freedom of expression—for students, not school administrators. It's important not to confuse it with establishment of religion and government-endorsed beliefs in public schools.

It's understandable for a caregiver to want to know about kids' health. But caregivers are private parties, and as such don't possess general police powers, you can't force them. The point here is that we should be trying to radically shift the basis of such conversations. And we should not necessarily start with the status quo or mere convenience. Control of one's health information belongs to the person/patient/student/parent—as a matter of self-ownership. And so is control over bodily autonomy. Mandates requiring citizens to surrender their health info is a form of information slavery.

Meekly asking the state merely for a religious exemption and to opt-out from otherwise mandatory vaccination, which is the current frontline—is not enough. We should ask for a complete ban on such inquiries and a firewall between governmental entities having police powers, and those who may access health info, with limited exceptions. Once this is established as a baseline, there will be plenty of room for compromises and moderation. For instance, permit private schools, but not public ones, to have such access. Or allow schools to ask for such info on a parental opt-in basis. Or allow hiring private contractor nurses who may have access, but are firewalled from sharing it with the school administration. And so on.

We must be clear that widespread school locks and lockdowns cause more damage to the kids than occasional scary incidents, which are very rare but well publicized and mythologized. I would prefer a bit stronger lines. For example: “Government schools in NJ/our town are run like jails.” “We entrust you our children as students, not as prisoners.” “Free society needs free citizens.” “Free minds, free bodies, free students.” “Open society needs open doors.” “Your school affords our students less freedom than Soviet schools did.” You get the vibe. But even a tamer version of this argument may do.

All of these are quintessentially American. The core problem is far beyond the school board politics—millenials and GenZ don't even understand how unfree they've been raised. One fish asks another fish, “How's the water?” The other fish replies, “what is water?” The point, people are drowning in unfreedom the way fish swims in water—this is invisible to them. THAT would be our real message to voters, not incremental policy fixes. And it can and should be made salient.

This resonates with discussions of opt-in/opt-out approaches, and private-public partnerships recently at the NJLP Platform Committee, and I invite members to our meetings. These planks would set us apart from Republicans, who have a larger megaphone. It is important, as we do it not to go the easy route and simply parrot Republican lines. We're close, but different. I doubt these would cost our candidates elections. Rather, they tend to attract attention—how about yours? Actual positioning in specific races would be not ours to design, but on candidates themselves, obviously, based on the needs of their communities. Join the conversation. Run for a school board near you.

NJLP State Board		
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Vice-Chair	Francine Abel	vicechair@njlp.org
Treasurer	Carole Acton	treasurer@njlp.org
Secretary	James Ripley	secretary@njlp.org
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VP Membership	Joseph Baratelli	vpmembership@njlp.org
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VP Programs	Lynn Genrich	vpprograms@njlp.org
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Central Representative	Dan O'Neill	centralrep@njlp.org
South Representative	Nick Magner	southrep@njlp.org
Other Party Leadership		
Office	Officer	Email
Central Chair	Mark Kapengut	centralchair@njlp.org
North Chair	Dave Willard	northchair@njlp.org
South Chair	Max Heatter (acting)	southchair@njlp.org

Book Review: *Race Marxism*, by James Lindsay

By Nathan Cole

Anyone who is vaguely familiar with communist circles has heard of the excuse “real communism has never been tried”. So how do faithful Marxists plot their course from a failed instantiation of socialism to a form that is more “real”? As it turns out, they combine Marxism with other concepts using a form of philosophical analysis that predates Marx. *Race Marxism* tells the story behind these combinations leading to the creation of Critical Race Theory, and how Marxism’s failure to materialize a defensible government in the east, along with an unwillingness for workers in the west to create a class revolt, led to the creation of a new form of Marxism.

James Lindsay takes us back in time along a more-than-century-long push to impose Marxist ideology on the world. The philosophy is like an onion, where the failed shell of one ideology becomes the foundation for the next, yet merged in such a way that the adherents to these neo- and post- philosophies can deny that they have any of the weaknesses of what came before besides being structurally

symmetrical. These claims are taken apart to show that not only do they bring nothing new, but there is also no conceivable way in which the new philosophy could produce a better world.

Towards the end, Lindsay describes the need to create a shared sensibility to defeat woke ideology, a culture that serves as a non-coercive checksum for how government should operate. He further points out that, because capitalism and color blindness decentralize control over people’s lives, they reduce the need for conflict, because each can do with what one has.

The author states that earlier, philosophically dense sections of the book are likely better understood on a second reading. So, this book can only be recommended for those that are interested in the philosophical concepts behind Critical Race Theory. Those that are will likely find *Race Marxism* to be an engaging read.

Book Review: *The White Pill: A Tale of Good and Evil*, by Michael Malice

By Nathan Cole

The White Pill is a history book with a well-crafted narrative that tells the story of a world without hope. When asked, “Does anyone smile in Russia?”, Ayn Rand tells her questioner that smiling is the furthest thing from the minds of those in the Russia under Lenin that she escaped from. So, the narrative starts its tale of good and evil from the darkest of situations to provide much needed perspective on current events. The author elaborates on this in vivid, terrifying detail as the situation goes from bad to worse under Stalin, and as the Soviet Union spreads its misery westward through the Warsaw Pact.

It is also the story of the West, in a time where its intellectuals had the greatest comfort and the least to lose for telling the truth, yet with few exceptions chose to lie or to speak from ignorance, in hopes that a utopia would spontaneously emerge. Malice’s recounting of events in the west also include a story of western

progress, reminding us that it was not that long ago that the Supreme Court declared that Americans didn’t have the right to bear arms or even to form a militia, and that protesting the draft was the equivalent to causing a panic inside a theater.

Overall, the book serves three purposes: to provide an accounting of the atrocities committed under the Soviet Union and its satellite nations, to provide an accounting of the cover provided by western intellectuals for those atrocities, and to give hope for the future of humanity, by showing the reader the truth can always win out, even when it seems impossible. The story provides us all with a reason to always tell the truth about the political realities we are confronted with even when victory may seem impossible. Told in an accessible way, it is the perfect primer to introduce one to this often overlooked era.

Announcement: Rage Against the War Machine

By Nathan Cole

The national Libertarian Party, in coalition with the People’s Party, is organizing Rage Against the War Machine, an anti-war rally meeting in Washington, DC, at the Lincoln Memorial on February 19th (the Sunday of Presidents’ Day weekend) at 12:30 PM. The demands of the protest are as follows:

- 1 Not One More Penny for War in Ukraine
- 2 Negotiate Peace
- 3 Stop the War Inflation
- 4 Disband NATO
- 5 Global Nuclear War De-Escalation
- 6 Slash the Pentagon Budget
- 7 Abolish the CIA and Military–Industrial Deep State
- 8 Abolish War and Empire
- 9 Restore Civil Liberties
- 10 Free Julian Assange

For more information, visit rageagainstawar.com.

Donations can be made at givebutter.com/RageAgainstWar.

For those who need rides down to the protest, the NJLP is working to provide buses. Sign up for buses at form.jotform.com/230204725075044, or by using the QR code given below:



A Libertarian Poem

By Fred Stein

Don't spy on me
 What I want is privacy
 They know what you're going to do
 They have a file on you
 Cameras everywhere
 They see and they hear
 Gets worse every year
 Cameras everywhere is what I fear
 Warning me don't go there
 In secret they will hide
 Keeping everything classified
 They don't want you to know
 They want you to give up and go

Everybody is getting sick of blood, and war, and politics
 Say no to the war, what are we fighting for
 No boots on the ground
 Taxes should be going down
 Drones are flying all around
 Let's go underground

Don't kneel, don't pray, it's already judgement day

Rising up like a pretty flower
 She will take down the mighty power
 Now is the time to be so brave
 Don't fall back and be a slave
 Don't confess, don't tell
 You have been warned by George Orwell
 Don't spy on me what I want is honesty
 What I want is privacy.

DON'T MISS ANY NJLP HAPPENINGS

Join us on Slack & Discord



request
"NJLP Slack"
invite



request
"NJLP Discord"
invite

Note: The NJLP recognizes the anti-freedom nature of Discord, and is working on a Matrix instance to replace it.

**You are summoned to serve as a Juror of 'JERSEY NULLIFICATION' on
Saturday February 25, 2023.**

Your term of service is 4 hours or 1 informative and fun night.

**You must reserve your free ticket to secure your seat. Donations appreciated.
Respond within seven days at: njfreedomfest.com/jersey-nullification**

**Location for in-person reporting:
Liberty Headquarters
109 Mercer Steet
Hightstown, NJ 08520**

After reserving your seat:

Report to Liberty Headquarters at 5pm for social hour and optional dinner specials on site with Morgan's Island Grill. Beverages and more for sale on site.

EDUCATIONAL PROCEEDING begins at 7pm. Runs approximately two hours, including roundtable Q&A. Afterparty to follow (mature audience).

MASTER OF CEREMONIES: Torren Danowski (of Don't Tread on Philly)

EXPERT WINESSES:



Bob Smilie
(of FIJA)



NJ
Weedman



James
Babb



Mike
Savi



This educational event is proudly sponsored by the above.

SAVE THE DATE



LIBERTARIAN PARTY



PEOPLE'S PARTY

RAGE AGAINST THE WAR MACHINE

Anti-War Rally

Washington, D.C.

SUN February 19 • 12:30 PM

Lincoln Memorial

SPEAKERS: Scott Horton • Jimmy Dore • Medea Benjamin • Daniel McAdams • Garland Nixon • Garland Nixon • Max Blumenthal • Anya Parampil • Supreme • Tara Reade • Diane Sare • Scott Ritter • Matthew Hoh • Jackson Hinkle • Kim Iversen • Craig Pasta Jardula



Scan or visit the website below
for free "transport requests" to
the rally from volunteer drivers
in nearby states

RAGEAGAINSTWAR.COM