

Libertarian National Judicial Committee

Petitioner: Hector Roos

VS

Respondent: Libertarian National Committee

**Re: TO VOID THE ADOPTION OF THE SPECIAL
INVESTIGATORY COMMITTEE**

September 8, 2025

Amicus brief in support the petitioner

Jonathan M. Jacobs, sustaining member

September 19, 2025

Bylaw Issue

Robert's Rules of Order Newly Revised, 12th edition¹ is the adopted parliamentary authority of the Libertarian Party, all parts of the national Party (Bylaw. It applies to the conventions. the LNC and even the Libertarian Party Judicial Committee (LPJC), when it meets as a body.

RONR states:

The bylaws, by their nature, necessarily contain whatever limitations are placed on the powers of the assembly of a society (that is, the members attending a particular one of its meetings) with respect to the society as a whole. Similarly, the provisions of the bylaws have direct bearing on the rights of members within the organization—whether present or absent from the assembly (2:13, emphasis added).

RONR further states that:

There is a presumption that nothing has been placed in the bylaws without some reason for it (56:68 4)).

We have something placed in the bylaws that says:

The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 7/8 of all registered delegates at a regular convention (Bylaws, Article 3.1. Emphasis added.).

Simply from a procedural standpoint, we have a clause that is a binding limitation on the Libertarian Party, one that was included for a reason. It is by which it, the Libertarian Party, “shall be sustained.” To sustain the Party, the actions of the Party must conform to the Statement of Principles. There is no exception to this limitation in text. Article 3.1 is not listed as being

aspirational or even an a yet unreached goal. This limitation, that actions may not violate the Statement of Principles, is binding and may be properly enforced by the Judicial Committee, among other bodies.

The word “sustained” has a definition in American English. It is “maintained at length without interruption or weakening.”² For the Party to be maintained at length, to exist, the Statement of Principles is necessarily followed. It is a binding part of Libertarianism in 2025.

We can also look at how Article 3.1. has been treated . In Epstein³, the LPJC of the day, reversed a decision, noting “our ruling of 2011 conflicts with the Statement of Principles of the Libertarian Party.”³ RONR does cover this noting that, “ When similar issues arise in the future, such precedents are persuasive in resolving them—that is, they carry weight in the absence of overriding reasons for following a different course—but they are not binding on the chair or the assembly (23:10).” That some members of the LNC trying to create a nonexistent loophole is not an overriding reason.

We can also see the importance and role assigned to the Statement of Principles by numerous previous Conventions. It was the delegates at those Conventions that established the Bylaws. In doing so, those delegates said that the Statement of Principles itself would require a 7/8 vote of all delegates to be changed (Article 3.1). There is more, however. The Convention established, in the Bylaws, that Article 3.1 itself cannot be changed without a vote of 7/8 vote of all delegates at a convention. That is an important distinction. The role that the Statement of Principles plays in the governance of the Party cannot be changed by the highest body in the Party, the Convention, except by a supermajority of 7/8 of all the delegates, not just the ones in the room and voting. It is treated as almost sacred text that is binding on the Libertarian Party as a whole.

The argument put forward in the LNC's response is one of "Rules for thee, but not for me." The LNC, as part of the Libertarian Party, is bound by the Bylaws and the Bylaws establish the Statement of Principles as what causes the Party to "be sustained." There is no "loophole" as has been suggested in debate. The Bylaws bind the entire Libertarian Party.

The LNC attempted to give a parade of horrors where, "[b]y that standard even spelling and syntax errors in quotations could become the basis for future appeals." No, it would have to reach the level of something beyond simple error or even a de minimis violation. The appellants will show substantial and pervasive misrepresentation in the SIC Report. That will be the subjects of additional filings.

End Notes

¹ Robert, Henry M., *Robert's Rules of Order Newly Revised* (12th Edition). Eds. Sarah Corbin Robert, Henry M. Robert, III, William J. Evans, Daniel H. Honemann, Thomas J. Balch, Daniel E. Seabold, and Shmuel Gerber, (New York: Public Affairs: 2020).

² <https://www.merriam-webster.com/dictionary/sustained> RONR uses the term "sustained" in the context of a decision of the chair in an appeal being sustained, e.g. "Shall the decision of the chair be sustained (24:10)." If sustained, the decision of the chair remains (24:3 7).

³ In Harlos vs. LNC (8/9/24), two members of this Committee, in a dissent, noted, "if more than that, it's a fraud committed against the membership, and that's a Statement of Principles violation, and that violates Article 2, Section 1 as well (Seebeck dissent, #29)." While they did not determine that the action was fraud, the minority concluded, in dicta, that an act of fraud on the part of the LNC would violate the Statement of Principles and, as such, violate Bylaw 2.1. It is worth remembering that the Statement of Principles states that the Libertarian Party supports "the prohibition of robbery, trespass, fraud, and misrepresentation."