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Platform of the New Jersey Libertarian Party.



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Preamble

Libertarians seek a world of liberty, in which individuals control their own lives, and no one is forced to sacrifice his or her values for the benefit of others.

We believe that respect for individual rights is essential for a peaceful, prosperous world. Consequently, we defend each person's right to engage in any activity that is peaceful and honest, and welcome the diversity that freedom brings.

The world we seek is one where individuals are free to achieve their goals using their own judgments, without interference from government.

We affirm the ideals expressed by New Jersey's motto, "Liberty and Prosperity," which we believe can best be ensured by the basic principles outlined in our Platform. In the following pages, we set forth those principles, and policies derived from them.

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Statement of Principles

We, the members of the New Jersey Libertarian Party, defend the rights of the individual and deny the idea that government coercion is an efficient or moral way to solve social problems.

We hold that individuals have the right to exercise sole control over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live as they choose.

Governments throughout history have regularly operated on the opposite principle, that the state has the right to dispose of the lives of individuals and the fruits of their labor.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual, which are:

(1) **the right to life** — accordingly we support the prohibition of the initiation of physical force against others;

(2) **the right to liberty of speech and action** — accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and

(3) **the right to property** — accordingly we oppose all government interference with private property, such as confiscation, zoning, and eminent domain; and we support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders. And the resultant economic system — the only one compatible with the protection of individual rights — is the free market.

I. Individual Rights and Civil Order

There is no conflict between civil order and individual rights. Both concepts are based on the same fundamental principle: that no individual, group, or government may initiate force against any other individual, group, or government.

1. Freedom and Responsibility

Issue: As government has expanded its influence and control, people have lost sight of their own responsibilities. This is not surprising, because personal responsibility is

discouraged when government denies individuals the opportunity to exercise it. In fact, denial of freedom promotes irresponsibility.

Principle: Freedom and responsibility cannot be separated. Libertarians do not necessarily advocate or condone any of the practices our policies would make legal. Our exclusion of moral approval or disapproval is deliberate: people's rights must be recognized; the wisdom of any course of peaceful action is a matter for the acting individual to decide.

Solution: Libertarian policies will promote a society where people are free to make and learn from their own decisions.

Transition: Alcohol and drug use, for example, must not be allowed to excuse a person from responsibility for his actions. For the same reason, we favor an end to the acceptance of criminal defenses based on "insanity" or "diminished capacity" which absolve the guilty of their responsibility. Instead, we endorse the jury option of finding a defendant "guilty but insane."

2. The Right to Property

Issue: Government efforts to regulate or ban the use of property on the basis of aesthetic values, urban renewal, public safety, historical preservation, or the promotion or restriction of economic growth disrupt families and established businesses and raise the cost of people living where they choose.

The massive seizure of private property in New Jersey by government is a violation of individual rights.

Principle: Property rights are the rights of humans with respect to property. All rights are linked to property rights.

In order to have a free and prosperous society, individuals have the right to acquire, control, use, dispose of, or in any manner enjoy, property without interference, until and unless the exercise of this right infringes upon the rights of others. Such rights as the freedom from involuntary servitude as well as the freedom of speech and the freedom of the press are based on self-ownership.

We deplore the transfer of private property under eminent domain as a violation of the right to property. We particularly deplore the practice of condemning private property for transfer to other private entities.

Solution: We demand an end to the taxation of real property, which renders the state the quasi-owner of all lands and forces individuals to rent their homes and places of business from the state.

Transition: We advocate the abolition for the creation of private property rights to control pollution, and divestiture of government-held property in New Jersey through restoration to rightful owners, sale, or homesteading. The State must stop depriving citizens of the value of their property through regulations such as the Highlands Water Protection and Planning Act or Pinelands Protection Act without due process or adequate market-based restitution.

We demand that the state and municipalities stop the practice of home equity theft, in which a government seizes property worth more than the taxes and fees owed by the property owner. We call on municipalities to cease charging predatory interest rates on unpaid taxes and fees.

3. Protection of Privacy and Contract

Issue: Privacy protections have been eroded over time. Government agencies routinely use electronic and other means of surveillance of an individual's actions and private property. Correspondence, bank and other financial transactions and records, doctors' and lawyers' communications, employment records, and the like have become open to review by government without a warrant signed by a judge, for no other reason than the individual might commit a crime in the future.

Principle: The individual's right to privacy and property, to enter into or to refuse to enter into a contract, and to speak or not to speak, must never be infringed by the government.

Solution: We support the protections recognized by the Fourth Amendment and the New Jersey Constitution Article I, Paragraph 7, and oppose any government misuse of search warrants to examine or seize material belonging to innocent third parties. We also oppose police roadblocks

that randomly test drivers for intoxication, and police practices that stop mass transit vehicles and search passengers without probable cause.

Private contractual arrangements, including labor contracts, must be founded on mutual consent and agreement in a society that upholds freedom of association.

Transition: We oppose the issuance by the government of an identity card, to be required for any purpose, such as employment, voting, or border crossing. We oppose the collection and use of biometric identification. We also oppose the use of the Social Security Number as a personal identification code.

We call for repeal of laws and regulations requiring or prohibiting private employers' screening prospective or current employees, as this is a matter between privately contracting parties. We further oppose government requiring employers to collect information and report on their employees and/or business associates.

4. Family Life

Issue: Government's usurpation of activities rightfully carried on by families weakens the growth and effectiveness of voluntary social institutions and replaces them by transferring responsibility to bureaucracies that do not efficiently or adequately accomplish their stated goals.

Principle: Individual choices and family decisions regarding sex, marriage, contraception, pregnancy, abortion, family life and child rearing are too important to be left to government. These responsibilities and decisions belong to individuals relying, to the extent that he or she wishes, on the aid of family, friends, community, and religious guidance. Libertarians recognize that virtue, values, traditions, and culture exist in society only as a result of free choices and voluntary interactions among individuals.

Solution: We call for an end to all forms of government intrusion into family life.

Government schools deprive parents of their right and responsibility for the moral and civic education of their children. Parents should be free to send their children to

any school — or to none at all.

Transition: We call for the repeal of the Prevention of Domestic Violence Act of 1991, NJSA 2C:25-17. This law creates an artificial and unnecessary distinction between violence outside and within the home. It establishes invasive reporting requirements, fosters the confiscation of weapons and often dispossesses a spouse or partner without due process of law.

We call for the abolition of the Division of Child Protection and Permanency, the Board of Family Development, the Advisory Committee on Domestic Violence, the Advisory Committee on Child Care, and the Child Life Protection Committee. We oppose all laws that empower government officials to seize children and make them “wards of the state” or, by means of child labor laws and compulsory education, to infringe on their freedom to work or learn as they choose. Young people should be guided and protected by those whom they trust and who love and value them and their development - normally their parents. However, the state may act to protect a child from abusive or neglectful parents, as long as due process is observed.

We call for the abolition of the juvenile court system. Juveniles should be held fully responsible for their crimes but they should not be prosecuted for offenses that are only offenses by virtue of their youth. We support the repeal of all laws establishing any category of crimes applicable only to minors, such as curfew, smoking, alcoholic beverage laws and laws creating the status of “persons in need of supervision.” It is up to the parent or guardian to make these decisions in the best interests of the child until emancipation. We call for an end to the practice of detaining children not accused of any crime. We support the right of children or their parents or guardians to seek voluntary custodial arrangements suitable to themselves (including emancipation) without the blessings of the state. We call for repeal of all laws and regulations that restrict or limit private adoptions.

Until the state ceases defining and regulating the institution commonly known as marriage, we support the option of all couples, regardless of gender, to enter into marriage, with all the rights, privileges and responsibilities of heterosexual couples.

5. Freedom of Communication

Issue: The actions and inactions of government result in preventing people from being able to exercise their First Amendment rights.

Principle: We defend the rights of individuals to unrestricted freedom of speech and freedom of the press. Freedom of expression is possible only as part of a system of property rights. The freedom to use one's own voice; the freedom to hire a hall; the freedom to own a printing press, a broadcasting station, or a transmission cable; the freedom to wave or burn one's own flag; and similar property-based freedoms are precisely what constitute freedom of communication. Conversely, freedom of communication does not extend to the use of other people's property, such as shopping malls, to promote one's ideas without the consent of the owners.

Solution: Removal of government interference throughout the communications media would open the way to diversity and innovation.

Transition: We oppose any abridgment of the freedom of speech through government censorship, regulation, or control of communications media, including — but not limited to — laws concerning:

- a. Obscenity, or offensive speech or writings;
- b. government control, regulation, subsidization, or nationalization of private networks and Internet service providers;
- c. Internet censorship of any kind; and;
- d. commercial speech or advertising.

We oppose reclassifying the Internet as a common carrier under Title II of the Communications Act of 1934. The way to provide the best product and services at the best price is to allow choice and competition. We therefore support ending government-granted monopolies at the federal, state, and local level to cable companies, telecommunications providers, or any news outlet (such as New Jersey Public Broadcasting Authority (NJN)).

We deplore any government efforts to coerce the media or social-media to advance State policy.

6. Education

Issue: Responsibility for the education of children needs to be put back into the hands of the parents/guardians. Only an education that respects the values of parents can be a quality education. Government schools are an indoctrination and propaganda tool for the state, a political compromise and a wasteful implementation. Sex education, evolution, prayer in school, or teaching methods should not be questions decided by law or bureaucracy.

Principle: The government should not decide what is best for our children. That decision should be left up to the family, according to their beliefs, not politicians and education bureaucrats. Competition can ensure the best education for children and relieve the tax burden imposed by the current system.

Solution: We believe that education is one of the most important factors in a child's life. That is why we advocate the complete separation of education and the state, and believe that government ownership, operation, regulation, and subsidy of schools should be ended.

Transition: Education choice should be given to parents and children, encouraging schools to compete with each other. We support ending the government monopoly on education by allowing parents and taxpayers more choices where education tax money is spent and where and how their children are educated. School voucher programs, education tax credits, or charitable tax incentives should be used to encourage a free market in education.

We call for the repeal of non-local legislative and administrative mandates on educational curricula. We call for the return of educational choices to parents and students, who should be given the option to participate in curriculum choices in association with educational professionals, and the ability to opt out of curricula mandated by the NJ Department of Education Office of Standards.

All school-related taxes should be gradually repealed starting with the taxes on those without children or those whose children are in private school or no longer in school. We endorse dollar-for-dollar tax credits for any contribution to a recognized school. We also call for the repeal of the “thorough and efficient” provision of the New Jersey Constitution (Article VIII, Section IV, Paragraph 1).

Furthermore we encourage parents to consider all educational alternatives to government schools. Technology today provides parents with low cost ways of providing a better education. Despite the education monopoly, alternatives to the old model of schooling have become widely available. The Internet and the formation of home school cooperatives allow for alternatives like homeschooling and self-directed learning. Restriction and regulation of home schooling should be removed.

7. Discrimination

Issue: Discrimination imposed by the government disrupts normal relationships of people, sets neighbor against neighbor, creates gross injustices, and diminishes human potential.

Principle: Individual rights must not be denied, abridged, or enhanced by government at the expense of other people's rights, on any basis, including – but not limited to – sex, gender identity, wealth, race, color, creed, age, national origin, political preference, biological factors, or sexual orientation.

Solution: We oppose government attempts to regulate private discrimination, including discrimination in employment, housing, and privately-owned places of public accommodation. While we frown upon those who discriminate against others in privately funded settings, the freedom to associate or trade includes the freedom not to associate or trade— for any reasons whatsoever. However, we oppose discrimination by government in publicly owned or publicly subsidized locations, activities, and enterprises.

Transition: Laws that violate rights selectively should be repealed. We oppose any government-directed discrimination based on vaccination status.

8. The Right to Keep and Bear Arms

Issue: 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.

9. Crime

Issue: Crime threatens the lives, happiness, and belongings of Americans. At the same time, the government's demonstrated inability to deal with it undermines people's sense of justice.

Principle: The appropriate way to suppress crime is through consistent and impartial enforcement of laws that protect individual rights.

Solution: The present system of criminal law is based almost solely on punishment with little concern for the victim. We advocate restitution for the victim to the fullest degree possible at the expense of the criminal.

We condemn prosecution of individuals for exercising their right of self-defense.

We applaud the trend toward private protection services and voluntary community crime control groups.

We believe that only actions initiating force or fraud against other people constitute true crimes.

Transition: We favor the repeal of all laws creating "crimes" without victims. For example, we advocate:

- a. the repeal of all laws prohibiting the production, possession, or use of alcohol, drugs and drug "paraphernalia" by adults;
- b. the repeal of all laws prohibiting the sale of alcohol, drugs and drug "paraphernalia" to adults, and of all prescription requirements for the purchase of nutritional supplements, health foods and similar substances;
- c. the repeal of all laws regarding consensual sexual relations involving adults;
- d. the repeal of all laws regulating or prohibiting the possession, use, sale, or distribution of sexually explicit material, without regard to tests of "socially redeeming value" or compliance with "community standards";
- e. the repeal of all laws regulating or prohibiting gambling;
- f. the repeal of anti-racketeering statutes such as the New Jersey Racketeer Influenced and Corrupt Organizations Act (NJSA 2C:41);
- g. the repeal of all laws interfering with the right to commit suicide as infringement of the ultimate right of an individual to his or her own life; and
- h. the repeal of any law which makes it a criminal offense for a private individual to improperly or inadequately complete paperwork related to government requirements.

We call for the use of executive pardon to free and exonerate all those presently incarcerated or ever convicted solely for the commission of these "crimes."

We call for the repeal of asset forfeiture laws, such as NJSA 2C:64. We find it particularly offensive that law enforcement agencies directly profit from the implementation of these laws. We condemn the seizure of property that all too often accompanies police raids, searches, and prosecutions.

10. Safeguards for the Criminally Accused

Issue: Tactics such as preventive detention, asset freezing and no-knock laws deprive the accused of important checks on governmental power — juries and the judicial process.

Principle: Until such time as persons are proved guilty of crimes, their individual rights must be respected. We are thus opposed to reduction of the constitutional safeguards of the rights of the criminally accused.

We oppose labeling cases as “civil” strictly to avoid the due process protection of the Constitution. We oppose pretrial seizure of non-evidentiary property.

Solution: We reject racial profiling and the idea that some individuals are by nature second-class citizens who only understand instant punishment.

We deplore the optional implementation of internment camps, as codified in the Emergency Management Act of 2006.

Transition: It is an affront to justice to safeguard the criminally accused only partially. Therefore no transition measures are appropriate.

11. Juries

Issue: The right to trial by jury is an important check on infringement of our other rights by government. Current practice has seriously eroded that protection.

Principle: Trial by jury is a cornerstone of the judicial process of a free society.

Solution: In all cases to which the government is a party, the judge must be required to inform the jurors of their common-law rights: to judge the law as well as the facts;

and to acquit a criminal defendant, and to find against the government in a civil trial, whenever they deem the law unjust or oppressive. We oppose the intrusive *voir dire* practice, and written questionnaires that lead to the selection of unrepresentative juries.

Transition: We oppose the current practice of forced jury duty and favor all-volunteer juries. We hold that Article I Section 6 of the New Jersey Constitution guarantees the right of jury nullification. Informing the public and prospective jurors about jury nullification should not be deemed jury tampering; rather, it is a matter of free speech, and shall not be abridged. We call on the Legislature to codify into law a requirement to inform juries about their right to determine the law and the facts.

12. Government and Mental Health

Issue: Some individuals are treated or medicated against their will by psychiatrists, not based on medical need, but rather on a social agenda as enforced by government.

Principle: Medication and treatment must be voluntary whenever the only person at risk is the patient.

Solution: We oppose the involuntary commitment of any person to or involuntary treatment in a mental institution without due process of law.

We support voluntary cooperative institutions that aid individuals, and support repeal of government rules and regulations which impede these groups from providing that aid, including zoning, building, and insurance requirements.

Transition: We advocate an end to the spending of tax money for any program of psychiatric, psychological, or behavioral research or treatment.

We call for the repeal of the last sentence of Article I, Paragraph 9, of the New Jersey Constitution, which permits the Legislature to authorize the trial of the issue of mental incompetency without a jury trial.

13. Government Secrecy

Issue: Government withholds from the public information that the people should have. Unelected government bureaucrats are inappropriately over classifying information, preventing proper oversight by our elected officials and the public.

Principle: The people have a right to know what their government is doing.

Solution: Government secrets should be minimized. Disclosure of such secrets should be decriminalized, except when such disclosure causes a clear and present danger to the country or its citizens.

Transition: We support the public policy behind the Open Public Records Act (NJSA 47:1A-1) and the Right to Know Law (NJSA 10:4-6). We note, however, that in actual practice, some individuals in government are reluctant to comply with these laws. We believe that those individuals should be held personally liable for attorney's fees and costs incurred in enforcing the law. We oppose the encryption or scrambling of public safety radio communications to impede oversight by the public. We oppose any laws or regulations prohibiting or controlling the audio and/or video recording of public officials performing their jobs in public. It should always be a defense against prosecution for violating government secrecy whenever the information divulged shows that government agents have violated the law or abused their power. We call for codifying legal protections for journalists for such disclosures.

14. Mandates

Issue: Unfunded mandates are now widely recognized as a way for state politicians to spend while forcing local politicians to raise taxes to pay for them. However, even funded mandates misallocate resources and violate rights for political purposes rather than practical needs and wants.

Principle: Political incentives are a poor substitute for the free market.

Solution: Repeal all mandates.

Transition: Require all legislation mandating an action to allocate resources to implement them.

15. Immigration

Issue: We hold that human rights should not be denied or abridged on the basis of nationality or national origin. The right to freely travel between States and Nations is a fundamental right. Humans must be free to leave tyrannical regimes. Employees, employers, and contractors must be free to negotiate without government interference or restriction.

Principle: We oppose state immigration restrictions, whether for the purpose of cooperating with Federal restrictions or otherwise. We strongly oppose all measures that punish employers who hire undocumented workers. The state has no business regulating productive, voluntary interactions between consenting parties.

Transition: Undocumented non-citizens should not be denied the fundamental freedom to labor or move about unimpeded. We oppose government welfare payments to non-citizens just as we oppose welfare payments to all other persons.

We support limited control over the entry into our country of foreign nationals who pose a credible threat to security, health or property, however we assert that peaceful people should be allowed to cross borders peacefully.

The State of New Jersey must refuse to recognize federal immigration detainer orders ("Form I-247") unless arrestees have been charged with or convicted of violating certain criminal offenses.

II. Trade and the Economy

Because each person has the right to offer goods and services to others on the free market, and because government interference can only harm such free activity, we oppose all intervention by government into the area of economics. The only proper role of government in the economic realm is to protect property rights, enforce contracts, adjudicate disputes, and provide a legal framework in which voluntary trade is protected. Efforts to forcibly redistribute wealth or forcibly manage trade are unacceptable.

1. The Economy and Taxation

Issue: Government intervention in the state economy endangers freedom and prosperity.

Principle: All persons are entitled to keep the fruits of their labor, and any government activity that consists of the forcible collection of money or goods from individuals is a violation of their rights.

Any legal requirements forcing employers or business owners to serve as tax collectors is involuntary servitude.

Solution:

- a. Remove all government restrictions on free trade;
- b. Repeal all regulations of wages, prices, rents, profits, production, and interest rates;
- c. We recognize the right of any individual to challenge the payment of taxes on moral, religious, legal, or constitutional grounds;
- d. Repeal all taxation, such as personal and corporate income taxes and capital gains taxes;
- e. Declare unconditional amnesty for individuals who have been convicted of, or who now stand accused of, tax resistance.

We oppose any and all increases in the rate of taxation or categories of taxpayers, including the elimination of deductions, exemptions, or credits in the spurious name of

“fairness,” “simplicity,” or alleged “neutrality to the free market.” No tax can ever be fair, simple, or neutral to the free market. Government functions should be funded by user fees.

Transition: We call for the repeal of the following New Jersey taxes (all citations are NJSA):

- 1.9-1-1 Tax (Chapter 48, 2004);
2. Alcoholic Beverage — 54:41-1;
3. Atlantic City Casino Parking Fee — 5:12-173.1;
4. Atlantic City Luxury Sales — 40:48-8-15 and 54:32B-24.1;
5. Atlantic City Tourism Promotional Fee — 40:48-8.45;
6. Cape May County Tourism Sales — 40:54D-1;
7. Cigarette — 54:40A and 56:7-18;
8. Corporation Business, Banking and Financial — 54:10A-1;
9. Corporation Income — 54:10E-1;
10. Gross Income — 54A:1-1;
11. Homestead Rebate — 54:4-8.57;
12. Hotel Tax (Chapter 114, 2003);
13. Information Services — 54:32B-3(b)(12);
14. Insurance Premiums — 54:16-1; 54:16A-1; 54:17-4;
54:18A-1;
15. Investigation and Security Services — 54:32B-3(b)(11);
16. Landfill Closure and Contingency — 13:1E-100;
17. Limousine Services — 54:32B-3(b)(13);
18. Litter Control — 13:1E-92;
19. Local Property — 54:4-1;

20. Magazines and Periodicals — 54:32B-8.5(a);
21. Massage Services — 54:32B-3(b)(8);
22. Membership Fees — 54:32B-3(h);
23. Motor Fuels — 54:39-1;
24. NJ Saver Rebate — 54:4-8.58a and 54:4-8.58b;
25. Parking — 54:32B-3(i);
26. Petroleum Products Gross Receipts — 54:15B-1;
27. Property Tax Reimbursement — 54:4-8.67;
28. Public Community Water System — 54:12A-1;
29. Public Utility Excise, Franchise and Gross Receipts —
54:30A-49;
30. Railroad Franchise and Property — 54:29A-1;
31. Realty Transfer Fee — 46:15-5;
32. Sales and Use — 54:32B-1;
33. Savings Institution — 54:10D-1;
34. Solid Waste Service — 13:1E-1;
35. Solid Waste Recycling — 13:1E-92;
36. Space for Storage — 54:32B-3(b)(3);
37. Spill Compensation and Control — 58:10-23.11;
38. Tanning Services — 54:32B-3(b)(8);
39. Tattooing — 54:32B-3(b)(10);
40. Tire Tax (Chapter 46, 2004);

41. Tobacco Products Wholesale Sales and Use — 54:40B-1 to 14;
42. Transfer Inheritance and Estate — 54:33-1 and 54:38-1;
43. Transitional Energy Facility Assessment — 54:30A-100;
44. Uniform Transitional Utility Assessment — 54:30A-114.

As an interim measure, all criminal and civil sanctions against tax evasion should be terminated immediately. Any new taxes or tax increases must be approved by popular supermajority. We oppose any attempts to tax the Internet.

2. Subsidies

Issue: Government subsidies to business, labor, education, agriculture, science, broadcasting, the arts, sports, and other special interests detract from the efficient operation of the free market.

Principle: The unrestricted competition of the free market is the best way to foster prosperity, to achieve a free economy in which government victimizes no one for the benefit of any other.

Solution: We call for an end to all tax abatements, subsidies, credits, and exemptions that interfere with voluntary cooperation of free individuals.

Transition: We call for the removal of all tax funding for all programs of the Department of Commerce and Economic Development and all its subsidiary authorities, commissions, and councils; the New Jersey Housing and Mortgage Finance Agency; and The New Jersey Higher Education Assistance Authority. All funding for such programs should come from voluntary contribution and user fees.

3. Monopolies

Issue: Government is the source of monopoly, through its grants of legal privilege to special interests in the economy.

Principle: We defend the right of individuals to form corporations, cooperatives, and other types of companies based on voluntary association. Laws of incorporation must not include grants of monopoly privilege. In particular, we oppose special limits on the liability of corporations for damages caused in noncontractual transactions. We also oppose state limits on the size of private companies and on the right of companies to merge.

Solution: We advocate the termination of government-created franchise privileges and governmental monopolies. In order to abolish monopolies, we advocate a strict separation of business and state.

Transition: Such services as garbage collection, fire protection, electricity, natural gas, cable television, telephone, water supplies, sewers, and casinos and other gambling enterprises should not be the function of government. Furthermore, all rate regulation in these industries should be abolished. The right to offer such services on the market should not be curtailed by law.

4. Unions and Collective Bargaining

Issue: Government interference in the employer/employee relationship has imposed undue burdens on our economy, eroding the right of both to contract.

Principle: People are free to establish, associate in, or not associate in, labor unions. An employer has the right to recognize, or refuse to recognize, a union as the collective bargaining agent of some, or all, of its employees.

Workers and employers have the right to organize secondary boycotts.

Solution: Government should not interfere in bargaining, by compulsory arbitration or the imposition of an obligation to bargain. We call for the abolition of the New Jersey Department of Labor, and all its subsidiary committees and boards.

Government back-to-work orders are the imposition of a form of forced labor.

Transition: Government-mandated waiting periods for closure of factories or businesses hurt, rather than help, the wage-earner. We support all efforts to benefit workers, owners, and management by keeping government out of this area.

5. Insurance and Banking

Issue: Government interference prevents consumers from obtaining the insurance and banking products they might prefer, and artificially increases the costs of those products that are available.

Principle: There is no role for government in banking and insurance except in the prosecution of fraud. When government dictates the terms of insurance policies and bank operations, it stifles innovation in the creation of new products and services, increases the costs of existing products and services, and prices some consumers out of the market.

Solution: We call for the abolition of the Department of Banking and Insurance and all its advisory committees, councils, and boards. We call for the abolition of compulsory insurance laws.

Transition: Government should cease underwriting insurance policies, or mandating particular insurance coverage. Government should also cease regulation of credit unions and other banking institutions.

III. Domestic Concerns

Current problems in such areas as energy, pollution, health care delivery, decaying cities, and poverty are not solved, but are primarily caused, by government.

1. Poverty and Unemployment

Issue: The welfare state, supposedly designed to aid the poor, is in reality a growing and parasitic burden on all productive people that injures, rather than benefits, the poor themselves.

Principle: No worker should be penalized by government for lack of certification, and no employer should be legally restrained from hiring unlicensed individuals.

Individuals who are unable to fully support themselves and their families through the job market must learn to rely on supportive family, religious institution, community, or private charity to bridge the gap.

Solution: We support a return to private licensure, which permits people to work in whatever trade they wish. It is inappropriate for the government to restrict entry into any profession or regulate its practice. Professional associations or certifying groups, such as unions, should be the mechanism for setting standards for occupations. Consumers would be free to choose a certified or noncertified professional.

Transition: We support repeal of minimum wage laws, mandatory state unemployment insurance and disability insurance, so-called "protective labor" legislation for women and children, and governmental restrictions on the operation of private day-care centers.

We should eliminate the government's role in the social-welfare system, including AFDC, DYFS, Food Stamps, and subsidized housing.

2. Health Care

Issue: New Jersey is no better at being a nanny to its people than the federal government is.

Principle: We advocate the complete separation of medicine and state.

Efforts by government to impose a medical orthodoxy on society only reduce the array of choices available to consumers without improving the quality of care.

In keeping with the principle of non-coercion, no individual shall be forced to either continue or terminate life-sustaining care. This right does not entitle individuals to force medical professionals or others to assist them in ending their lives or in continuing life support.

Solution: We favor restoring and reviving a free market health care system.

Recognizing the individual's right to self-medication, we seek the elimination of all government restrictions on the right of individuals to pursue alternative forms of health care. Individuals should be free to contract with practitioners of their choice for all health care services. The practitioner-patient relationship should be unencumbered by the outside influence of regulatory agencies or government-imposed "managed health care."

Transition: We oppose any form of compulsory health insurance, including mandatory benefits required of employers by the government. We favor the deregulation of the health insurance industry. We favor the privatization of government health programs. We also oppose planning boards whose stated purpose is to consolidate health services or avoid their duplication. We support the removal of all government barriers to medical advertising, including prohibition of publication of doctors' fees and drug prices. We further support the elimination of laws requiring prescriptions for the dispensing of medicine and other health-related items. We call for repeal of laws forcing health care professionals to render medical services in emergencies or other situations. We call for the repeal of laws that ban the purchase of medical products from other countries.

We specifically condemn attempts to restrict the use of vitamins, herbs, and other supplements. We oppose efforts by government to dictate personal dietary habits. We oppose the attempt by government to deny parents the right to choose the option of home births and to discourage the development of privately funded women's clinics. We call for the repeal of all laws that restrict the practice of lay midwifery.

We oppose laws that limit the freedom of contract between patients, health care workers, and insurers, including, but not limited to, setting of prices. We also oppose subsidy of malpractice insurance through taxpayer funds.

We support the abolition of the New Jersey Departments of Health and Human Services and their component agencies, boards, and committees, and their replacement by voluntary organizations. We also call for the decriminalization of hypodermic syringes, especially since sharing needles is now a major means of transmission of disease. We oppose state intervention into the private medical records of individuals.

We oppose subsidies to, or restrictions of, medical education and research. We recognize the right of individuals to refuse medical treatment on moral or religious grounds.

We condemn government mandates placing sick patients alongside healthy residents in nursing homes during a pandemic. We oppose government interference mandating or prohibiting the use of face masks during a pandemic. We oppose government vaccination mandates being imposed on private employers and private business establishments.

3. Pollution

Issue: Toxic waste disposal problems have been created by government policies that separate liability from property.

Principle: Pollution of other people's property is a violation of individual rights. The existence of "public property" creates the "tragedy of the commons."

Claiming that one has abandoned a piece of property does not absolve one of the responsibility for actions one has set in motion.

Solution: We support the development of an objective legal system defining property rights to air and water. Public ownership impedes resolution of controversies over resource use, contributing to the problem rather than solving it.

We call for a modification of the laws governing such torts as trespass and nuisance to cover damages done by air, water, radiation, and noise pollution. We favor allowing privately owned businesses to set their own smoking policy.

Transition: Rather than making taxpayers pay for toxic waste cleanups, the polluters should be held liable for material damage done by them. This includes, but is not limited to, any adverse health consequences as well as cleanup and remediation.

4. Resource Use

Issue: The resources available in New Jersey are severely limited, more so than in any other state. The role of state government is to adjudicate land or resource disputes, not to impose bureaucratic will in place of voluntary private agreements. The Kelo decision by the United States Supreme Court has threatened the private ownership of all property.

Principle: Resource management is properly the responsibility and right of the legitimate owners of land, water, and other natural resources.

Private land ownership with legal protection of property rights avoids the vicious political struggle so evident today between conflicting special interest groups over the use of "public" lands. The landowners choose the use of their property, and the market encourages intelligent and prudent development of natural resources.

We recognize the legitimacy and utility of resource planning by means of private, voluntary covenants.

Solution: Conservationists, preservationists, hunting and fishing clubs, timber companies, developers, and private individuals should voluntarily decide what to do with their own property, not fight each other in the political arena for taxpayer dollars for their own favorite use of "public" land.

Insurance funded entirely by premiums, not taxes, is the appropriate mechanism to protect private individuals against loss from natural disasters such as floods, blizzards, and beach erosion.

We advocate the establishment of an efficient and just system of private water rights, applied to all bodies of surface and ground water. All government restrictions upon private use or voluntary transfer of water rights can only aggravate the misallocation of water.

We also advocate the privatization of government and quasi-government water supply systems. The construction of government dams and other water projects should cease, and existing government water projects should be transferred to private ownership.

In emergencies, it might be appropriate for government to temporarily allocate private resources for the protection of life and property. Upon resolution of the emergency, the government must restore the property or compensate the owners at market value.

We call for the liquidation of government-held property in New Jersey, except what is used for essential government functions, through restoration to rightful owners, sale, or homesteading.

We call for an end to the practice of using eminent domain to transfer property from one private owner to another.

Transition: We oppose government control of resource use through eminent domain, zoning laws, building codes, rent control, regional planning, urban renewal, or purchase of development rights with tax money. Such regulations and programs violate property rights, discriminate against minorities, create housing shortages, and tend to cause higher rents.

Individuals and organizations who wish to conserve the New Jersey Pinelands or the Highlands, for example, should purchase the land themselves and not ask government to seize it for them. We favor the abolition of the New Jersey Water Supply Advisory Council, the New Jersey Tidelands Resource Council, the Highlands Water Protection and Planning Council, the New Jersey Pinelands Commission, and the New Jersey Water Supply Authority.

We oppose any use of executive orders invoking the Antiquities Act to set aside public lands. We call for the return to private hands, through restoration to rightful owners, sale, or homesteading, property acquired through the New Jersey Historic Trust, the New Jersey Natural Areas Council, the New Jersey Natural Lands Trust, the New Jersey Clean Ocean Shore Committee, and the Green Acres Program. We call on the New Jersey Park Service to adopt policies that make more use of public-private partnerships, allowing private operators to manage and maintain our parks until such time as the parks can be transferred to private ownership. Such policies allow greater freedom and flexibility while requiring accountability.

5. Energy

Issue: Government regulation of the energy industry has resulted in high prices, shortages, lack of competition, restricted exploration and development of alternative energy sources, and displaced responsibility for wrongdoing in the energy markets, while granting advantage in existing markets to those with political access.

Principle: A free market in energy means full property rights in underground fossil fuel and the repeal of all government controls over output in the petroleum industry. Any nuclear power industry must meet the test of a free market. Full liability — not government agencies — should regulate nuclear power. Any government emergency mobilization agency in the energy field would wield dictatorial powers in order to override normal legal and market processes, and is therefore unacceptable.

Solution: We oppose all government control of energy pricing, allocation, and production, such as that imposed by the Department of Energy, state public utility commissions, state pro-rationing agencies, and local zoning boards .

We oppose all government subsidies for energy research, development, production, and operation. We also oppose quotas on energy use.

We oppose all direct and indirect government participation in the nuclear energy industry, including subsidies, research and development funds, guaranteed loans, and waste disposal subsidies.

We support repeal of laws that limit liability of utility companies in case of accident.

Transition: We support abolition of the New Jersey Department of Environmental Protection and Energy and its component agencies, without transferring their functions elsewhere in the government.

6. Agriculture

Issue: Government subsidies, loans, regulations, and taxes of agricultural enterprises have restricted the choices available to producers and consumers.

Principle: Farmers and consumers should be free from the meddling and counterproductive measures of government — free to grow, sell, and buy what they want, in the quantity they want, when they want.

Solution: It is not the job of government to promote farm products; this is the business of the farmers themselves. A policy of pest control whereby private individuals or corporations bear full responsibility for damage they inflict on their neighbors should be implemented.

Transition: We call for the following steps to be taken:

- a.abolition of the New Jersey Department of Agriculture;
- b.ending government subsidies to all private marketing boards and councils, such as the New Jersey Tomato Council;
- c. ending government involvement in agriculture pest control;
- d. elimination of the following public marketing councils:
 1. The New Jersey Apple Industry Council,

2. The New Jersey Asparagus Industry Council,
3. The New Jersey Blueberry Industry Advisory Council,
4. The Dairy Industry Advisory Council,
5. The Poultry Products Promotion Council,
6. The New Jersey Sweet Potato Industry Commission,
7. The Swine Industry Advisory Committee,
8. The White Potato Industry Council,
9. The Equine Advisory Board,
10. The Sire Stakes Program Board of Trustees, and
11. The New Jersey Wine Industry Advisory Council.

7. Consumer Protection

Issue: Government consumer protection regulation restricts the competition of the free market and replaces the individual's right to make independent choices with government-determined, "one size fits all" standards.

Principle: Laws against fraud and misrepresentation are a legitimate function of government. However, regulations that dictate to consumers, impose prices, define standards for products, or otherwise restrict risk-taking are not legitimate functions of government.

Solution: We seek the elimination of government occupational licensure, which prevents human beings from working in whatever trade they wish. We call for the abolition of all state and local government agencies that restrict entry into any profession, such as education and law, or regulate its practice.

Transition: We oppose all so-called "consumer protection" legislation which infringes upon voluntary trade, and call for the abolition of the New Jersey Division of Consumer Affairs, and privatization of the Public Advocate's Office and the Bureau of Weights and Measures. We advocate the repeal of laws banning or restricting the advertising of prices, products, menus, or services. We specifically oppose laws requiring an individual to buy or use so called "self-

protection" equipment such as safety belts, air bags, or crash helmets. We oppose laws banning foods or food ingredients as a means of protecting people's health.

8. Transportation

Issue: Government interference in transportation is characterized by monopolistic restrictions and gross inefficiency.

Principle: The transportation industry must be governed by the free market.

Solution: We call for the dissolution of all government agencies concerned with transportation, including the New Jersey Department of Transportation, and the transfer of their legitimate functions to competitive private firms.

Transition: We advocate an end to government regulations of private transit organizations and to governmental favors to the transportation industry. In particular, we support the repeal of all laws restricting transit competition such as the granting of taxicab and bus monopolies and the prohibition of private van pools and jitney service. We also oppose government light rail projects. Insofar as tolls are a form of user fees, it is not legitimate to force redirection of that revenue elsewhere.

9. Election Laws

Issue: New Jersey state law requires all citizens to pay for the Democratic and Republican primaries, even though a majority of New Jersey voters choose not to register with either party.

Principle: As private voluntary groups, political parties must be allowed to establish their own rules for nomination procedures, primaries, and conventions.

Solution: Primary elections should not be publicly funded. Primary elections at all levels should be in the control of those who wish to participate in or support them voluntarily.

Transition: We call for an end to government control of political parties.

We urge repeal of the New Jersey Campaign Contributions and Expenditure Reporting Act (NJSA 19:44A-1), which suppresses voluntary support of candidates and parties, compels taxpayers to subsidize politicians and political views which many do not wish to support, invades the privacy of New Jersey residents, and protects the Democratic and Republican parties from competition. Disclosure laws are particularly offensive, because anonymity protects the contributor from scrutiny and reprisal. This law is particularly dangerous as it enables the state government to control the elections of its own administrators and beneficiaries, thereby further reducing its accountability to the citizens.

Voter registration, which might be useful to prevent election fraud, should not be associated with declaration of political party affiliation, because declaration unfairly favors "established" parties by providing taxpayer-financed listing of their potential supporters.

We call for the repeal of the onerous restrictions of NJSA 19:5-1, which effectively preclude ballot access by other than the Democratic and Republican parties. For example, the stipulation of 10% of total state vote for Assembly is an unreasonable burden for a challenge to the Republican and Democratic parties.

We call for an end to any tax-financed subsidies to candidates or parties and the repeal of all laws which restrict voluntary financing of election campaigns.

We favor recognition of citizens' power of recall of any elected official.

In order to grant voters a full range of choices in state and local elections, we propose the addition of the alternative "None of the above is acceptable" to all ballots. We further propose that in the event that "None of the above is acceptable" receives a plurality of votes in any election, a new election must be held in which those who were on the ballot are ineligible.

We oppose any substantive change in electoral procedures through executive action.

IV. Omissions

Our silence about any particular government law or regulation does not imply approval.

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The NJ Libertarian Party is NJ's third largest political party, founded in 1972. Our vision is for a world in which all individuals have the right to exercise sole control over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live as they choose. Our goal is to build a political party that elects Libertarians to public office, and moves public policy in a libertarian direction.

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