

# THE BIG CHILL

## MDL Weathers "Operation: Mail Storm"

The aftershocks of the April 16, 1990 incendiary bombing at the Royal Oak post office are still being felt by libertarians throughout the Detroit area. More than a year after the incident, the investigation by postal authorities continues and the U.S. Attorney has failed to bring an indictment. Nevertheless, the investigation was, in itself, the magic bullet that staggered and nearly crippled libertarian activism in south-eastern Michigan. The investigation's course (intentionally or otherwise) has targeted key freedom advocates and has, more often than not, employed the same intimidation and falsification techniques found in prime time television scripts. Our demonstrators were there, yes. But they were there involved in the exercise of their legitimate constitutional rights of free speech and assembly.

The chilling effect of this investigation guaranteed that no anti-tax demonstrations took place in



April this year. Metro-Detroit Libertarians now know that it can happen here and can feel the fear. The names of those who were questioned and investigated reads like a Who's Who of Michigan libertarians. Despite the stifled expression, the mutual mistrust, and the lack of shared resolve, Metro-Detroit Libertarians have regained their footing. The publication of the Grey Sheet after 12 months on hiatus bears witness to



*The original Royal Oak Five. From left to right: Steve Silver, Kenneth Morris, Emily Hopp Salvette, Tim O'Brien and Stan Gentry.*

that resurrection. MDL's Camelot will be sorely missed. However, we've had our reality check and we're passing into an era of new maturity.

There were no winners in this -- all of us, no matter what stance we hold, are victims. Even the postal authorities never wanted to get caught up in these issues. We were naive even to expect their morality to be a big player in this unfortunate unfolding of events. This issue provides four perspectives. You, the reader, can draw your own conclusions.

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# Trial By Ordeal

Emily Hopp Salvette chronicles her misadventures with postal inspectors in the wake of the Royal Oak incident.

The postal I-Team began their work in earnest on Tuesday, May 15, 1990. I returned home from my day in court and saw THE red Taurus parked near our home. Two men in polyester sportscoats were ringing our neighbor's bell. My actions that day must have made them suspicious. So began the "postal police" harassment of myself and four others who were conducting a peaceful demonstration against taxes at the Royal Oak post office on the night a letter bomb exploded. The explosion on April 16, 1990 slightly injured a postal employee and one of our fellow tax protesters. The envelope containing the bomb carried an anti-tax message. Perhaps we were natural suspects. However the resulting investigation has turned into a bizarre story of harassment, bungled surveillance, bad strategy by the U. S. Attorney, and a sad illustration of just how impotent our Constitutional protections have become.

First, it is important to note that the libertarian demonstrators were appalled at the use of force in protesting the tax system. In an effort to help, we waited 45 minutes after the explosion to tell the authorities

what we had seen. But no one wanted to talk to us. In the following weeks, most of the demonstrators there that night voluntarily spoke with postal inspectors to tell them what had happened. But when it became apparent that the government considered us suspects, not witnesses, in this case; when they employed force in the form of subpoenas commanding appearance and property; when it stopped being an investigation of the truth and became a witch hunt, the libertarians balked. The feds lost their best witnesses through the use of force.

A federal grand jury investigating the bombing immediately subpoenaed four libertarians to provide handwriting samples, fingerprints, and photos. These four men, although unhappy about it, complied with the subpoena. Each went downtown and spent 3 to 4 hours giving the postal authorities what they wanted. I was not in this initial group.

Shortly after this, the postal I-squad issued a composite photo of the suspected bomber which appeared in the Detroit Free Press.

They were looking for a white male who had been on the scene before the bomb exploded at 8:15 P.M. I was surprised when I received a subpoena demanding the same samples as the other four libertarians had submitted. As a female who didn't arrive at the Royal Oak post office until 8:30 P.M., I didn't even come close to fitting the description they published. Do these guys have trouble dis-

criminating gender differences and telling time? Why did they suspect me? The only humorous aspect was the subpoena listed an appearance time of 9:00 P.M. at the federal courthouse, a demonstration of their ineptness which I had no intention of calling to their attention. I contacted my attorney and got ready for a night time visit to Detroit.

Obviously, they had no logical reason to believe I was the bomber. The Fourth Amendment to the U.S. Constitution prohibits the government from seizing a citizen's property as evidence without probable cause. I considered my time, fingerprints, pictures and handwriting to be my own. It seemed a clear violation of property rights to demand these samples from me. Also, this information could be used as evidence against me if a charge was made; therefore, it was obviously testimony against myself, violating my Fifth Amendment protection against self-incrimination. I planned to decline the grand jury's "invitation." The U.S. Attorney found the typo (probably from my conversation about it on my tapped phone) and rushed another subpoena with a 9:00 A.M. appearance time to my door via the red Taurus.

I went to the federal courthouse at the appointed day and time and was escorted by the authorities to the Detroit post office. There, I read a statement to the postal inspectors prepared by my attorney, declining to provide the samples, citing 1st, 4th and 5th Amendment grounds. They were angry. I was told I was already in contempt of the grand jury because the subpoena commanded me to appear before them at the courthouse at 9:00 A.M. and it was already 9:30. Doing what I was told was no excuse (intimidation via the "bureaucrat's shuffle"). One fellow told me I would be "in jail for the rest of my

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# Resisting The State

The degree of cooperation with government has always been a source of disagreement among libertarians even in the best of times. Senior analyst Logan Brandt refuses to pull a punch.

Any consistent libertarian is an enemy of the state, in the sense that he or she understands the institution, as a coercive entity, therefore lacks any moral justification for existence. The state here is defined as the legally imposed mechanism for general compulsion of individuals and expropriation of their wealth -- within a given geographical area. Without too much controversy, we all can accept Albert Jay Nock's distinction between government and the state; namely, the former is solely charged with protection of individual rights while the latter is an instrument that aims to subvert and redirect people's actions toward ends not of their own peaceable choosing.

In the words of H. L. Mencken, 'the state is the common enemy of all well disposed, industrious and decent men.' And Mr. Jefferson once said that one ought to 'hate the state constructively.' I like Jefferson's formulation here, and I advocate it as a fundamental touchstone of right behavior in relation to this demonstrably primitive and menacing institution.

America's advanced statism is peculiar and remarkable for being achieved calmly without serious mainstream intellectual or moral opposition. Thus, the majority of Americans, for want of philosophical leadership, have simply acquiesced in their own gradual yet relentless subjugation. The animating spirit of individual liberty that impelled our ancestors to revolution has retired from center stage.

Indeed -- and this is critical to

understand what represents constructive hatred -- most Americans have grown heavily dependent upon the state, if not in its economic usurpations then on perverse ideology that sees it as Benefactor. This condition did not arrive overnight, but through a series of intellectual mistakes and moral abdications proceeding reciprocally over decades.

Any remedy to the current situation presupposes general enlightenment, implying a primary commitment to rational persuasion. Just as we have become aware of the nature of liberty and convinced of its benefits, so can others.

Any constructive action diminishing the state must lessen its intellectual or moral legitimacy, not enhance it. Violent acts of resistance, particularly where multiple avenues of peaceful persuasion exist, are immediately suspect on this count. Such acts enable the state to more convincingly posture as guarantor of public safety, serving to justify and further expand the state's already immense apparatus of legal violence.

One does not overcome an opponent by playing to its strengths. Violence is the state's forte. Any physical confrontation of the state in the current context can only be successful to the extent that it is nonviolent. And even the peaceful, Gandhiesque confrontation -- which is more intelligent -- still presupposes adequate understanding, hence sympathy, among the populace to realize success.

The issue before many of us,

however, goes beyond the validity of strategic arguments. The major issue for libertarians becomes an ethical one. When and how is it morally acceptable to use force against the state?

To answer this question, we need to back up to a fundamental principle, namely that force is only appropriate in retaliation and only against those who initiate its use. Thus, in the case of state activity, which is fundamentally coercive, common sense dictates we distinguish between those who actually effect state power and the multitude who are victims, hostages or partial beneficiaries of it.

Who are the aggressors? The IRS agent conducting a seizure, the DEA thug making a bust? Yes. These are pure acts of aggression unmitigated by appeals to 'social necessity.' The public school teacher, the recipient of Social Security? No. These are inherently peaceful realms the state has effectively absorbed and compelled. As Ayn Rand said, "Morality ends where a gun begins." If one has become a slave, even a somewhat willing slave for want of perceived alternatives, that cannot be considered an act of aggression.

Continuing with an analogy of a slave labor camp, the only morally appropriate retaliatory force that can be exercised against the institution is toward the dictators, the wardens, the guards, the "effectors," not the prisoners themselves.

In the immediate reality of coercive democracies, it becomes more difficult to separate predator and victim. What is more, it becomes more problematic to commit retaliatory acts against the former while securing the latter from unintended harm. This being so, it seems the strategic argument contrary to physical violence gets even more grist added to its mill.

But we are dealing with the moral issue now. Aggressors, regardless

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# An Open Letter to MDL

from Steve Silver

On the evening of April 16, 1990 I was at the Royal Oak post office participating in the Metro Detroit Libertarians (MDL) annual tax protest. A letter bomb went off near where I was passing out libertarian literature. My hand was burned and my pants were ruined. The postal worker who found the smoking letter suffered facial burns.

Following the bombing the MDL protesters became subjects of the postal inspectors investigation. The letter bomb was addressed to "The Tax Thieves" and the return address was from "Freedom loving Americans". These libertarian sounding phrases served to intensify the focus of the investigators on the MDL demonstrators.

We were questioned, fingerprinted and photographed. Our handwriting was subjected to analysis. My place of business was invaded by these inspectors on three different occasions frightening my employees. My school records were subpoenaed. Members of my family were rudely interrupted at their offices.

In the suspicious logic of the postal police I was a suspect. My proximity had given me opportunity. I was standing alone which weakened my testimony, no corroborating witness. I hadn't sought medical attention for my burn, a

sure sign of evil intent to the postal paranoids. In addition I'm single with no children, a clearly deviant life style.

Initially my anger focused on the investigators. I hadn't told the investigators everything I knew. Some of what I knew pointed to possible libertarian involvement in the bombing. As the investigation continued additional information greatly increased my suspicions.

I discussed my situation with family and friends. My family in particular were horrified that I hadn't completely cooperated with the investigators. They argued that the cause of my discomfort was not the postal police. The attack on my freedom and livelihood was a direct consequence of the creep who planted the bomb. One argument which slowly burned at me was that I had been set up as a fall guy. If libertarians were involved in the bombing, they knew that MDL protestors would be there to take the brunt of the investigation.

The evidence I had about libertarian involvement was circumstantial and hearsay. This made my decision to cooperate with the feds very difficult. I was aware that a few hopefully innocent people could soon share my unpleasant experiences dealing with the postal inspectors. This was very depressing.

I called a libertarian friend from out of town to discuss my situation. My friend was also horrified that I hadn't cooperated with the postal inspectors. The bombing was a perfect example of the very thing libertarians are most opposed to: the use of force to achieve political ends. This was tremendously destruc-

tive to the goals of libertarians. He argued that even in a libertarian society there would still be some form of police to investigate and prosecute violent criminals. In addition if I didn't cooperate I was in essence encouraging the perpetrator. Did I really want to see a repeat performance?

So I decided to cooperate with the authorities. I knew that there would be some libertarians who wouldn't understand my decision. I would soon feel the angry glares of (former?) friends who would blame me for the continuing investigation. I hope that over time they will realize that their pain was caused by the criminal who planted the bomb. The person or people who perpetrated this crime are enemies of liberty. Such acts of violence are mother's milk for the ever expanding leviathan which oppresses us.

My advice to anyone caught in the fire bomb's ever widening path of destruction is to cooperate with the authorities. Don't be a martyr for the cause of violence. The liberty movement took a giant step back on April 16. Don't encourage a repeat performance by confusing cause and effect.

## Shut Up!!!

"We are living in the golden age of censorship. The right wants to censor pornography, rap and rock singers, military news, J.D Salinger's "Catcher in the Rye," photos showing Robert Mapplethorpe's idea of a good time and the burning of the American flag. The left wants to censor tobacco ads, girlie calendars and sex jokes in the workplace, Saturday morning TV, Eurocentric schoolbooks, Andy Rooney, many college newspapers, all sorts of speech and the waving of the Confederate flag."

-- John Leo  
U.S. News & World Report





# An Open Letter to MDL

from Scott Scarborough

To date, I have not responded, in writing, to the events surrounding the Royal Oak mail bombing; in particular the actions of Steve Silver while under the scrutiny of the postal authorities. This, I will now do.



were extremely damaging as anyone who knows the mentality of the authorities would understand. It's not important to itemize the cost, inconvenience, and fear that my wife and I

suffered as a result of Steve's self serving testimony. I will just note that they were substantial. The difference between Steve and anyone else who talked to the authorities is that Steve is not apologetic at all but boasts about his actions. This is a very big difference.

Steve seems to think that since he was stupid enough to play with a smoking package (along with postal employees) and get in trouble, that he has a perfect right to conduct himself in a way that maximizes damage to anyone and everyone else in order to extricate himself from the situation.

Many libertarians, and I use the term loosely, think that Steve's actions were "libertarian" in nature or at least were not in the "forbidden zone" of force initiation. Is complicity with force initiators in the "forbidden zone"? (close enough for me) Is a communist sympathizer a communist? (I've never been able to tell the

difference). Is someone who willingly cooperated with the Nazis a Nazi? (any moral distinction escapes me!) Others say that the true force initiator was whoever put that package in the mail bag. But was this act initiatory force or retaliatory force? We will never know for sure since an answer depends on the motives of the bomber. Was his/her force intended to be initiatory or retaliatory? If the bomber was "the government" (agent provocateur) the force was probably intended to be initiatory against the Libertarian Party. If a profile of the bomber is adequately described by the authorities and the wording on the package, then the force was intended to be retaliatory, against a force initiator -- the government (IRS). How can someone initiate force against a known force initiator? Isn't such force, by definition, retaliatory? Perhaps not, but there is at least some doubt in my mind about the morality of the bomber's actions. There is no doubt in my mind about the morality of Steve Silver's actions.

I thought that I would have to go no further than to point out Steve's self proclaimed complicity with thieves, liars and monopolists at the Post Office to precipitate a deafening cry for his removal from the Libertarian Party. I was the most surprised of all when this did not happen. I will not recount in detail, the events leading to this controversy. I am sure that most people reading this are familiar with the "story" (some more familiar than I) and besides, there are probably accounts elsewhere in this publication that I would not take exception to since the facts are not, in general, under dispute.

Steve Silver, after pleading the Fifth Amendment when questioned about the Royal Oak mail bombing (as did most other libertarians who were questioned) suddenly requested immunity in return for mostly hearsay testimony damaging to other libertarians. Steve apparently told the grand jury anything he had ever heard that he thought might please them and get him out of the hot seat. The testimony that he gave about me was that he saw me at the Royal Oak post office after the bombing and that my wife and I once attended a meeting where "Non Political Action" was the topic. These statements, after refusing to talk and then ask for immunity,



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## NOTEBOOK

METRO-DETROIT's **LIBERTARIAN**  
"GREY SHEET" is published quarterly

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Dar Tisdale, assistant editor

Tim O'Brien, newsletter coordinator  
Emily Hopp Salvette, organization  
David Hunt, production

### Subscriptions:

Detroit-Metro Libertarians  
P.O. Box 4762  
Troy, MI 48099

### Inquiry or Content:

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Troy, MI 48099

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**I THINK  
THEREFORE I AM...**



**...A LIBERTARIAN**



## NOTEBOOK: SupperClub Profile

All Metro-Detroit Libertarians are encouraged to attend and participate in our SupperClub events. They are designed to be as entertaining as they are informative. Speakers and topics are drawn from today's headlines. Themes have ranged far across today's artificial left/right spectrum. The inclusion of any topic or speaker in itself does not constitute an MDL endorsement (or a repudiation for that matter). Since libertarian issues are morally based and broadly applied, these events have become a potpourri of new and stimulating ideas.

### DRUG RELEGALIZATION -- A PASTORAL PERSPECTIVE

As a priest, my decision to publicly call for a repeal of restrictions on the general sale and use of drugs causes me a certain amount of trepidation. I fear that my call for re-legalizing drugs may be misunderstood as an endorsement of their wholesale use or as a lack of concern for the addictive and deleterious effects of drug abuse.

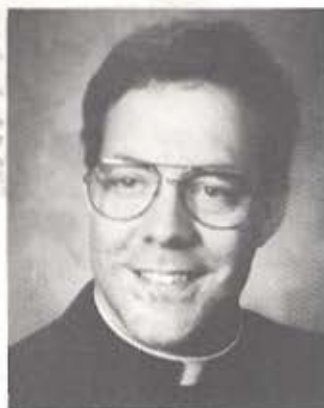
So let me be clear: my opposition to drug prohibition in no way indicates approval of their use. On the contrary; in the course of counseling families, confronting the dysfunctional effects of drugs and alcohol on their lives, I have developed a deep concern in this regard.

One reason I favor relegalization derives from the great insights of the Twelve Steps tradition of Alcoholics Anonymous. (Not that A.A. would necessarily agree with my deductions.)

Time and again I have seen the wisdom of the A.A. philosophy and the ways it can help individuals and families regain a sense of serenity and sanity in their lives. The key is to acknowledge that one is helpless in the face of addiction and that only a "higher power" can free an individual from this bondage. The philosophy of A.A. teaches friends and loved-ones of addicts that when they try to control another person's life, their own lives become unmanageable.

This compulsive need to control other's lives has become politically institutionalized in this country and, it is apparent to me, this has

Normally MDL members meet at 6:00 PM for socializing, order dinner around 6:30 PM, and break for the speaker or discussion at 8:00 PM. Early reservations are greatly appreciated and provide us with an idea of program size. Make sure to call Tim O'Brien at 548-6857 with your intentions. We encourage patronage of our host restaurant's menu selection; however, allowances are made for late arrivals. A request for a modest (and entirely voluntary) donation will be made to help cover the event's expenses.



*June SupperClub speaker:  
Fr. Robert Sirico, CSP*

become a root of dysfunction in our society as a whole.

The practical impact of drug prohibition has been pointed out by economists and other thinkers of various political stripes. Drug prohibition artificially inflates prices, raises the incentive for selling drugs, and invites entrepreneurs into the market in hopes of making a profit. The problem of violent crime connected with drugs (the part that most concerns Americans) would be virtually eliminated with legal channels for settling disputes and if drug abusers no longer plundered others to support their habit.

The problem of addiction to drugs would of course remain with us. But we fool ourselves if we think that those who are most inclined to abuse drugs do not already have access to them. If we can't keep drugs out of prisons, what makes us seriously think we will be able to keep them off of the inner-city streets?

We are now confronted with not only the continued use of force to inhibit the sales of drugs, which

secures the financial base of organized crime, but also with proposals which would increase the involvement of our military in this fruitless endeavor.

The time has come for moral leaders to state clearly that lives of temperance and virtue cannot be engendered through government coercion and that there is a crucial difference between that which is legal and that which is moral.

The only context in which these nuances becomes apparent is when people have the freedom to make their lives productive and meaningful or to waste them. To be sure, those of us committed to the moral development of our people have our job cut out for us. Yet we dare not surrender this task to the state.

By all means, let us say no to drugs. Let us invite people to choose lives free of bondage to drugs, and for that matter, lives free of bondage to alcohol, work, sex, material objects, and all those numerous other "addictions" that rob human beings of their God-given dignity. We must make this invitation as mature, concerned, healthy, and functional people ourselves, not as manipulative, coercive, dysfunctional co-dependents of addicts.

And let us also say no to political measures that will make the sale of drugs more financially attractive to the very segments of our population which have the least to risk by selling them and encouraging their use.

Concerning our society's drug problem, we do well to pray the Serenity Prayer anew: "God, grant

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## NEWSMAKERS

# The Heartland Institute Comes to Michigan

In 1984, The Heartland Institute opened an office in Chicago and became one of the first in a wave of free market think tanks to address policy issues at the state and local level. In 1990, The Heartland Institute opened another office -- this time in Detroit, Michigan, under the guidance of Resident Director and Michigan President David L. Littmann, First Vice President and Senior Economist at Manufacturers National Bank.

Chosen to serve as Executive Director was Thomas A. Shull. Shull's interest in Heartland was inspired by his experiences in the Peace Corps and by the writings of Ayn Rand. His day-to-day duties include oversight of Heartland's Michigan publications and fundraising activities.

The Heartland Institute's work in Michigan is overseen by its Michigan Board of Governors, which includes Virginia Cropsey, Procedures Consultant in Sterling Heights; Dr. David I. Fand, Visiting Scholar at George Mason University; William Hall, Attorney with Warner, Norcross & Judd in Grand Rapids; Dr. Robert T. Kleiman, Assistant Professor of Finance and Real Estate at Oakland University; Leslie Rose, Chairman of Fidelity Bank in Birmingham; Dr. Mary Ruwart, Research Scientist at Upjohn Company; and Thomas F. Walton, Director of Economic Policy Analysis for General Motors Corporation.

Since opening last May, Heartland has released 5 Policy Studies and 11 op-ed pieces dealing with such timely topics as publicly-owned sports stadiums and convention centers, funding for the arts, partisan gerrymandering, education reform, lowering taxes, and

auto regulation.

To contact The Heartland Institute, call 313/393-1950 or write to The Heartland Institute, 100 Renaissance Center, Sixth Floor, Detroit, Michigan 48243.



*Heartland Executive Director Tom Shull at the keyboard*

## CLASSIFIEDS

Ayn Rand's **WE THE LIVING** videotape rental is available to any MDL member for personal use for one week for a ten dollar contribution to newsletter production. This video is the full 174 minute, VHS, high-quality black and white print © 1988 Angelika Films. Comes with package of reviews and articles, biographies of major protagonists, lists of credits, film history, screenplay synopsis, original photos, and reprint of January 27, 1989 *National Review* article about the film's restoration. Call (313) 247-4257 for arrangements.

**RESTORING THE AMERICAN DREAM** is still available locally. This critically acclaimed best seller by a nationally known motivational author, Robert Ringer is perhaps the best one book introduction to libertarian thought. Why not give the "American Dream" to those inquiring minds you know? The beautiful hardbound edition goes for only \$5.00 each or three for \$10.00. Call Jack or Karen Elder about these incredible bargains at 651-5250.

**CHRISTIAN LIBERTARIANS?** It doesn't necessarily have to be all that mutually exclusive. For Christians interested in libertarian ideas or even the other way around, here is a chance to form a local Detroit-area fellowship for study and discussion. Contact Mark Sellers at 247-4257 or write 49630 Ellis Court, Shelby Twp, MI 48315.

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# Detroit Band Charts Libertarian Course

Missionary Stew lead singer and lyricist, Dion Roddy, describes his band's journey to recapture the real meaning of "radical" and the definition comes suspiciously close to "liberty."

Rock and roll and radical politics seems to be made for each other. The individualism and rebellion that rock music represents is an excellent medium to express dissatisfaction with the status quo in the nation's political arena. And besides it communicates these ideas to the young in a mode that catches and holds their attention. Since the Vietnam War and rock music's efforts against it, the marriage between music and radical politics has been consummated. It should be stressed that the music has, in nearly all cases, allied itself with the liberal agenda (in fact, I can recall no exceptions). By liberal I mean that they desire great personal freedom (freedom of expression, anti-discrimination, and in some cases, even drug legalization), but at the same time, that agenda calls for plenty of government intervention in favor of the "poor" and against "big business."

Missionary Stew is charting a different course. While avoiding the role of a political band, our group of local musicians communicates both in song and deed a support for libertarian ideas.

"We can't really call ourselves a 'libertarian' group because not all of our members are libertarians. I am though, and since I'm one of the main lyricists and the lead vocalist for Missionary Stew, inevitably the Freedom Philosophy comes

through in our songs," says Dion Roddy. "In fact, I have a new song in the works right now. It expresses basic principles in libertarian thought touching on such topics as the welfare system, the draft, and taxes. I want to make it catchy so it can be easy to remember."

Jeff Woods (keyboards), Chris Gallivan (guitar), and myself were part of one of the earliest Seminar One groups in the nation that met in individual homes to discuss the libertarian alternative. Mark Sellers was instrumental in bringing this about and remains close to the band.

The band has produced a new album entitled *Childhood* which was released officially last February first, at Lilli's 21, a music club in Hamtramck that features local music. The songs on this album

are not very political; however, they were written before the band learned of the libertarian philosophy.

"In order for libertarian ideas to work, people must be charitable and smart as well as independent. I try to encourage responsibility and compassion without coercion, as well as freedom. They must all work together. I'm not very politically active. I don't like politics. That's why I like libertarianism. Communicating the ideas of classical liberalism through music is my way of supporting the movement."

Missionary Stew is communicating a message without standing on the soapbox. I think the best way to experience the group is not through this article, but be our guests and see us in live in concert. The band is really singing about radical politics. We are the radicals





## BROADCAST

# THE FOLLOWING IS COMMENTARY by Tim O'Brien ...on LESSONS

Apparently the United States stands alone in its unwavering support of bureaucratic management over voluntary exchange.

Look at Poland, for instance. Lech Walesa and his supporters were stunned by the sudden emergence of Stanislaw Tyminski as a serious contender for President. The media was baffled.

Tyminski had only just returned to Poland after decades in Canada and Peru. He had never been elected to anything in his life, they said.

Walesa was the hero who ended Soviet domination of Poland. How could this happen? Simple. Walesa was just a more moderate socialist -- a labor organizer who promised more benign central planning. Sure he hated the communism. But then, who in Poland didn't?

And the media reports about Tyminski never having been elected to anything weren't quite accurate. True, he had never been elected to any government post. But he has been elected -- head of the Libertarian Party of Canada.

When I found out about that, all the mystery disappeared. I knew exactly why Tyminski got so many votes. Because he promised the Polish people an end to central planning with private property, drastically reduced taxes and pure, unalloyed, laissez-faire capitalism. In short the straight Libertarian Party line. He promised the Polish people freedom. And that's exactly what they wanted to hear.

Or look at the difference between the way the Soviet Union is dealing with its budget problems and the solutions offered by our so called representatives in Washington D.C.

A few months ago the Soviet government announced drastic

budget cuts. A 10% decrease in military spending, a 30% decrease in government bureaucracy and a 50% slash in foreign aid.

Meanwhile, in the Politburo on the Potomac, the Republicrats engineered a massive tax increase. As of December 1, 1990 gasoline taxes were raised a nickel a gallon and a surcharge was added to airplane tickets. In a couple of weeks the taxes on alcoholic beverages and tobacco will also go up.

Our government claims that spending has already been cut to the bone. A tax increase was unavoidable. Well, I'd like to point out a few of the items in the current budget that were considered too vital to cut:

Half a million dollars for a Lawrence Welk museum.

But don't fret Babyboomers. Ohio representative Mary Oaker wants \$7 million for a Rock & Roll Hall of Fame -- to be built in Cleveland, of course.

Meanwhile, Senator Warren Rudman (of Gramm - Rudman fame) pressured the Economic Development Administration to award a \$15 million contract to Dartmouth College as part of a jobs creation scheme. A total of 39 jobs were created. That works out to about \$385,000 apiece!

The Air Force recently remodeled a VIP suite, spending \$100,000 to install 24-karat gold-plated faucets, tub rails, clothes hooks and, yes, toilet paper holders.

\$1 million was spent to preserve a Trenton, New Jersey sewer as an historical landmark.

The National Institute of Mental Health spent \$75,000 to find out why bowlers, hockey fans and pedestrians smile.

And foreign aid? While the So-

viet Union is cutting off Castro, U.S. bureaucrats are supplying Jamaican farmers with a \$58,000 machine to sort red peas. Too bad red peas aren't grown in Jamaica!!!

But there are hopeful signs here in America. Within days of the budget deal worked out between Congress and president "Read My Lips," I attended a demonstration against the tax increases at Kennedy Square. There were 5000 people there! The protest had an eerie, deja vu quality that took me back to the early days of the anti-Vietnam War demonstrations.

And this past election saw the Libertarian Party become a major party in Nevada and New Hampshire.

That's right. Two states now have a "Three Party System." It would be great if we could have that here in Michigan.

In the meantime, the next time you fill up your car, think about that nickel a gallon tax increase. And remember it was absolutely essential. I mean -- we wouldn't want to see our Air Force brass have to go without solid gold toilet paper holders.

--Tim O'Brien is a regular editorial contributor to local PBS radio affiliate WDET. He may be found at 101.9 FM at 7:30 and 9:30 various mornings. This commentary ("Lessons") was aired December 10, 1990.

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## THE EDWARDS NOTEBOOK

There is a custom in many middle-eastern nations involving altercations between citizens: a police officer hearkens to the first person who screams and even screams the loudest! He doesn't waste time with the silent one to get to the bottom of and solve the problem in a just manner. This custom seems to be the order of the day concerning Japanese-American relations, too. Let's examine the issue of Japan-U.S. trade.

For many years, Americans have been deluged with reports about closed markets in Japan, of how Japanese companies enjoy a free ride while reaping record profits from the U.S. I went along with the aforementioned assumption and even developed anti-Japanese feelings. However, a closer look at the situation shows America has been shooting herself in the foot when dealing with Japan. For example, our own government forces U.S. automakers to cough up 40% higher tax payment per vehicle sold than their Japanese counterparts. In a recent issue of Tokyo Today, Mikio Tsutsui of Mitsubishi Motors pointed out that, for some time now, U.S. auto giants General Motors and Chrysler have been mostly complaining, yet doing little to crack the Japanese market. An exception, according to Tsutui has been the Ford Motor Co. Although its sales in Japan totalled fewer than 60,000 units, Ford is a preference of Japanese when an American car is considered for purchase. This reflects Ford's work to understand the Japanese market and work within their market philosophy.

In addition, another sensible plan of action for American auto manufacturers is to make automobiles suitable for the target consumer markets. For example, it's common knowledge that in many nations the steering wheel is on the right side of the vehicle. Now, why haven't American auto producers caught on as have Japanese and European manufacturers? They send cars to America not only with the steering wheel on the appropriate side but with the American consumer in mind!

The on going complaints about foreign competition will only result in the continued market share loss of American manufacturing. While faced with the same obstacles in the lucrative Japanese market as the Americans, in 1989 Mercedes Benz sales mushroomed to 31,511 units. This is a tenfold increase from a meager 2,275 units back in 1975.

It would behoove the American automobile and other manufacturers to view the Japanese market as a challenge to creatively win over ...rather than a closed door they can't open. U.S. Government regulations and threats are not the answer! Government and business don't mix! But good products and creative marketing does and if properly applied there would be no time for complaints. -- I'm Ron Edwards

*An area resident, Ron Edwards' radio commentaries are heard in other market areas. He would appreciate your comments and may be reached at the Edwards Notebook, P.O. Box 315274, Detroit, MI 48231.*

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## Trial by Ordeal cont.

life," and that I "didn't have rights," because I was not a suspect. What ever happened to natural rights?

After rushing back to the courthouse and telling the grand jury "no," I was scheduled for an afternoon appearance with federal judge Zatkoff. I phoned my attorney and asked him to meet me at the courthouse. I really didn't want to go through this alone.

We didn't have much of a chance.

The drug war and the I.R.S. tax crusade in the last 20 years have led to legal precedents which allow the courts to compell almost anything you can imagine as evidence. Furthermore, the law considers "testimony" to be only what you say, not what information is gleaned from your bodily parts. This turns the Fourth and Fifth Amendments into very weak soldiers in defense of liberty. I can't help but believe that if the technology for sophisticated handwriting, fingerprinting, or hair analysis had existed in the 1780's, the Founding Fathers would have included these as testimony in drafting the Bill of Rights. But they didn't and we're left today in a virtual police state. Given the case law, my attorney conceded the handwriting and photos and focused on the fingerprints. Judge Zatkoff listened to my attorney's arguments about the fingerprints being an unreasonable seizure under the Fourth Amendment, then ruled "too bad." As he reasoned, anyone could, for example, follow me to the supermarket and get my prints off a can of peas. This was enough to "prove" that fingerprints are public property. Zatkoff issued a court order later that afternoon commanding me to comply with the subpoena. That's when I came home to find the police talking to my neighbors. I suppose I wasn't surprised. After all, with their mind set, it must be difficult to understand someone

who demands their rights and will not do what the Fatherland demands without a fight. He/she must have something to hide, right? Now thanks to their confused ideas about what makes a good citizen, I must try to overcome the suspicion they planted in the minds of my neighbors.

Even though I complied with the court order, THE red Taurus visited Ann Arbor many times during the next few weeks. As a Ford stockholder, at least I'm glad the government "buys American." On Wednesdays, our trash collection day, our bags of garbage were snatched from the curb and loaded into the red trunk. A postal inspector would spend the whole morning waiting in his red car until I took the trash out. I suppose Sparky was getting paid time and a half for this -- your tax dollars at work. But Sparky gave up the chase after a few weeks. Leaving several notes, other "surprises" (hint: there are plenty of pets in our area), and a call to the Ann Arbor police about the "suspicious red Taurus casing our neighborhood" might have something to do with it.

I started getting calls from family members and neighbors saying strange people from the post office were asking about me. The investigators even contacted a distant cousin-by-marriage to find out what she knew about me. Now I couldn't pick this woman out of a line up -- how could she possibly know anything about me? It also made me wonder why, if the feds can figure out all these obscure family relationships, do we really need a census? The kicker was when I got a letter from the University of Michigan that the U.S. Attorney had subpoenaed my college transcript. I hope they were impressed with my G.P.A. but I wish I hadn't done so well in those four chemistry courses. Similar events were happening to other libertarian "suspects", too.

In early June THE red Taurus started tailing me when I took my son to school. It followed me on my errands all morning. Finally, becoming irritated by this attention, I came out of Krogers, pushed my cart up to their car, and asked Frick and Frack if they wanted an itinerary of my morning schedule. In response, Frick jumped out and said, "Oh Mrs. Salvette, we just want to serve you this subpoena," which Frack handed to me. So why did they need to follow me for hours? More overtime pay, I guess. The subpoena commanded my appearance before the grand jury to tell them what I knew.

Meanwhile, ANOTHER red Taurus (they must have fleet of these -- good news for the stock portfolio) was following my husband, John. Point of information: John was home in Ann Arbor on the night of April 16 watching our kids; apparently his crime was living with me. They started the tail at 7:00 A.M. as he left for work, followed him to his office, and after hanging around half the morning, at 11:00 A.M. made a big show of serving him with a similar subpoena. Again, why didn't they just serve him when he walked out of the house that morning? Why follow him to work? More overtime, or a deliberate attempt to embarrass him at his place of business?

The conclusion of most of the "Royal Oak Five" (as we had become known), John, and the lawyers representing each of us, was that the authorities didn't have any evidence against us. They wanted us to testify before the grand jury in hopes we would say something they could use. Or, second best, might say something that could lead to a perjury or obstruction of justice charge.

When appearing before a grand jury you must go in alone. No family or friends can be there to give you moral support. Your

*Continued on next page*



lawyer, if he or she even bothers to come, must wait outside the hearing room. Of course the government's lawyer, the U.S. Attorney, is there. He's the one doing most of the talking. The 23 jury members may also ask questions. Rights, such as a Fifth Amendment plea, must be asserted from the beginning of the procedure or you may be considered by the courts to have waived your rights. It can be a tricky and entangling procedure that often leads to disaster before you even realize what's happening (just ask Ed Meese). Therefore it is common advice to plead the Fifth Amendment even though you have nothing to hide.

That is what I did and what the other 5 defendants did also. The toughest part was thinking of different ways to assert my Fifth Amendment right after the U.S. Attorney's 20 questions.

Since that appearance which left the grand jury with no information about what went on the night of April 16, 1990 from its best witnesses, all has been quiet. No more subpoenas, no more free garbage pick up. The investigators spent a lot of time on me, a peaceful housewife with two kids, who just happened to be in the wrong place at the wrong time. If you thought your government would leave you alone, it should be clear that such harassment by this government can happen to anyone.

We can only guess what the government will do next. However,

## Drug Relegalization cont.

me the serenity to accept the things I cannot change, the courage to change the things I can, and the wisdom to know the difference."

*Father Robert Sirico is a Paulist priest on the staff of the Catholic Information Center in Grand Rapids, Michigan. He is active with the Religious Coalition for a Moral Drug Policy and currently heads the Acton Institute.)*

after watching the 1939 version of the *Hunchback of Notre Dame* I have a fearful premonition. In the movie, Esmerelda is accused of killing a man (with the help of her goat) and stands trial. Despite facts that indicate her innocence, the King trusts Esmerelda's fate to divine intervention by demanding trial be ordeal. While blindfolded, she must touch the King's dagger to prove her innocence. Unfortunately, magic doesn't work and Esmerelda chooses the murder weapon. Poor Esmerelda and her goat are sentenced to hang as a result of Voodoo justice. That is what this investigation seems to be. By ignoring facts and trampling the rights of individuals, the government can inconvenience, harass and compel peaceful, honest citizens. All this in the name of a warped sense of "justice" that is far removed from our Founding Fathers' intentions. I wouldn't be surprised by anything that happens next. I can see the subpoena now: "You are commanded to appear...bring your own dagger and blindfold." I'll bring the goat, too.

Postscript: Much has changed since last June when I wrote this article. Then, the government's investigation of the bombing was nothing more than a bureaucratic annoyance -- it was even good for a few laughs!

But at the end of June the Feds received information that led them to focus on libertarian involvement in the bombing incident. They broadened the scope of their investigation to include libertarians not even at the demonstration that night. The resulting increased federal fervor has had a chilling and detrimental effect on the morale of the metro-area libertarians.

Even though the Feds have yet to ac-

# HELP !

## MDL

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cuse anyone in this incident, we find we must continue to defend ourselves against the government's invasion of our privacy. We must also grapple with ethical questions of libertarian cooperation with the State. The results of this investigation will be felt for a long time. Not only has it led to the resignation of key libertarians from positions of responsibility, but it has also strained friendships and fostered suspicion within a once harmonious organization.

I don't know if it was worth tearing an organization apart to investigate a "crime," which the Feds admit was probably a prank; a "crime" where no one was hurt and minimal property damage was done.

What I do know is that no one is laughing anymore and it will take courage and commitment by all of us to undo the damage that has

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## Resisting the State cont.

They have no moral claim to exemption from retaliation for their depredations on account of popular passivity. Acts clearly intended to interfere with these offenses and necessarily in some sense to inconvenience nonpredatory parties fall within the purview of justice if, and this is a big "if," all rational precautions are taken to prevent bringing force or harm to bear upon innocents.

For any particular retaliatory act against the state wherein innocents have been physically harmed, libertarians must make a judgement of morality and practical action. They must weigh three fundamental questions:

1. Were adequate precautions taken to prevent harm to innocents?
2. Did real harm (or real potential harm) occur to innocents, and how significant was it?
3. If the answer to item 2 is affirmative and significant, then what is the expectation of justice from existing government/state entities and, therefore, to what degree should one cooperate in any investigation or prosecution such entities may conduct?

What the judgement boils down to is balancing putative criminality against a given government's interest and effectiveness in protecting individual rights.

This is a judgement call. It is easy to conceive that people equally devoted to the libertarian ideal could wind up with different perspectives and in different camps, in weighing the effect of a given borderline incident and the righteousness of its origins.

For guidance purposes, I will make an abstract argument here in favor of disinvolving the government/state if any question exists of the significance of the unintended harm of innocents. This dovetails with the libertarian aphorism, "when in doubt, make no law," not to mention "hate the state." Where doubt exists, exclude the thrashing mechanisms of the government/state.

Its involvement entails the likelihood of gratuitous harassment of

individuals unassociated with the purported act but erroneously impugned due to apparent commonality of long term goals. Similarly, the effectiveness of the government/state institution to thwart or remedy significant acts of aggression is negligible. The reason is clear: mixture of valid government with state power, like good compromising with evil, serves the malignant ends of the state. To argue in today's context that valid ends of self-government are likely served by cooperating with the government/state is ludicrous. It crossed the line long ago. Q.E.D.

Yet on a concrete level, we must acknowledge the immaturity of many libertarians' understanding of the deficiencies of the state in effecting justice. How do we so acknowledge and, at the same time, remedy this misunderstanding?

On a personal level we can make our opprobrium of undue cooperation with the state known. We can also endeavor to elucidate the fundamentals of liberty to individuals who ap-

pear to unduly cooperate with the state. Showing conscientious consideration for particulars at hand, we can show the government/state's interests to be malignant in principle.

For members of a libertarian organization, such a personal approach to emendation is preferable to organizational repudiation of individuals. Indeed, for any explicitly political libertarian organization (LO) in America, it is vital to adopt and publicize a policy antipathetic to violence. Consequently, in the context of any problematic confrontation of libertarians with the state, a well-worded resolution to the effect that this affected LO eschews and condemns political violence is highly recommended, if not ethically demanded.

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# Fair Elections Bill

The astounding political developments that made 1989 the "year of democracy" have culminated this year in a wave of popular elections where, for the first time in decades, Czechs, Poles, Hungarians, East Germans, Soviets and others have had the right to form new parties and field a slate of new leaders to confront, in the electoral arena, the discredited social and economic policies of the entrenched ruling parties. *Perestroika*, or the restructuring of the political apparatus to allow for more openness and freedom of expression, has entered the vocabulary of people in such diverse places as Zaire and Chile, as a demand and a challenge to remaining one party dictatorships of the world.

Here in the United States, a restructuring of sorts has also been going on—but in a distinctly undemocratic direction! Over the past 30 years, Democratic and Republican legislators have been busy passing laws that limit and suppress the right of third parties and independent candidates to present their views to the American electorate. The two major parties have strengthened their monopoly over the American political process by enforcing discriminatory ballot access requirements that apply to minor parties and to independent candidates, but not to major parties and candidates. As a result of these unfair laws, an independent Presidential candidate, for example, must collect 1.5 million petition signatures—30 times more than the major party candidates—to ensure a place on the ballot in all 50 states plus the District of Columbia. In some states, independent candidates face additional obstacles, such as filing fees (10¢ per signature in Florida, 5¢ per signature in North Carolina), early filing deadlines and signature distribution requirements which violate the principle of one man/one vote.

Nowhere is the abuse of power by the two party monopoly more evident than in the practice of state legislatures passing ballot access laws that contain requirements that have previously been declared unconstitutional in the courts. For instance, both the US Supreme Court and the North Carolina Supreme Court have declared petition requirements that exceed 5% of the number of registered voters unconstitutional. Yet current law in North Carolina requires independent candidates for local office to collect signatures from 10% of the registered voters in the district. A Federal District Court has ruled that states cannot require voters to provide their social security numbers or other voter I.D. numbers when they sign a petition. Yet the Kentucky legislature just passed a bill requiring all signers of independent nominating petitions to write in their social security numbers next to their names. The Supreme Court has ruled that a non-major party candidate for President may not be required to qualify for the general election ballot earlier than the major party candidates. In spite of this ruling, 26 states still require nonmajor party candidates for President to file their petition signatures and qualify for the ballot earlier than the major party candidates. These unfair obstacles to the ballot, cynically thrown in the path of independent challengers by the major parties, force independents to tie up precious campaign resources by challenging the laws in the courts.

The right to associate in political parties for the purpose of advancing a political agenda is guaranteed to Americans by the Constitution. But many in the Democratic and Republican Parties seem to believe that the Constitution guarantees a *two party system*, rather than the right to associate in parties of your choice. Advocates of the two party

monopoly justify it by the thoroughly totalitarian (not to mention empirically unfounded) assertion that "Americans don't want other parties." By passing Draconian ballot access laws, the major parties indicate their unwillingness to put this proposition to the democratic test.

The Rainbow Lobby is dedicated to passing legislation introduced by Rep. John Conyers (D-MI), the Fair Elections Bill, H.R. 1582. This bill would eliminate these capricious and discriminatory restrictions on the participation of independents in the electoral arena, and set fair and uniform national standards for independents and minor party candidates to have access to the ballot for federal office. The Fair Elections Bill has been co-sponsored by 31 fair minded congressmen who have placed their dedication to our democracy over their narrow, partisan self interest. The Rainbow Lobby is issuing a challenge to the rest of our representatives to join these members in this effort to reverse the erosion of our democracy. For it would be a bitter irony if the blossoming of democratic, pluralistic institutions in Eastern Europe were to be accompanied historically by the withering of our own freedoms under the dictatorial regime of the two-party monopoly.

**The Rainbow Lobby is an independent citizens' lobby based in Washington, DC which supports important legislation that affects civil, human, voting and democratic rights at home and abroad. For more information on the Lobby, please contact Nancy Ross at 1660 L Street NW, Suite 204, Washington, DC 20036 (202) 457-0700.**

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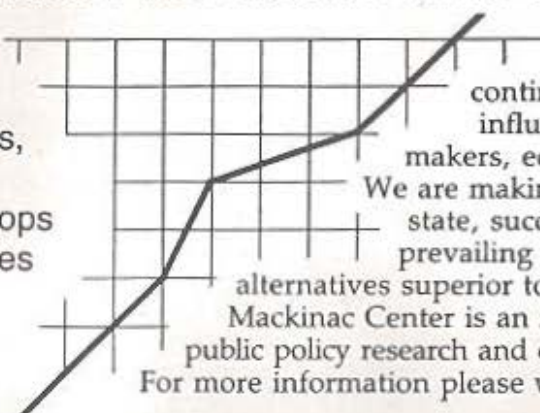


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