



# MICHIGAN LIBERTARIAN

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Newsletter of the Libertarian Party of Michigan

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## Rothbard To Highlight '89 LPM Convention

by Dick Whitelock

Even though 1989 is not an election year, this year's state party convention at the Ramada Inn in Southfield on May 5, 6 and 7 promises to be one of the most outstanding and positive Libertarian conventions in memory.

An exceptional array of speakers and guests includes Dr. Murray Rothbard, one of America's foremost Libertarian economists and author of *Man, Economy and State, For A New Liberty* and many other widely read libertarian works. Dr. Rothbard will be the featured speaker at the Saturday evening banquet on May 6.

Charles VanEaton, Professor of Economics at Hillsdale College, will present a special study he conducted for the Michigan Chamber of Commerce entitled *Study on the Privatization of Michigan*.

Lawrence M. Reed, President of the Mackinac Center For Public Policy in Midland, will address the Saturday luncheon. His topic will be "Selling the Market." Prof. Reed is a former economics teacher at the Northwood Institute and is a foreign correspondent for an Australian news magazine.

Lew Rockwell, founder and president of the Ludwig VonMises Institute and former chief of staff to former U.S. Congressman and LP presidential candidate Ron Paul, will speak on "Government lies about the economy" at the Sunday luncheon on May 7.

A Saturday afternoon panel discussion on the status of the freedom movement will be moderated by Richard Ebling of Hillsdale College and will include Murray Rothbard, Charles VanEaton, Lew Rockwell, Larry Reed and Joe Bast of Chicago's Heartland Institute as panelists.

The second annual *Screwball of the Year* awards (for 1988) will be presented to the most deserving Republican legislators in Lansing, as well as the *Dishonorable Mention* plaques for the runners-up. A new addition this year will be the presentation of *Friend of Liberty* certificates to individuals who have made outstanding contributions to the advancement of liberty in the last year.

At the Sunday breakfast, State Representative Margaret O'Connor will present the "Latest news from

the zoo" which will detail just a few of the methods used by the politicians in Lansing to waste billions of our tax dollars.

Other important events at this year's convention include a possible revision of LPM by-laws, election of state party officers and LCC members, and election of delegates to the national LP convention in Philadelphia. And, of course, there will be all the usual Libertarian fun and frolic. Take this opportunity

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## Jacobs Holds Strategy Session

by Brian Wright

On Sunday, January 15, former LPM gubernatorial candidate (1982) and our 1988 candidate for US Senate, Dick Jacobs, assembled a representative group of LPM activists in Holland to discuss where to go from here.

The session opened with a review of the 1988 Libertarian election and results of the questionnaire that Dick mailed to 510 Libertarians across the nation. Fifty-three people responded with their preferences on issue petitions, Jacobs' future political plans, LP 50 state ballot status importance, changing the party name, and whether LP presidential candidates should accept federal matching funds.

The response on the latter question was strongly (27-19) in favor of accepting matching funds, perhaps signifying an eventual change in a long-standing policy (and some would argue principle) of the Libertarian Party.



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# MICHIGAN LIBERTARIAN

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## From The Chair...

Dick Whitelock

People who dwell too much on negatives of the past won't have much of a positive future.

While a few are still complaining about the Libertarian results of last November's election, I choose to look for more positive and productive action in attaining the future goals of Libertarianism.

In my view, the Libertarian party is now in the best possible position to impact the American political scene and to capitalize on the mistakes and hypocrisy of the Republican and Democratic parties.

The Democrats are in more disarray than ever. One of their high potentates is none other than Jesse Jackson, who was enthusiastically endorsed by the U.S. Communist party during his 1988 presidential campaign.

Meanwhile, the Republicans, who claim to be extending a welcome invitation to newcomers to their herd, reject the likes of David Duke, who was elected under the pachyderm banner. Obviously, their welcome extends only to those who are willing to accept their brand of political terrorism. Hypocritical? You bet! But something neither of them can prevent because neither party can claim a standard of principles or a pledge that will keep socialists, communists, or KKK racists from infiltrating their ranks.

As dedicated Libertarians we need all of the ammunition we can get to inform the American people of the dangers in voting for candidates who represent the big government, high tax, regulatory, collectivist, socialist and communist theoreticians who carry the banners of the two older parties. We've got it...Let's use it!

At this year's state convention, we'll have the opportunity to plan our strategies for 1990, 1992 and beyond. I can think of no better forum than a gathering of people who are dedicated to the principles of Liberty: Less government (or no government); Voluntary action instead of forced taxation; Individual liberty instead of political collectivism; Freedom to choose instead of political force.

The old axiom that "there is power in numbers" was never more true. If we are to achieve our goals, we must increase our numbers. A few thousand Libertarian activists have already accomplished a great deal. Think of the impact a few million will have in 1996 and beyond.

Freedom is the birthright of America. And although the Bill of Rights has been prohibited by Republican and Democratic laws, it becomes our job to abolish socialism and to reinstitute the mandate of the U.S. Constitution. Our children and grandchildren and future

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# Volunteer Day '89

by T. O'Brien

A small but stalwart band of LPM and Metro-Detroit Libertarian activists celebrated the 3rd annual volunteer day by bringing cakes to the four military recruiting centers in Royal Oak on January 27th.

Ken Morris and Emily Salvette organized the celebration of the anniversary of America's return to an all-volunteer armed forces. Doreen Wright baked four cakes -- one for each branch of the service -- which read, for example: Best Wishes Navy Volunteers.

The group received a polite reception from the Army. The Air Force wasn't in (out finding people who don't know a good place to start, no doubt.) The Marines declined the cake (real men don't eat cake?). However, the Navy received the libertarians enthusiastically and seemed genuinely pleased and surprised that their efforts were recognized and appreciated by a group of civilians.

A second visit at the recruiting centers at the Selfridge ANG base was cancelled at the last minute by the military powers that be.

. . .

# Tax Protest '89

by Ken Morris

On Monday, April 17, the Metro-Detroit Libertarians will be conducting public awareness demonstrations denouncing government paycheck theft (euphemistically referred to as the "income tax") at various post offices throughout the metropolitan Detroit area throughout the day. We will have picket signs and banners, and distribute anti-I.R.S. literature to last-minute filers at the mail drop-off points (The filing deadline is postponed because April 15 is on Saturday.) The more people who volunteer, the more post offices we can go to! So, whether you live in Wayne, Macomb, or Oakland County (or anywhere else!), we need YOU. Some Slogans for signs include "ABOLISH THE IRS" and "TAXES: JUST SAY NO." Please call Kenneth Morris at (313) 446-3135 daytime or Stan Gentry (313) 757-5085 nighttime if interested.

Also, Central MI residents interested in participating in a similar demonstration at the Collins Rd. Post Office in Lansing that day should call Dale Dobberstein at (517) 394-4479.

## LP County Meetings

### Oakland

The Libertarian Party of Oakland County will meet on Friday, April 7 to adopt bylaws and elect officers for the next year.

The meeting will take place at Zim's Spirits and Eatery at 4880 S. Baldwin (just north of I-75). Cocktails at 6:00, dinner at 6:30, and the meeting will begin promptly at 8:00. This is a very important meeting and all LPM members who live in Oakland county should plan on attending.

### Wayne

The Libertarian Party of Wayne County meets on the last Thursday of every month in room 111 at the Henry Ford Centennial Library in Dearborn. The newly reorganized LPWC is growing quickly with more than 30 people at last month's meeting.

The March 30 meeting will feature a speaker who had not yet been scheduled by press time. For more information contact LPWC Chair Evy Warmbier at 562-6212.

### Macomb

The Libertarian Party of Macomb County will meet Monday, April 3, at the Red Lobster, SW corner of 16 Mile and Van Dyke, Sterling Heights. Cocktails are at 6:00 pm, dinner is at 6:30, and the meeting at 7:30. For more information call 977-6628. We will plan Tax Protest and have a speaker to be announced in the Macomb Libertarian.

The annual Macomb County Tax Protest will be Monday, April 17th at the Sterling Heights Post Office north side of 16 Mile (by the railroad overpass) between Van Dyke and Mound from 6:30 pm till as long as everyone can hold out. Mail is postmarked April 17th until midnight. Bring friends and your own original tax protest signs.



# Noticed Any Screwballs In Michigan Government?

A highlight of the upcoming LPM convention will be presentation of the second annual *Screwball of the Year* awards to the Michigan legislators who came up with the most harebrained piece of legislation in the previous year. State Chair, Dick Whitelock, is looking for nominees for the dubious distinction. If you have any suggestions, please feel free to send them to him at 7058 S. State Rd., Ionia, MI 48846. Be sure to include the legislator's name, party affiliation and as complete a description of the bill as you have. One Senator and one Representative will be singled out for recognition with runners-up receiving *Dishonorable*

*Mention* certificates.

In addition, *Friend of Liberty* certificates will be awarded to individuals who have served the cause of liberty in the last year. Mr. Whitelock is also looking for nominees for these awards. Candidates could be radio or TV personalities, newspaper editors or reporters, private sector citizens who have challenged the force of government, as well as Judges, Senators or Representatives. Again, please include as much information about your nominee (and your reason for nominating him or her) as possible.

## Don't Blame Me, I Voted Libertarian!

The Libertarian Education Institute, Ltd. (LEI), the convention planning organization for the 1991 Libertarian National Convention, has begun to build its war chest. They will be financing their efforts, partially, through the sale of "Don't Blame Me, I Voted Libertarian" Bumper Stickers. LEI wants to make the Chicago Convention, one which Libertarians and Chicagoans alike will never forget. We have already begun the task of convention planning two and a half years early. Uniquely, the national "800" number will also be included below the phrase. The Blue & White Bumper Stickers are available for \$2.00 each, (with discounts available for bulk purchases) from: LEI, Suite 405, 1111 Church Street, Evanston, Illinois 60201.

## Conyers to Re-introduce Ballot Access Reform Bill

from *Ballot Access News*, January, 1989

U.S. Representative John Conyers (D-Michigan) says he will again introduce a bill to help solve ballot access problems. The bill was known as HR 2320 in 1985-86 and HR 1582 in 1987-88. The new bill won't get a number until it is introduced. Nevertheless, it is possible to contact your Representative now and ask him or her to co-sponsor the bill after it is introduced. Point out that voter turnout this past election was the lowest for a presidential election (50.2%) since 1924. Ask if it would not be sensible to include more people in the process. Point out that ballot access in 1990 will be approximately 50% more difficult than it was in 1988, unless Congress steps in. Also point out that 76 members of Congress (a record number) had no major party opposition on the November ballot.

## Lewis Released

by T. O'Brien

Jim Lewis, long time LP activist, tax resistor and 1984 candidate for Vice-President of the U.S., was released from the Allenwood, PA federal prison camp on January 27.

Jim was serving a one year sentence for "willful failure to file" federal tax returns after being convicted of that charge in Connecticut by a jury which was basically instructed by the trial judge to ignore Jim's defense that he based his actions on a "good faith" belief that the tax system was unconstitutional.

At the trial, the government tried to suppress Jim's argument regarding the legal validity of the tax system by claiming that the question was too complicated for the jury to comprehend. However, the Judge allowed Lewis to make his case since it definitely had direct bearing on the "willfulness" element of the "crime." Lewis observed the irony in the government's assertion that he should be convicted of misunderstanding a tax system that was too complicated to present to a "jury of his peers."

In a letter to *ML* following his release Jim thanked all of us in Michigan for our support [*Editor's Note: ML has a policy of sending complimentary copies to all LP political prisoners.*] and said, in part:

The time at Allenwood went fairly quickly. I occupied myself with my study of the Constitution, letter writing and recruiting or locating libertarians.

During the day, like all the inmates, I had a work assignment. The Bureau of Prisons operates a growing industrial complex and at the Allenwood facility they manufacture office furniture which is "sold" to other federal agencies.

I managed to get a position in the factory business office and spent my days typing invoices. The advantage was that the office was air-conditioned and in the summer this was appreciated. The rest of the camp was without this service.

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# "Proclaim Liberty"

The 1989 bi-annual National Convention of the Libertarian Party will take place Thursday, August 31st through Sunday, September 3rd, in center-city Philadelphia at the Wyndham Franklin Plaza Hotel. Themed "Proclaim Liberty" after the inscription on the Liberty Bell, it marks the return of LP conventions to the East Coast after four of five being west of Kansas.

The organizers, Proclaim Liberty Convention Associates (PCLA), are long-time Libertarian activists Don Ernsberger, Linda Morrison and Dave Walter. PCLA is developing a "don't want to miss" program and has set the lowest full convention package price in years for advance registrations: only \$199.95 until April 15th.

Michigan will be choosing delegates and alternates at the May LPM convention in Southfield. As *ML* goes to press we do not have exact figures back from the national LP on how many delegates Michigan will have (this number is derived primarily from the number of national members we had on February 28.) However, we should be entitled to approximately twelve delegates. And, even if you aren't chosen as an official representative of the LPM, you'll want to attend the national convention.

While there will be the usual business sessions (By-laws, Program, Platform, Officer and NatCom elections), speakers and exhibitors, it is being billed as the convention where the LP's direction for the future will be decided. The entire convention will hear panel discussions on the party's future and consider such questions as: Should our presidential

candidate accept taxpayers' matching funds? Visions of new goals and strategies will be an important part of the decision on a new Chair for the party with a three-way (or more) contest appearing probable.

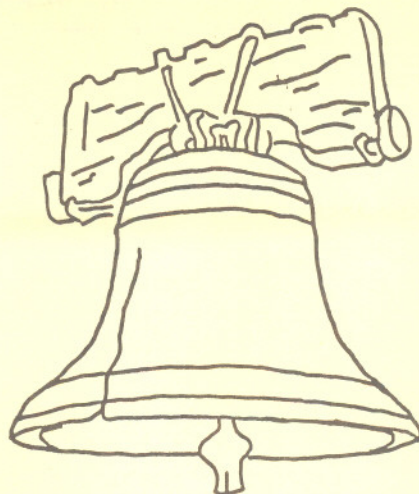
The program features "nuts and bolts" sessions on political techniques, of course, along with speakers on issues and ideology. While some speakers will be the Libertarian celebrities and personalities you expect to hear, there will be others who aren't Libertarian but who carry an exciting message.

"Special Events" scheduled include a trip to Atlantic City's casinos and famous boardwalk, a tour of historic olde Philadelphia including Independence Hall and the Liberty Bell, the gala banquet on Saturday night, and three breakfasts with top Libertarian celebrities. An extra event you might wish to attend will be the Society for Individual Liberty's "20th Anniversary of the Movement" banquet on Wednesday night, honoring *LP*

*News* editor Karl Hess. (Write to Don Ernsberger, 865 Meadowood Lane, Warminster, PA 18974 to receive information on this event.)

The "Proclaim Liberty" Convention will be a great chance to choose the new people to lead the party in the direction you favor, see a great historical city of interest to Libertarians; enjoy a great program that will have you eagerly anticipating each event, as well as being a wonderful opportunity to meet and socialize with other Libertarians from around the country. All at a great price!

For full information, write: Proclaim Liberty Convention, P.O. Box 338, Warminster, PA 18974.





# One Last Election Post-Mortem

LPM activist Tom Jones has provided *ML* with a detailed and comprehensive break down of our vote totals in the '88 presidential race in Michigan by county. This information indicates our relative strength and weakness in various areas throughout the state. Following are two lists of the "Top Ten" counties. The first is ranked by raw number of votes, the second is by votes in proportion to population.

## Most Votes

<u>Rank</u>	<u>County</u>	<u>Total</u>	<u>Percent</u> (of LP votes)
1.	Wayne	3594	19.60
2.	Oakland	3341	18.22
3.	Macomb	2009	10.96
4.	Kent	921	5.02
5.	Ingham	677	3.69
6.	Washtenaw	669	3.65
7.	Genesee	564	3.08
8.	Livingston	364	1.99
9.	Ottawa	349	1.90
10.	Kalamazoo	333	1.82

## Highest Proportion

<u>Rank</u>	<u>County</u>	<u>Total</u>	<u>Percent</u> (of population)
1.	Midland	271	.79
2.	Livingston	364	.78
3.	Ionia	149	.72
4.	Lapeer	202	.71
5.	Oakland	3341	.71
6.	Luce	17	.69
7.	Macomb	2009	.68
8.	Benzie	37	.63
9.	Hillsdale	99	.63
10.	Emmet	73	.63

## Littmann To Give 1989 Libertarian Week Address

by Virginia Cropsey

David Littmann, Vice-President and Senior Economist at Manufacturers Bank, has been scheduled to give next year's Libertarian Week address on October 21. "Mr. Whitelock and I feel very strongly that the LPM needs to build continuity from year to year. More major projects should be "in the works" for the following year prior to state conventions. Scheduling Libertarian Week 1989 and securing a speaker of Mr. Littmann's calibre is one step in that direction," said LPM Vice-Chair Virginia Cropsey who scheduled Littmann. "We want to restore Libertarian Week to the stature of the event in its early years."

Karen Elder, Rochester, has agreed to chair next year's banquet.

## Lewis Released *continued*

The work itself would occupy about one hour a day and the balance of the time was spent trying to look busy. There were about of dozen of us in the office and by the time I departed at least half recognized that they were libertarians. I am hoping that there will be an Allenwood caucus at the Philadelphia convention.

Please extend my best wishes to the Michigan Libertarians. I am looking forward to seeing all of you in Philadelphia.

## Rothbard *continued*

to converse with other freedom fighters who share our goals of getting government off of our backs and out of our pockets. THIS IS THE EVENT OF THE YEAR AND YOU WON'T WANT TO MISS IT!

Send in your pre-registration early and be prepared to participate in one of the most important freedom functions ever. Volunteers are also needed to help sell advance tickets to the Saturday evening banquet featuring Dr. Murray Rothbard. Call LPM Treasurer Jeff Hampton at (313) 348-7714 for more information and tickets.

## Important Notice

New members of the LPM must be members for at least 30 days to have voting privileges at party conventions. This means that you must have joined the LPM by April 5, 1989, if you wish to vote at the May convention. Lapsed memberships may be renewed at the convention with no loss of voting privileges, however, it is requested that these be renewed prior to the convention, if possible. This will help simplify things and avoid confusion during the convention.



# What if a juror voted 'not guilty'?

by Roy Hookanson

Did you know that by the simple act of voting "not guilty," and sticking with it, one juror can nullify any law bearing on the case before his or her trial jury?

American jurors are independent and not bound by any evidence, court procedure, instructions or interpretations of law from the judge. And, a judge can't stop or penalize a juror for the way a juror decides to vote. The juror's vote is the right of the juror, not the right of the judge.

Any juror that allows a presiding judge, prosecuting attorney, or any other person for that matter, to manipulate the juror's decision is nothing but a tool or robot in their hands -- and does a gross disservice to every American.

No jury ever has to reach a unanimous verdict. In spite of what any judge tells them -- or intimidates them into believing.

Where there is no victim, it is a juror's duty to refuse to convict anyone of a criminal violation. True justice demands there be a real victim, before any act can be considered a real crime.

American jurors' duty and absolute power to nullify bad law helps guard the God-given rights of every individual to life, liberty, and the pursuit of happiness. Our jury power is secured by the Supreme Law and our Bill of Rights, especially the Ninth Amendment to our United States Constitution.

Jurors are doing their duty when they refuse to enforce any law that mislabels the exercise of a common right as a crime. Or, in the juror's mind the law is bad for some other reason. For instance: When a law is not clear enough for the average person to easily understand it.

Most jurors are not aware of their true rights, powers and duties, oftentimes resulting in victims of bad law being sent to jail who should be free -- and a corresponding gradual erosion of every American's rights and freedoms.

All Americans need to understand that when they are on jury duty, their jury vote is the most direct and powerful vote they can ever cast -- to help preserve equality of true justice and freedom for every fellow American.

Someday, you may be accused of violating a vague or unjust law. Then wouldn't you want the jurors to be as aware of their power to nullify law as you are?

Immediately pass on copies of this article to no less than seven others -- who in turn do the same. And in a few weeks it is possible through compounding of numbers, to awaken tens of millions of our fellow Americans to their phenomenal jury power.

Help proclaim liberty and justice throughout our land!

## *Jacobs continued*

Jacobs spent the next portion of the meeting discussing different labeling possibilities for the Libertarian Party. In particular, it was suggested that "Independent Party" would take advantage of the fact that 32% of the voters label themselves independent (vs. 31% Democrat and 24% Republican). Unfortunately, some legislatures have noted this affiliation and prohibited the Independent Party name. (To which some countered, "Okay, then, how about 'Very Independent' or 'Extremely ...', etc.")

Nevertheless, sentiment remained strongly in favor of sticking with the existing party name. Chuck Congdon expressed the corollary sense of long-term optimism with what he termed the Wayne Gretsky school of marketing: "Don't go where the puck is, go where the puck is going to be." (i.e. the game is coming our way inevitably, so let's not confuse anyone by overreacting to short-term popularity concerns.)

Then Dick gave everyone a sketch of his possible political plans for the next few years and what he sees as best for the party. He argued for the LPM running candidates for the state board of education for our "top-of-ticket" in 1990 (to retain precious ballot status for '92) and focusing on local races. He suggested possibilities of his campaigning in '90 as an independent or participating in a major party primary for governor or US Senate, with the intent to win.

Discussion then centered on a number of ideas for issue petitions to generate interest in the Libertarian Party/Dick Jacobs alternative. Of the many suggested and discussed, the direction boiled down to three petitions: 1) free up the government schools through vouchers or credits, 2) remove or reduce onerous taxes, notably the wealth-inhibiting inheritance tax, and 3) require popular review/approval of public official salaries and allow video coverage of legislative sessions.

The latter issue petition generated the greatest

*Continued on page 15*



# Cash To Become Another Victim of the Drug War?

by Martin Burns

from *Spotlight* February 6, 1989

In the closing hours of the 100th Congress H.R. 5210 -- the Omnibus Drug Initiative Act of 1988 -- was passed into law. This law has since been signed by then-President Ronald Reagan.

Most of this 500-page bill is very drug specific. It provides for more resources for law enforcement agencies to fight drug trafficking, establishes civil penalties for recreational drug use, provides resources for drug education and rehabilitation and mandates that foreign governments cooperate with American drug enforcement efforts as a condition of receiving economic aid and other benefits.

The provision with potentially the greatest impact on Americans not connected to the drug trade is Section 1009, titled "Study of withdrawal of legal tender status of \$100 Federal Reserve notes." This section reads as follows:

(a) Study Required--The Secretary of the Treasury, in consultation with appropriate law enforcement agencies, shall conduct a study of the feasibility of withdrawing the legal tender status of \$100 Federal Reserve notes.

(b) Factors to be Considered--The study conducted pursuant to subsection(a) by the Secretary of the Treasury shall include an analysis of the following factors:

(1) Whether \$100 Federal Reserve notes are being used predominantly for illegal activities, especially drug-related transactions.

(2) Whether withdrawing the legal tender status of \$100 Federal Reserve notes would help deter such illegal activities.

(3) Whether withdrawing the legal tender status of \$100 Federal Reserve notes would impair legitimate business transactions

(4) Whether withdrawing the legal tender status of \$50 Federal Reserve notes (in addition to the \$100 notes) would result in even greater deterrence of illegal activities.

(c) Report Required--Before the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall submit a report to the Congress on the study conducted pursuant to subsection (a).

This bill became law in early November, 1988. Thus, the study must be completed by early May, but in fact may be ready in March or April, before the April 15 income tax filing deadline. The fact that the study

calls for considering the status of the \$50 bill as well is a tip-off that demonetizing the C-note, at least, will be recommended.

Another section of the law--Section 1002--deals with the purchase of financial instruments for cash. It reads as follows:

(a) In General--No financial institution may issue or sell a bank check, cashier's check, traveler's check or money order to any individual in connection with a transaction which involves United States coin or currency (or such other monetary instruments as the Secretary may prescribe) in amounts of \$3,000 or more unless--

(1) the individual has an account with such financial institution and the institution--(A) verifies that fact through a signature card or other information maintained by such institution in connection with the account of such individual; and

(B) records the method of verification in accordance with regulations which the Secretary of the Treasury shall prescribe; or

(2) the individual furnishes the financial institution with such forms of identification as the Secretary of the Treasury shall prescribe....

Earlier laws and regulations have already defined convenience stores, the U.S. Postal Service, liquor stores and other traditional outlets for the sale of money orders as "financial institutions," so they too are bound by this law.

Then there is a draconian provision that provides new civil penalties on banks in violation of this law. Section 1006 (j) (1) reads as follows:

Penalty Imposed--Any insured bank and any director, officer, or employee of an insured bank who willfully violates any regulation prescribed under this section shall be liable to the United States for a civil penalty of not more than \$10,000.

This particular provision applies only to banks insured by the Federal Deposit Insurance Corp (FDIC).

*[Editor's Note: Since this article appeared, the Bush administration has proposed a bailout scheme for bankrupt Savings and Loans that includes eliminating the FSLIC and putting all financial institutions in the U.S. under the jurisdiction of the FDIC.]*



# Drug War P.O.W.s

## Part I

*[Editor's Note: Following is an interview with an Arcadia, MI resident -- someone on the front lines in the War on Drugs. RW lives in a rural part of the state and makes his living as a logger. An interview with two more casualties will follow in next month's ML.]*

**ML:** How is it that you became interested in this issue of drug prohibition?

**RW:** Well I've been using marijuana since 1965.

**ML:** Do you use any other drugs?

**RW:** I do use some cocaine. But I think that that is a really dangerous drug. You have to be real religious on your principles or you can go overboard with it.

**ML:** What about alcohol and tobacco?

**RW:** No. Well, I do use tobacco. I don't use alcohol.

**ML:** So, how did you first become involved with the legal system as a result of your drug use?

**RW:** I always heard bad things about marijuana from the government when I was in school. You see, I couldn't read until I was 27 years old. I was illiterate. Below third grade level in reading. Even though I graduated from high school.

**ML:** Government schools?

**RW:** Yes.

**ML:** You graduated from a government high school without even being able to read?

**RW:** I couldn't even read a menu or pass my driver's test because everything was backwards for me because I'm dyslexic. But it wasn't diagnosed until I was 29. I just thought that I was dumb. You know?

**ML:** Well, getting back to the subject, when was the first time you ever got into any legal scrapes as a result of using either marijuana or cocaine or any other illegal drug?

**RW:** 1982 was the first time I was busted -- for growing marijuana.

**ML:** You were growing your own marijuana?

**RW:** In my garden, yes.

**ML:** How did the authorities come to find out that you were growing marijuana?

**RW:** First, if anybody asked, I would tell the truth about it. I was growing it just like all the rest of my crops.

**ML:** How much did you grow? A lot, or just a few plants?

**RW:** Oh, no. Just about five or six plants.

**ML:** So, how exactly did they find out that you had this prohibited flora in your garden?

**RW:** Okay. I was caretaking some property -- actually over four thousand acres. Well, one of the pieces of property, about sixty acres, I noticed part of it had been logged. So, I contacted the owner and told

him. And he said he'd never had his property logged. And I said, "Well, your trees have been cut down!" There were stumps there five foot in diameter! Now, he lives here near Detroit in Grosse Pointe Woods. So, he asked me to look into it. In checking into it I found out that the property adjacent to his had been logged and they 'had a long axe' -- which means that instead of cutting a square forty, they cut a round forty. See you generally start in one corner and cut in a circular shape. Of course, that means that you're stealing some of your neighbor's trees. So, when I told the guy I was caretaking for, he asked me to notify the police. So, I did. I told them the whole story and gave them the location of the property. But, instead of going to where the theft happened, they came to my house.

**ML:** So they came to investigate this logging complaint that you had filed and in the course of that they saw that you had marijuana plants growing in your backyard?

**RW:** Right. And I was arrested for 'manufacture with intent to deliver.'

**ML:** So what happened when you came to trial on that charge?

**RW:** Well, in his closing statement the prosecutor told the jury that, even if they didn't prove this charge, they could convict me of simple 'possession.' And that's what I was convicted of.

**ML:** So you were convicted of possession of marijuana and what was the sentence?

**RW:** Fifteen days in jail which was suspended, \$500 fine and one year probation. But I refused to take the probation or pay the fine.

**ML:** You refused?

**RW:** Yeah. Then nothing happened for the next eleven months. Finally, the probation officer filed a complaint and I was picked up for probation violation. And I said to the prosecutor and the probation officer and everybody else involved that any acceptance of this fine or probation would be accepting the law which I am fighting. There was no victim. There was no crime!

**ML:** So you were on appeal?

**RW:** Yes. The appellate court said that they could not rule -- that it was up to the supreme court on the constitutionality of the law.

*Continued on page 12*



# Correcting for Luck

by James L. Payne

This article is adapted from the September 1988 issue of the *Freeman*, published by The Foundation for Economic Education.

What should government do about luck? When some people earn more than others because of their family background or education, should we use the state to "even out" the results? It's a question worth thinking about carefully, because hundreds of billions of dollars of federal spending hang on the answer.

Conservatives have argued against government redistribution of wealth on the grounds that luck isn't the deciding factor in personal success. Often citing themselves as examples, they claim that wealth is the result of hard work and self-sacrifice. People are poor, they say, not because of bad breaks but because they are lazy.

The left says this is unrealistic. How much money you earn depends on where you were born, who your parents were and so forth -- factors over which the individual has no control. Further arguments for this view include the effect of heredity. To be an energetic, hardworking type of person may itself be an inherited personality trait, something the individual cannot take credit for.

Through the years, the issue of government redistribution of income has been debated in these terms: Are we self-made men or are we lucky? Not surprisingly, the left-wing position stressing the importance of luck has carried the day -- and the result is the gigantic welfare state we now have.

Unfortunately, the debate has been taking place on the wrong grounds. The issue is not whether luck plays a critical role in earning power but whether government should be used to compensate for it.

The first problem with using the state to redress the effects of luck is ethical. State action, after all, is based on coercion. When government takes money from someone because he has earned more than another, it is inflicting a species of punishment for what should not be considered a crime. Wealthy people may be urged to help those less fortunate than themselves on a voluntary basis, but to coerce them to do so is hardly the route to a more caring society.

The second objection to state redistribution of wealth is economic. Individuals may not be responsible for their talents and abilities, but they are *motivated*. They respond to the rewards and penalties that confront them. It is in this sense that a rich person might feel "self-made." He knows that his wealth came as the result of hard work, not by sitting under a tree.

Because we are motivated, policy-makers have to be careful how they manipulate the pattern of rewards. Unfortunately, liberals are rather insensitive to this issue. They tend to assume that people will go on doing good and constructive things in spite of governmental policies that weaken the relevant incentives. Working, in particular, is thought to be automatic: Teachers will teach and welders will weld regardless of what we do to the incentives which support these activities.

But of course this view is naive. Work is extremely sensitive to reward systems. This is why state redistribution policies are so harmful; they undermine incentives for both the lucky and the unlucky. The more produc-

tive members of society are discouraged from being as productive as they could be by denying them some of the fruits of their labor, as is clearly done in an income tax. And the less productive are discouraged from working since they are supported by unworked-for income.

Voluntary charity as a method to compensate for luck largely avoids the drawbacks of state systems. For the donors, voluntary charity does not discourage work but becomes a reason *to* work. Charitable giving is a consumption item that the worker freely spends his money on, like buying a stereo or tickets to the opera.

For the recipients, the main problem with state charity is its routine, perpetual character. This feature seems inevitable when government is involved, since the distribution of money must be tied to firmly established regulations in order to be (or seem) fair and accountable to the entire nation. The regularity of state monies means that the recipients can become dependent upon them.

Private charity, especially individual charity, is much more flexible and, from the recipient's point of view, undependable. It can thus be the "helping hand" in an emergency without becoming a permanent part of the beneficiary's income calculations.

The biblical injunction to accept ourselves humbly as creatures of God, not as self-made men, is healthy. And so is the exhortation to help those less fortunate than ourselves. The error lies in using the coercion of government to implement these ideas.



# Feminist Censorship

by Drew Clark

from *Common Sense*, Fall, 1988

In the first few days of 1984, the Minneapolis city council voted for an ordinance that would have defined pornography as "discrimination against women," thus allowing all Minneapolis women to file "civil rights" complaints against the distributors of such materials, regardless of whether they are exposed to or affronted by it. Had it not been for the veto of Mayor Donald Fraser, the First Amendment right to free speech would have been in jeopardy. This ordinance advocating censorship is indicative of the modern state of leftist feminism, whereby "progressives," once great defenders of civil liberties and a free press, now advocate governmental coercion in order to impose their values on others. The New Censorship, surprisingly, comes from those very feminists who want to get government off their backs when it comes to issues like abortion. It is deeply disturbing that a movement with such noble aspirations of freedom and equality concludes that government force is the way to liberation.

The arguments for censorship are simplistically compelling: someone else has an idea that is bad, wrong or dangerous, and must be stopped from expressing it. It is thought that an unpopular "fringe element" will erode society unless the steadfast majority takes action to curb it. But this view disregards the rights of the minorities that must not be transgressed even in a democratic government. It is truly amazing in America how few people read "Congress shall make no law abridging the freedom of speech, or of the press...." and think that "no law" means *no law*. Censorship is censorship, and it is *absolutely* prohibited by the First Amendment.

The feminist claim that "pornography leads to violence" is an understandable objection that must be seriously addressed, however. There have been innumerable studies about sex, aggression, and violence in our modern, media-oriented society. Who among us has not heard that children are exposed to thousands of television murders in their early years? One can be made to experience all kinds of emotions through books, films, or magazines: one of their prime purposes is to communicate that emotion, be it anger, lust, tranquility, or love. But when feminists then announce that those who read pornography are bound to become rapists, their conclusions are unfounded. A *Presidential Committee on Obscenity and Pornography* concluded that there is "no evidence that exposure to or use of explicit sexual materials plays a significant role in the causation of social or individual harms such as crime, delinquency, sexual or nonsexual deviancy or severe emotional disturbances."

Even if there was the slightest correlation between pornography and violence, would that be reason to ban obscene material? There have been many great leaders who have been prohibited from leading peaceable demonstrations because it would have led to disorder. White racists tried to prohibit Martin Luther King's non-violent Birmingham demonstrations on the grounds that it "might lead to violence." Take an even more inflammatory example. Should the U.S. Government pass laws against the Communist Party, which openly advocates revolutionary violence? No -- of course it shouldn't, because freedom of speech extends even to groups advocating violence. As long as they don't murder, rape, and steal, they are justified in their existence.

"Ah-hah! the feminist replies, "but pornographers are murdering, raping, and stealing!" To the extent that a magazine publisher is a rapist, he is no longer merely exercising his right to free speech -- and he ought to be punished for his crime. There can be a clear demarcation between abuse and expression. Those who think that all women are uncharacteristically "exploited" by pornography ought to ask those women who pose for such material if they feel they are being "exploited" by volunteering to pose for a pornographic publication.

I don't know how feminists feel about the fact that they are right in step with Jerry Falwell's religious right when it comes to pornography and obscenity. Gloria Steinem, standard bearer in the women's movement, makes an excuse for holding this censorship position. In "Erotica and Pornography" [*Ms.* November 1978], she struggles to point out the difference between the two: "pornography" is domination and violence against women, "erotica" is mutual, passionate love. A fair enough distinction, but where is this fine line between eros and porno, and who is to draw it? As D.H. Lawrence has written, "one man's pornography is another man's poetry." Once there is some kind of legal restriction on the First Amendment, who does Steinem think will be interpreting the law? Liberal, feminist arbiters or conservative backwater judges?

All of this does not mean that we have to simply grit out teeth, close our eyes, and feel angry when we see pornography. There are several non-coercive *free-market* ways to deal with those things that we feel are abhorrent. The Selma boycott begun by Rosa Parks back in the 1950's shows how effective private economic action can be in protesting what we feel are immoral practices. In my home country of Northern Virginia, a group

*Continued on page 12*



## *Drug War P.O.W.s continued*

**ML:** Did you appeal to the supreme court?

**RW:** I started to. But then my attorney got elected prosecutor and had to withdraw from the case. I couldn't do it by myself, so I dropped the appeal. It got remanded to District Court and the judge sentenced me to thirty days. So I went on a hunger strike and then they let me out -- after sixteen days. And they never did get the \$500! Now, during this time -- the '82 conviction -- I was busted again. In '83.

**ML:** What happened that time? The cops showed up at your property again looking?

**RW:** Nope. Some thieves came in during the night and stole most of the plants and I called the police and reported the theft. So, they came out and when I told them they said, "You've got to be kidding? You want us to look for your stolen marijuana plants?" And I said, "Wait a minute! I want you to search for a person who trespassed onto my property and committed larceny." But as soon as they saw the few plants that were left, they went in and pulled them, walked all over the footprints and tire tracks. They never took any evidence. They never checked anything. I had an eye witness that saw the vehicle and had a description of it and the people that stole the plants. But they never made any attempt to catch those people. And as I told them that night, a thief is a thief! Today they ripped me off. Last week they could have been ripping off a church or a store. Next week they might break into your house! I want those type of people off the streets! And I said, "That's your job!"

**ML:** But all they were concerned with was the marijuana.

**RW:** Getting the rest of my marijuana, right.

**ML:** So they charged you again in '83?

**RW:** This time with just 'possession.' I went to trial acting as my own attorney and I demanded that they show how my use of marijuana was harming society. But, of course, that was never done. So, the prosecuting attorney said that if I'd just plead guilty, I'd just get a \$10 fine. I said no. Not any amount of money -- even if it was a penny. I said, "I'm not guilty of any crime." Even so he asked the judge to give me just a \$25 fine. I was irate. I said, "You make a mockery out of what I'm trying to show and now you're making a mockery out of the judicial system! This is my second conviction! And I blatantly grew it this time! The first time I got sixteen days in jail and now a \$25 fine? By your standards I should get the maximum! The judge gave me ninety days. But I only served five days and they let me go on a work release. And then, after a week of that, they just suspended the rest and let me go. But, you know, several times while I've been in jail I've smoked marijuana -- in front of the officers! It's so hypocritical. That's why I keep resisting. I

won't make their "job" easy. And as a matter of fact, one of the sheriffs is testifying for me as a character witness in this case!

**ML:** What case?

**RW:** On this case right now...

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## *Feminist Censorship continued*

called "Citizens Against Pornography" succeeded in persuading People's Drug Store to remove the February 1984 issue of Hustler from their shelves. What keeps me and many others from supporting groups like these is that, in their crusade against pornography, they do not distinguish between the rational method of persuasion and the coercive method of governmental force. What Voltaire said two centuries ago is as true today: *I may detest what you believe, but I will defend to the death your right to say it.*

People have the right to think, speak, and communicate about the values and ideals that they hold. There is no difficulty in respecting what others say so long as we agree: the true test comes when someone has an unpopular belief. The First Amendment protects all speech, minority as well as majority, and allows each person to discover truth with his own thought and reason. It is quite unfortunate that the feminist movement, based as it is on the self-determination of each individual, female and male, thinks that it can dismantle the male patriarchy by building up governmental paternalism.

The fact that the last general election saw 98 percent of the incumbent members of Congress win reelection would appear to substantiate the contention that wastrel government is the will of the people. However, the success rate of incumbent legislators is not necessarily due to voter approval. After all, the success rate of incumbent officers of the Soviet Union's Communist Party is 99 percent. What's more, their voter turnout ratios are greater. Yet, we'd hardly tout such statistics as a manifestation of an obviously popular government.

-- John Semmens

## *From The Chair continued*

generations of Americans deserve nothing less than freedom from government oppression.

I urge each of you to set aside the weekend of May 5, 6, and 7 for "Liberty Time" at the state convention in Southfield. Let's join together to plan for the future and work to accomplish our destiny of freedom.



# Tao Te Ching

*Excerpts from the work written by Lao Tsu, in sixth century B.C.,  
China.*

Whenever you advise a ruler in the way of Tao,  
Counsel him not to use force to conquer the universe.  
For this would only cause resistance.

Achieve results,  
But not through violence.

Force is followed by loss of strength.  
This is not the way of Tao.  
Weapons are instruments of fear; they are not a wise man's tools.  
He uses them only when he has no choice.  
Peace and quiet are dear to his heart,  
And victory no cause for rejoicing.  
If you rejoice in victory, then you delight in killing;  
If you delight in killing, you cannot fulfill yourself.

Knowing others is wisdom;  
Knowing the self is enlightenment.  
Mastering others requires force;  
Mastering the self needs strength.

The world is ruled by letting things take their course.  
It cannot be ruled by interfering.

When the court is arrayed in splendor,  
The fields are full of weeds,  
And the granaries are bare.

The more laws and restrictions there are,  
The poorer people become.  
The sharper men's weapons,  
The more trouble in the land.  
The more ingenious and clever men are,  
The more strange things happen.  
The more rules and regulations,  
The more thieves and robbers.

Therefore the sage says:  
I take no action and people are reformed.  
I enjoy peace and people become honest.  
I do nothing and people become rich.  
I have no desires and people return to the good and simple life.  
Why are the people starving?  
Because the rulers eat up the money in taxes.  
Therefore the people are starving.

Why are the people rebellious?  
Because the rulers interfere too much.  
Therefore they are rebellious.



# Life in These United States

by T. O'Brien

## Moat Around America

**California.** In what is, perhaps, the best example so far of xenophobia run amok, it is being seriously proposed that a four mile long ditch be dug along the Mexico/California border near San Diego to help keep out people trying to escape to the relative freedom and prosperity of the U.S.

The ditch would be fourteen feet wide and five feet deep -- designed to stop vehicles from being able to cross into California. The territory near the proposed site is relatively flat and vehicles are currently able to cross practically at will, according to government officials. The zealous defenders of America from vicious migrant workers believe that few vehicles will be able to cross at points beyond the planned ditch because that terrain is less passable.

The Immigration and Naturalization Service has already commissioned an environmental impact study and expects to complete the project by next fall. A Bush administration official defended the plan as "necessary to prevent illegal crossings."

What a marvel of advanced thinking! Maybe INS should consider extending the ditch along the southern borders of California and New Mexico to connect up with the Rio Grande in Texas. Of course, we'll need a few conveniently located drawbridges...

## Green Acres

**Nebraska.** More than \$100 Million has been earmarked to build a new dam here to irrigate more corn crops. Nebraska farmers are currently keeping idle more than two million acres of prime corn land under federal "pay not to plant" subsidies.

## Bell, Good Book and Candle

**Mississippi.** A U.S. District Court judge here has ruled that the Salvation Army violated a woman's right to freedom of religion when it fired her because she practices witchcraft. Judge Daniel Russell held that the venerable Christian organization cannot discriminate against witches because it receives federal funds for some of its programs.

## What Was That?

**Massachusetts.** A clear contender for the Government Doubletalk award has to be Governor Michael Dukakis's secretary of administration and

finance, Frank Keefe, who sent a letter to state legislative leaders that contained the following sentence: "Because the timing of expenditures from the reported account(s) is anticipated to be highly sporadic, the construct of 'current rates of spending' projected across ensuing allotment periods does not apply meaningfully, and the need at this time for an allotment which exceeds the periodic formula amount does not, in itself, provide any real indication that spending for the year will exceed appropriated levels."

Huh?

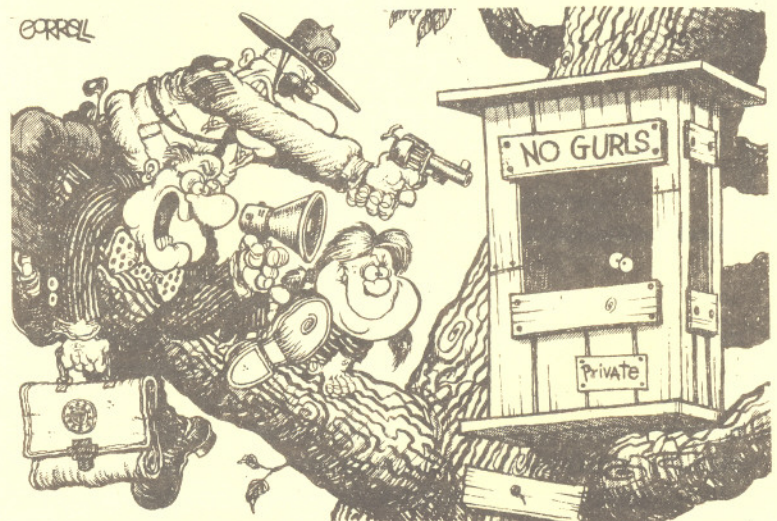
## IRS Plans To Operate After Nuclear Attack

Reprinted from *Insight Magazine*, 1/23/89.

Stung by criticism that it is slow in implementing changes in the tax law, the Internal Revenue Service is working to boost its image. As part of its can-do image, it has issued an addition to employee manuals that says the agency will continue to collect taxes even in the event of nuclear war.

The addition lays out, in five terse paragraphs, Internal Revenue's plans: "In case of a national emergency -- especially resulting from nuclear attack -- the primary function of the Service is to support the Secretary of the Treasury. To this end, the Service's duties will consist of analyzing and reporting on emergency tax legislation, prescribing regulations and forms, and issuing rulings and technical information of an emergency nature."

The IRS also plans to resume its "essential functions" -- assessing, collecting and recording taxes, as well as enforcing the tax laws and handling appeals -- "when directed or 30 days after the termination of the immediate post-attack period."



"THIS IS THE FEDERAL GOVERNMENT, THEODORE! ... LET SARAH JOIN YOUR CLUB OR IT'S NO TV FOR A WEEK! ..."



# Lottery Selections Instead of Elections

[Editor's Note: This amusing little piece was sent to ML by a faithful reader. The author is unknown.]

Let's abolish elections (and political parties) and put people in government by lottery. A true believer in (wo)man's ability to rule (her)himself must agree with this premise. And aren't you a true believer? **NO MORE ELECTIONS!!**

Everyone loves drawings. Bingo beats elections. Every year we have a political drawing day. All drawings -- village, town, city, township, county, state and national offices -- will be staggered so that once every (two?) (four?) six years we select new officials at every level. Every citizen over 18 (16?) (14?) is eligible to be selected by lot to some office. Once a name is drawn, no matter for what position, that person serves for six years (two?) (four?). Never again can that person have her or his name put in the drawing. And government officials are selected (not elected) by drawing.

What could be fairer? Every citizen has a chance to be a congress(wo)man, senator, president, mayor, or what have you. President by chance... not choice. Now that's fair play! Picture it. Think of the suspense, the interest. At each lottery, held in a different city every time, before thousands at the drawing and before the entire country on live TV (No taped sessions allowed.), the person making the drawing picks names for each office from the huge

drum containing the names of the 200 million eligible citizens. If you don't think a drum could be built large enough to hold all the names, perhaps they could be put in a computer and be run through a screen at a speed making them illegible and a blindfolded person could push a button stopping the computer. And the name of that person where the computer stopped would be the winner! Everyone gets picked by chance.

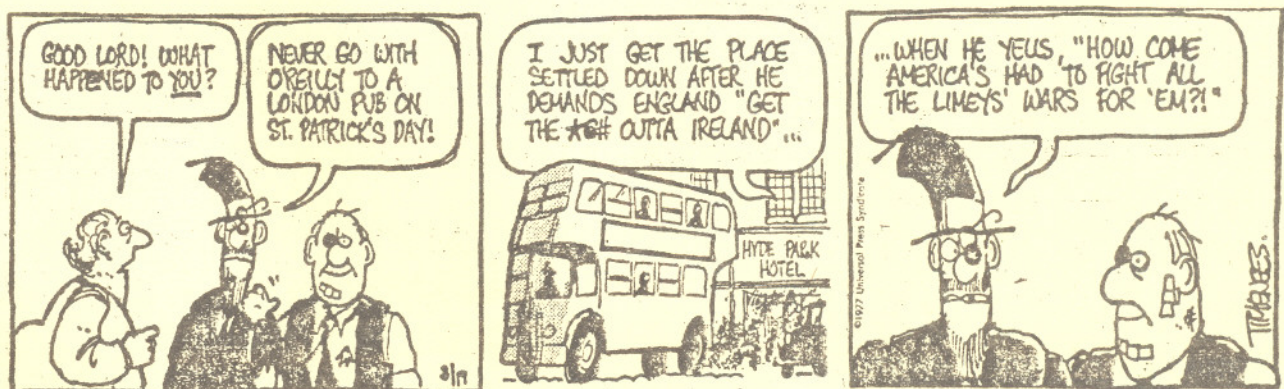
Just think, everyone has a chance to be president -- farmer, con man, truck driver, accountant, drunk, factory worker, housewife, minister, writer -- you name the trade, profession or occupation, there and then to serve for six years (two?) (four?) and NEVER again. But he or she is a true representative of the people. And since that person has only one term, he or she flushes away the garbage from the previous administration and starts out with his or her own repairs to the country's plumbing.

Considering the cost of the circuses that have been put on in the past, what cheaper, easier and more honest way could you have to choose your leaders? This may seem a rather haphazard way of selecting government officials. However, one thing is certain: leaders chosen by lot could NOT be any worse than those we have elected in the last 70 years.

## Jacobs continued

enthusiasm among the libertarian activists present. It would appeal to "base" popular emotions and be quite timely and attractively doable. The LCC may take up appropriate wording and decide to move out. Jacobs, himself, prefers to work with the former two. Since the meeting it has been learned that Dick has had the wording polished and professionalized, and he is attempting to build support in the wider "common-sense" political milieu before launching -- possibly at the state convention in May.

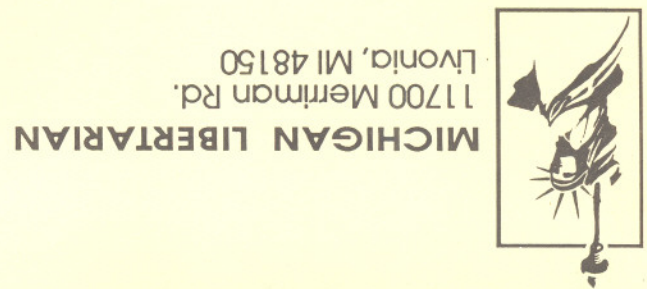
The meeting culminated with Dick's outline of an education association of his vision, similar in inspiration to Marshall Fritz' Advocates for Self-Government, but focused on persuading large numbers of intelligentsia, media and practical academicians. Jacobs outlined ambitious goals and schedules for the outfit, and interest/feedback was solid. The judgement of many participants of Jacob's educational org concepts and of the strategy session generally was that we are showing unforced, reasonably funded, professional capability and our future efforts will pay off assuredly.





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