LIBERTARIAN PARTY — JUDICIAL COMMITTEE

Filing cover & attestation

Petition #15 — (d) Voiding of a National Committee decision

FILED BY

Nicholas Zehr is a sustaining member through 06/18/2027.

ORGANIZATION SPOKESPERSON

Nicholas Zehr

POSITION

Filed in favor of the petitioner

ATTESTATION

Nicholas Zehr certified that they have authority to file this response on behalf of LPHI, and that this response is accurate and does not contain content which violates the itemized list of unacceptable material outlined in Rule 2.8 of the Judicial Committee Rules of Appellate Procedure.

Libertarian Party of Hawaii

Response of Directly Affected Party

Libertarian National Judicial Committee
Petition #15: Voiding of a National Committee Decision
Re: The Various Suspensions of the Rights of Membership of Austin Martin

Position: In Support of the Petitioner
Affected Party: Libertarian Party of Hawaii (LPHI)
Representative: Nicholas Zehr, Treasurer

I. Representation and Standing

The Libertarian Party of Hawaii (LPHI) submits this response as a directly affected constituent affiliate of Region 1 in support of the relief requested in Petition #15.

At its October 28, 2026 meeting, the LPHI State Committee recorded its decision to designate Nicholas Zehr to serve in place of Austin Martin at the Region 1 conference of states on matters naming Martin personally. The meeting minutes were approved without objection and are provided as supporting documentation of this designation.

LPHI's interest in this petition is independent of Austin Martin's individual interests. The decisions at issue concern the authority of the Libertarian National Committee (LNC) and its Executive Committee to suspend the representative rights of an individual selected by the constituent affiliates of a region.

As an affected affiliate, LPHI has a direct institutional interest in protecting its representation, the autonomy of constituent state parties, and the proper application of the national bylaws.

II. Position of LPHI

LPHI supports the petitioner's request to void any unauthorized suspensions of Austin Martin's rights as Region 1 Representative and restore those rights.

Our position rests on three fundamental principles:

1. Regional representation derives its legitimacy from the constituent affiliates, not the National Committee.
2. The LNC and its Executive Committee may exercise only those disciplinary powers authorized by the governing bylaws and applicable parliamentary authority.
3. Procedural safeguards and limitations on authority must be respected regardless of the individual involved or the outcome sought.

III. Grounds for Supporting the Petition

A. The national bylaws reserve control of regional representation to the constituent affiliates.

Article 7, Section 8 of the national bylaws expressly provides that a regional representative or alternate may be removed and replaced only through the action of the affiliate parties constituting the region.

This provision establishes an important limitation on national authority and preserves the right of affiliates to determine their representation.

The distinction is fundamental. Regional representatives are not appointed by the LNC, nor should their continued ability to exercise the duties of office depend upon the approval of those they were selected to oversee or represent alongside.

When the National Committee suspends the essential rights of a regional representative, it risks accomplishing through disciplinary action what the bylaws reserve to the constituent affiliates.

B. The LNC's express suspension authority does not extend to regional representatives.

Article 7, Section 5 provides the National Committee with authority to suspend members-at-large under specified conditions. Article 6, Section 7 separately establishes authority concerning national officers.

Neither provision expressly extends this disciplinary authority to regional representatives.

The bylaws distinguish between officers, members-at-large, and regional representatives. These distinctions must be respected when interpreting the authority granted to the National Committee.

The LNC's general authority to manage party affairs under Article 7, Section 1 should not be interpreted as overriding specific limitations elsewhere in the bylaws.

LPHI recognizes that applicable parliamentary authority may provide for disciplinary procedures in narrowly defined circumstances. However, any such authority must be properly invoked, comply with the prescribed procedures, and remain consistent with the national bylaws.

C. Suspending representative rights can effectively nullify regional representation.

The ability to deliberate, vote, and participate in the business of the National Committee is essential to meaningful representation.

An action that prevents a duly selected regional representative from exercising these rights directly affects the constituent affiliates, even when characterized as a temporary suspension rather than a formal removal.

Article 7, Section 8 cannot meaningfully protect affiliate authority if the National Committee may independently suspend a representative's essential rights without satisfying the applicable governing requirements.

The Judicial Committee should therefore examine the substance and effect of the challenged decisions, rather than relying solely on the terminology used to describe them.

D. Affiliate autonomy and procedural integrity must be preserved.

Article 5, Section 5 provides that the autonomy of affiliate and sub-affiliate parties shall not be abridged by the National Committee or another party committee except as provided by the bylaws.

The protection of regional representation is a practical expression of that autonomy.

LPHI does not contend that regional representatives should be immune from accountability or legitimate disciplinary procedures.

Rather, accountability must operate through authorized procedures and within established limits. Otherwise, disciplinary authority risks becoming a mechanism by which national leadership may undermine the representation of constituent affiliates.

This issue is not dependent upon agreement or disagreement with Austin Martin's actions, statements, or political positions.

The same standards must apply consistently to every representative, every affiliate, and every faction within the Libertarian Party.

A governing body cannot legitimately disregard procedural limitations merely because it believes the desired outcome is justified.

E. The alleged retaliatory nature of the proceedings raises additional concerns regarding independent oversight.

Beyond the questions of authority and procedure, LPHI is concerned that the disciplinary actions against Austin Martin appear retaliatory in nature and directed, at least in part, toward activities undertaken in his capacity as an elected regional representative.

The allegations against Martin reportedly include his disclosure of a data breach, reporting concerns regarding publicly documented foreign influence, and activities associated with oversight of national party operations.

These are matters that warrant transparency, scrutiny, and responsible investigation, rather than punishment merely for bringing them to the attention of the organization.

While LPHI does not ask the Judicial Committee to adjudicate every underlying allegation in this petition, the apparent connection between these oversight activities and the subsequent disciplinary actions raises serious concerns regarding pretext and the potential chilling effect on independent regional representation.

A regional representative must be able to question national leadership, raise concerns regarding organizational integrity, and perform legitimate oversight duties without fear that the very body subject to that oversight may unilaterally suspend the representative's rights.

This reinforces the importance of the structural protections established in the national bylaws. Those protections are not merely procedural technicalities. They serve as safeguards against the concentration and potential abuse of authority.

Regardless of the merits of any individual accusation, disciplinary action must rest upon legitimate authority and proper procedure, not serve as a means to suppress inconvenient scrutiny.

IV. Requested Relief

LPHI respectfully requests that the Judicial Committee:

1. **Affirm the limitations of LNC authority** under the national bylaws, particularly the distinction between the express suspension powers applicable to officers and members-at-large and the authority reserved to constituent affiliates over regional representation.
2. **Void the challenged decisions** suspending Austin Martin's representative rights to the extent those decisions exceeded the LNC's or Executive Committee's authority or failed to comply with applicable parliamentary requirements.
3. **Restore the rights of Region 1 representation** affected by any decisions determined to be invalid, consistent with the relief requested in Petition #15.
4. **Uphold the autonomy of constituent affiliates** by recognizing that national disciplinary procedures may not be used to circumvent the protections established in the bylaws for regional representation.

V. Conclusion

The question before the Judicial Committee extends beyond the circumstances of one individual. It concerns the proper distribution of authority within the Libertarian Party and the ability of constituent affiliates to exercise meaningful representation in national governance.

The Libertarian Party of Hawaii maintains that governing authority must remain limited by the rules under which it was granted. Where those limits are exceeded, corrective action is necessary to preserve the legitimacy of the organization.

The strength of a principled organization is demonstrated not merely by the positions it advocates, but by its willingness to uphold those principles when doing so is inconvenient.

This responsibility is especially important where disciplinary action implicates a representative's oversight of the very body imposing that discipline. The independence of regional representation cannot be meaningful if the exercise of legitimate oversight may itself become grounds for retaliation.

LPHI therefore supports the petitioner and respectfully requests that the Judicial Committee grant the relief sought in Petition #15, uphold the limits of national authority, and preserve the autonomy and independent representation of its constituent affiliates.

Respectfully submitted,

Nicholas Zehr
Treasurer
Libertarian Party of Hawaii
Designated Representative of LPHI

Supporting document: LPHI State Committee Meeting Minutes, October 28, 2026
Governing References: Libertarian Party National Bylaws (May 2026), Articles 5.5, 6.7, 7.1, 7.5, 7.8, 7.12, and 8.2.