



New Jersey Libertarian

Volume XLIV, Issue 3

Fall 2019

NJLP Holiday Party and
General Meeting – December 14
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State Party News

by Jay Edgar

At our October State Board meeting the Chair position was declared vacant in accordance with our [by-laws provision](#) on missed meetings. The State Board thanks Kevin for his service to the Party.

Other news from our meetings is that we have continued plans for our annual State Convention on March 21 at Rutgers University. Speakers are currently being sought.

We are seeking candidates for 2020 for local and federal positions. All 12 Congressional seats and 1 US Senate seat will be up for election. If interested in helping develop a federal platform send an email to fedpolicy-subscribe@njlp.org to subscribe to our discussion list.

We are expecting to be allotted 21 delegates to the National Convention in May in Austin. Delegates will be nominated at our March Convention. Let us know if you are interested.

We have a General Meeting planned on December 14th. We hope to keep the agenda light. We will be collecting donations for the homeless. Consider coming and bringing an item or two.

Full details on our meetings is posted at njlp.org/members/minutes. ♦

Bowen Campaign Expresses Gratitude

By Rich Bowen

Thanks to everyone in the NJLP for their support and contributions to my campaign.

New Jersey may be the most difficult state to be a Libertarian. There is literally nothing about New Jersey that is Libertarian!

In Cherry Hill, I received 892 votes out of a total number of 17,063 ballots. That amounts to 5.2%. In my home district I received 22.5% of the ballots cast.

To show my gratitude, I am making a recurring donation of \$5 per month to both the NJLP State Fund and the NJLP Federal Fund to help future candidates from our organization.

Please consider doing the same. There are a number of federal and state races being held in 2020. Just a small amount each month will help replenish our funds by election day next year.

Visit njlp.org/contribute to donate.

Thanks again everyone!

Rich Bowen
Treasurer, NJLP ♦

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Law Group Seeks Support for Migrant Project

By *Melissa Edgar*

I am writing today with exciting news and hoping for your help. As a student at Drexel University Thomas R. Kline School of Law, I am organizing a trip with about a dozen other students to work with migrants and asylum seekers at the U.S. Mexico border.

The Libertarian Party has always been a leader in supporting the free movement of people, and I am so grateful for the opportunity to get these principles on the ground in March 2020.

We are raising funds to get ourselves there, and I wanted to ask if you would consider making a small donation for our trip.

Our group will assist conducting intakes with migrants in Customs and Border Protection detention centers and those subject to MPP (the Remain in Mexico policy); preparing migrants for Credible Fear Interviews; preparing packets for court submissions, including writing briefs; and preparing US Citizen and Immigration Services applications.

Contribution to send law students to El Paso, can be mad at njlp.org/drexelborderfund. Enter your donation total in the "I want to support a student organization in the Law School" section and write in "Border Trip Fund" as the law student organization.

Thank you for your consideration and please reach out with any questions. ♦

Ocean County Homelessness

By *Dan Valentine*

Here in Ocean County, NJ one can find homeless individuals along every highway and in every convenience store, department store, or park. Usually they are normal people like us that simply fell on hard times. Most of them were laid off from their job, or missed a mortgage payment, or had a medical accident. Many have found themselves in addiction and do not know where to turn. Some were in the jail system and released with no money, no family, and no home. Very often they are struggling with a mental illness. These people are without hope, and though they all have turned to social services for help, they remain stuck in the

same place. Without a home during the winter they are forced to take shelter in a tent in the woods, or on a park bench, or in a vehicle. Every year some are found dead from freezing to death or from overdosing to numb the pain.

Previously, there was nowhere for the majority of homeless to go in Ocean County, except for the few that were eligible to be placed in motels for a couple nights by social services.

The county does not want a shelter locally but wants to keep things as they are. I ran for county freeholder in 2019 advocating for help for the homeless.

In the last ten years the local churches and nonprofits have been working together to care for our homeless population. This began with a "tent city" set up in Lakewood, NJ, which was a plot in the woods on public land set up to provide a safe place to reside and get help. That effort was given attention from various NJ news organizations, as well as R.T. After continual harassment the township came in 2014 to evict all from the premises and bulldoze their remaining belongings.

In response by 2017 multiple churches began opening their doors as temporary warming shelters. In 2018 both Lakewood Twp. and Toms River Twp. finally complied with requests for a municipal building to use, and now at least temporary shelters are open. I have been working with the temporary shelter in Toms River, and we have had the privilege of meeting 100+ homeless individuals with a warm shelter, clean cots and blankets, warm home-cooked meals, clothing, counseling, assistance with their next steps, and most importantly friends that care about them. Dozens of addicts have entered rehabilitation programs and sober houses. Dozens have been helped to find long-term housing which have allowed them to maintain jobs, see their family, and get back on their feet.

In 2019 we are an all-volunteer non-profit with no government grants that provides a warm shelter for up to 35 people a night. Our shelter was open whenever it was below 25F overnight, but we successfully changed the ordinance to allow it to be opened whenever below 36F, which is the case now. There is still much work to be done, and a permanent shelter is needed, but thus far has made a significant dent in caring for our homeless neighbors.

All are welcome to come visit, donate, or volunteer.

You can contact Just Believe Inc. on [Facebook](#) or at 386-315-0168 ♦

Dan Valentine was the NJ Libertarian 2019 Candidate for Ocean County Freeholder

NJLP State Board

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Don't Throw Your Vote Away

by Jay Edgar

Supporters of one of the two old tired political parties often screech that if you don't vote for their candidate that your vote is wasted. This is a fallacy. In fact, voting for the underdog often has more of an impact.

In the 2016 presidential election in New Jersey there was a 540,000 vote difference between the two. If you had chosen to vote for one of the two corrupt parties your vote would have changed that by 0.00018%. If you were to vote Democrat, it would have changed their total by 0.0000046%. If you were to vote republican it would have changed their total by 0.0000062%

While if you had voted Libertarian, you would change the LP vote total by 0.00138%. A small number, but 222 times the impact of voting for the awful Republican and 295 times the impact of voting for the awful Democrat.

NJ is a winner take all state. If you want to make the biggest impact you are better off voting third party. If you were to spend your time driving to the

polling location, waiting in line to cast a vote, why waste it on an unprincipled candidate? ♦

Always vote for principle, though you may vote alone, and you may cherish the sweetest reflection that your vote is never lost.

- John Quincy Adams

Should New Jersey Bank on Murphy's State Bank?

by Murray Sabrin

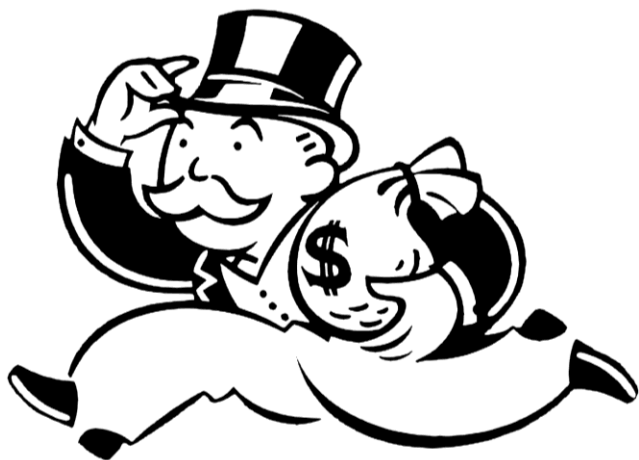
The State of New Jersey took a giant step to [establish a state-run bank](#) on Nov. 13. Governor Murphy signed an executive order creating a 14-member "implementation board," which is charged with presenting him with a plan, in a year, that would set the stage for New Jersey to join North Dakota in having a state-run bank.

North Dakota has had a state-run bank since 1919 and began operations with \$2 million in capital. The Bank of North Dakota (BND) receives virtually all state funds from fees and taxes and obtains funds from "corporate accounts, North Dakota city and county government entities and North Dakota residents." Deposits are not FDIC insured, but "all deposits are guaranteed by the full faith and credit of the State of North Dakota."

The BND's deposits are used to make agriculture, business, residential, infrastructure and student loans. In addition, "BND follows a conservative investment policy, investing in AAA securities that by the federal government or agencies of the federal government." Moreover, the Bank "maintains adequate reserves and allowance for credit loss to protect itself from credit risk embedded in its loan portfolio."

The Bank is audited by a state agency as well as having "robust internal audit department to ensure compliance with federal banking regulations..."

According to the Bank's website, throughout its 100-year existence it "maintains strong and does not compete with them." BND's business model is based upon a simple premise. For relationships with



financial institutions in the state example, if a borrower has a \$5 million project and puts 25% equity into the deal, he or she would apply for a loan with the commercial lender for \$3.75 million. The lender, in turn, would make an application to participate in one of BND's programs. If the loan is approved the lender and BND would each provide \$1.875 million to the borrower.

For the general public, BND does not offer credit card or ATM services. This could be considered a major drawback if individuals and families only want to bank at one institution.

As far as profits are concerned, the Bank appropriates a portion to the North Dakota Legislature for the General Fund, provides funding for mission-driven loan programs such as economic development and infrastructure projects and excess earnings are used to boost the Bank's capital. In 2018, the Bank's profits were \$158 million.

Can the Bank of North Dakota be replicated in New Jersey? Should it be replicated in New Jersey?

At first glance, the BND is a model of financial strength, ethical management with a sound mission statement that provides needed capital to the citizens and businesses of the state. In addition, the Bank funds necessary infrastructure projects to improve the quality of life of North Dakotans.

Establishing a state bank in New Jersey is problematic for several reasons. First, the state's pension plans are grossly underfunded and need to be shored up before any additional taxpayer-funded initiatives should be undertaken. Second, this is New Jersey, which has been dubbed by one author/journalist as the "soprano state."

Do we taxpayers want the Governor and Legislature to create another state-run institution in

a state where corruption, if not systematic, is at least an ongoing issue for the long-suffering taxpayers of the Garden State?

Let us also realize that Governor Murphy's stated goal to increase access to "underserved" communities for funds can be achieved without the creation of a state bank.

Throughout American history, mutual aid societies have been vital local institutions providing services such as life and unemployment insurance and other fundamental social and economic programs for members who were bound by race, ethnicity and nationality.

Instead of waiting another year for a "plan," Governor Murphy should be a cheerleader to mobilize the state's most competent social entrepreneurs to step up to the plate and create a network of nonprofit financial institutions that would not only provide loans to fledgling entrepreneurs in our inner cities but also teach much needed financial literacy to high school and college students, single moms and dads, and couples.

New Jersey has no shortage of talent to improve the lives of individuals and families from Sussex County to Atlantic County, but a state-run bank in New Jersey would create another "crony" institution in a state with a poor record of being a trustworthy steward of taxpayers' money. New Jersey is not North Dakota.

A state-run bank is too great a risk for New Jersey taxpayers. ♦

Murray Sabrin is a professor of finance at Ramapo College, the author of Why the Federal Reserve Sucks: It Causes Inflation, Recessions, Bubbles and Enriches the One Percent, and is a Board Member of the NJ Libertarian Party.

Letter to the Editor: Country Not a Democracy

by Mark Richards

Published in the [West Milford Messenger](#) November 2019

Among the recent letters [in the West Milford Messenger] endorsing candidates for local offices, there appeared one that made reference to this country being a "democracy."

The writer is obviously not a person who has read much of what the country's founders had to say about democracy.

They feared democracy since they knew it was simply legalized mob rule, thoroughly incompatible with individual liberty and limited government powers.

Perhaps some examples of their thinking will help illustrate this.

"Remember, Democracy never lasts long," Samuel Adams warned. "It soon wastes, exhausts and murders itself. There never was a democracy that did not commit suicide."

"A Republic, if you can keep it," Benjamin Franklin replied when asked what kind of government had been created at the Constitutional Convention in 1787.

Readers will search in vain to find the word "democracy" anywhere in the U.S. Constitution.

Simple majority rule is no guarantee of personal freedom since political demagogues of all types can whip up the majority into a frenzy of hysteria against any minority be it racial, religious, gender or economic class.

So-called "majorities" in history have usually been wrong.

The majority saw nothing wrong with laws that kept women from owning property, requiring mandatory racial segregation, classifying gay people as criminals or mandating forced sterilization of people the government classified as genetically "unfit."

This is, once again, an example of what I and other Libertarians have long pointed out, be careful what you wish for, you might just get it. ♦



If taxation without consent is robbery, the United States government has never had, has not now, and is never likely to have, a single honest dollar in its treasury. If taxation without consent is not robbery, then any band of robbers have only to declare themselves a government, and all their robberies are legalized.

- Lysander Spooner

Letter to the Editor: Guns Save Lives

by Mark Richards

Published in the West Milford Messenger August 2019.

A recent letter in the West Milford Messenger asked, "why is America so reluctant to ban automatic weapons?"

Actually, it is very difficult for a private citizen to acquire a fully automatic weapon (machine gun).

I think the writer meant to say a semi-automatic weapon, which requires a pull of the trigger each time to get a shot off.

She claims not to be a leftist liberal and that she also respects the second amendment.

I'll take her at her word, which substantiates something we Libertarians have long known, namely that so-called conservatives are just as hostile towards the Bill of Rights and individual liberty as those on the liberal left are.

People who say they support the second amendment, but also want "sensible gun control laws," are akin to people claiming to be for the first amendment as long as the views being expressed coincide with theirs.

The worst mass killings in history have been carried out by governments, not deranged lunatics, this was true even before guns were invented.

Where do you think the phrase "being put to the sword" had its origins?

Laws that restrict or outright prohibit armed self-defense and the ownership and use of firearms violate the citizens' right of self defense, and don't make the citizens any safer. These "gun control" laws are often justified by the mistaken premise that they will lead to a reduction in the level of violence in our society.

Principle: An armed citizenry is essential to a free society. We affirm the right to keep and bear arms. The ownership of a firearm by an individual does not violate the rights of another person.

Solution: We call for the repeal of all laws restricting or regulating the ownership, manufacture, transfer, or sale of knives, firearms or ammunition.

Transition: We oppose all laws requiring registration of firearms or ammunition. We also oppose any government efforts to ban or restrict the use of tear gas, "mace," or other self-protection devices.

We favor the repeal of laws banning the carrying of weapons or prohibiting pocket weapons. We also oppose the banning of inexpensive handguns ("Saturday night specials"), semi-automatic or so-called assault weapons and their accessories, and fully automatic or so-called machine guns and their accessories as a violation of the right to property.

- [NJLP Platform, Paragraph 8.0](#)

Guns actually save lives, and an armed person will, in most cases, not be a victim of a criminal, or more importantly, of a criminal government.

Perhaps some examples are in order.

Fifty-five years ago, three Civil Rights workers were murdered by the Klan and the Neshoba County Mississippi Sheriffs Department.

Had they been armed; they might be alive today.

Fast forward to 1998, and a young gay man named Matthew Shepard was beaten to death in Laramie, Wyoming.

Had he been armed; I suspect things would have ended quite differently.

You can't be for tolerance and diversity and support gun control.

It is one of the most racist and repressive ideas ever conceived of.

Once again, it shows the wisdom of the old saying "Be careful what you wish for, you just might get it." ♦

How to stop mass shootings: End war and the culture of violence

by Murray Sabrin

Published in the USA Today, September 2019

Undoubtedly the worst day in any family's life is when a police officer arrives at their residence to inform them that a loved one has been killed either in a mass shooting or in a senseless act of violence at work or driving or walking to or from their place of employment.

The family's grief would be palpable; their anger would be understandable because no human being's life should be ended by an act of violence. Unfortunately, there are violent human beings in every society who because of mental illness or are just plain evil — harboring resentment against "others" whether they are members of any easily identifiable racial, ethnic, or religious group.

The recent spate of mass shootings has brought into focus the AR-15 rifle used in virtually all the horrific acts of violence that have claimed hundreds of lives across America. In response, many media pundits, anti-Second Amendment activists, and virtually all Democratic presidential candidates decry the private ownership of the AR-15 "assault rifle," and call for a "government buyback" of these firearms or outright confiscation of the rifle as their solution to ending mass shootings in America.

The AR does not stand for "assault rifle," a gross mischaracterization of a firearm that was created in the 1950s by the ArmaLite Company that branded it. The AR-15 is a semiautomatic, lightweight rifle and has the same capabilities as a semiautomatic handgun. This means that only one round can be fired at a time when the trigger is pulled, unlike a machine gun, which is capable of firing bullets repeatedly by holding the trigger down. Since 1986 civilians can no longer purchase machine guns.

In short, the term assault rifle is a politically loaded term based on federal and state law definitions. The

government defines an assault weapon as a semiautomatic rifle, pistol and shotguns that have the capability to use detachable magazines. Nevertheless, why would any citizen want to own a firearm that looks like a military weapon? The AR-15 is typically used for target shooting, hunting, home defense and competitive matches. In other words, 99%-plus of lawful AR-15 owners are peaceful, given that 5-10 million AR-15-type rifles are owned by private citizens.

But the advocates of banning the private ownership of so-called assault weapons assert that "Enough Is Enough," and that to stop the carnage in America the government — which is supposed to protect our safety and security — must not kowtow to Second Amendment defenders who believe that there is a fundamental right to self-defense.

Have the "gun grabbers" thought through their proposal to ban the AR-15 or similar type firearm? Apparently not, because if they did, a ban on so-called assault weapons would, yes, increase shootings. In other words, the law of unintended consequences would kick in.

Prohibition of any substance or item leads to black markets. Our experience with alcohol prohibition during the 1920s and early 1930s and drug prohibition today are the quintessential examples of policies that increase violence — and corruption — in our society.

The violence that would ensue after a ban of so-called assault weapons would turn our cities — and rural communities — into killing fields as black market gangs would vie for turf to sell their contraband to individuals who would defy the government's "assault" on their Second Amendment rights. In addition, law enforcement officers would have to be armed to the teeth to eliminate the assault weapon black market. Funerals for police officers would skyrocket.

But instead of a knee jerk reaction to mass shootings, maybe, just maybe, federal elected officials and presidential candidates would reflect how their actions have contributed to mass shootings.

A common trait of most mass shooters is that they served in the military, had been rejected to serve or came from a military family. In an essay, "Wars and Domestic Massacres," Libertarian Lew Rockwell makes the compelling argument that our foreign

policy of unending global conflict that is responsible for the deaths of hundreds of individuals in Iraq, Afghanistan and Pakistan, promotes a "culture of violence" in America that cannot be dismissed.

In sum, banning rifles would not end mass shootings, but a foreign policy of peace and commerce with all would be the humane way of leading by example. Maybe then we will be safer at home instead of eviscerating the Second Amendment. ♦

Murray Sabrin is a professor of finance at Ramapo College and author of "Why the Federal Reserve Sucks: It Causes Inflation, Recessions, Bubbles and Enriches the One Percent."

A Problem with Paternalism

by David Gordon

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Sometimes the government passes laws that restrict people for what it claims to be their own good, such as laws that ban drugs that are supposed to be bad for your health. Laws like this are called "paternalistic."

Libertarians oppose paternalism, but it is not only libertarians who reject it. It is at odds with the whole tradition of classical liberalism. John Stuart Mill famously opposed paternalism in *On Liberty*. He defended the Harm Principle: "[T]he only purpose for which power may be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or mental, is not a sufficient warrant."

Paternalism has in recent years made a comeback, as we see in such absurdities as restrictions on the size of cans of soda. I'd like to look at one argument against Mill's Harm Principle advanced by the influential lawyer and government administrator Cass Sunstein, in his book *Nudge* and elsewhere. (In fairness to Sunstein, he says he is a libertarian paternalist, not a paternalist tout court. "Libertarian paternalist" seems contradictory to me, but I will put this aside.)

The argument I want to consider is Sunstein's response to what he calls the Epistemic Argument: "Because individuals know their tastes and

situations better than officials do, they are in the best position to identify their own ends and the best means of obtaining them.” He thinks the Epistemic Argument is the strongest argument in favor of the Harm Principle.

To challenge the Epistemic Argument, Sunstein points to cognitive mistakes that people make. Sunstein is a leading figure in behavioral economics, and he writes about these mistakes with great authority. Following the psychologist (and Nobel Prize-winner) Daniel Kahneman, he distinguishes between two “cognitive systems” in the mind. “System 1 works fast. It is often on automatic pilot. Driven by habit, it can be emotional and intuitive.” By contrast, System 2 is “deliberative and reflective.” When we operate, as we often do, with System 1, we are subject to various sets of mistakes, which count as “behavioral market failures.” With the details of these mistakes, we are not here concerned, but the errors include “present bias and time inconsistencies,” “ignoring shrouded (but important) attributes,” “unrealistic optimism,” and “problems with probability.” What for our purposes is important is the conclusion Sunstein draws: “With respect to paternalism, the unified theme is that insofar as people are making the relevant errors, their choices will fail to promote their own ends. It follows that a successful effort to correct these errors would generally substitute an official judgment for that of choosers only with respect to means, not ends.”

Suppose, for the moment, that we accept Sunstein’s claim that these cognitive mistakes impede people from getting what they want. Does this give one reason to reject the Epistemic Argument? I do not think so. According to the Epistemic Argument, each person is in a better position than government officials to choose the appropriate means to satisfy his ends. This is entirely consistent with people’s making cognitive mistakes. The point of the Epistemic Argument is that people can better judge their situation than officials can, not that their judgment is without error.

Ludwig von Mises fully realized this point, and Sunstein would have benefited from a reading of Mises’s comment in his essay “Laissez-Faire or Dictatorship” on J.E. Cairnes’s objection to laissez-faire: “Let us for the sake of argument accept the way in which Cairnes presents the problem and in

which he argues. Human beings are fallible and therefore sometimes fail to learn what their true interests would require them to do. ... It is very unfortunate that reality is such. But we must ask, is there any means available to prevent mankind from being hurt by people’s bad judgment and malice? Is it not a non sequitur to assume that one could avoid the disastrous consequences of these human weaknesses by substituting the government’s discretion for that of the individual citizens?”

There is a further problem with Sunstein’s use of cognitive mistakes to justify paternalistic interventions. He offers no evidence that people who act in ways he wants to modify have fallen victim to cognitive mistakes. Do people who smoke, or consume sodas in large quantities, or fail to buy fuel-efficient cars, suffer from cognitive mistakes? Maybe they do, but the fact that people are susceptible to these mistakes does not show, for any particular example, that they have made these mistakes.

The challenge to the Epistemic Argument thus fails. ♦

David Gordon is Senior Fellow at the Mises Institute, and editor of [The Mises Review](#).





NJLP General Meeting and Holiday Party

Saturday, December 14, 2019 5:00 PM

Killarney's Publick House

1644 Whitehorse Mercerville Rd, Hamilton, NJ

The business meeting will start at 5:15 PM. All members are strongly urged to attend. We will be socializing, and planning strategy for the 2020 election cycle. Please plan on attending. Food and drinks will be available from the venue at your own expense. In the spirit of Voluntaryism we will be raising funds and collecting items for the homeless. Suggested items include:

- Warm clothing like new underwear, socks, gloves, hats, jackets, shoes, & backpacks
- Hygiene items like soap, razors, deodorant, combs, baby wipes, feminine products, & first-aid
- Food: individually wrapped bars or snacks & pull-top canned goods (check for expiration dates)
- Zip-lock bags, grocery bags, camping related items, sleeping bags, blankets, & phone chargers
- Financial donations to Just Believe Inc. Just Believe is a 501c(3), donations are tax deductible.

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Editor, **Vacant**

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New Jersey Libertarian Party

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I'd like to join the NJ Libertarian Party! I have checked the level at which I want to join and have enclosed the corresponding dues. I certify that I do not believe in or advocate the initiation of force to achieve social or political goals.

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