



Colorado Liberty

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Colorado LP Vote Resists Nationwide Downtrend

By David F. Nolan

Final figures were not yet available as we went to press, but the data we have indicates that Libertarian vote totals in most "flagship" races (Governor and U.S. Senate contests) around the nation dropped sharply from the level established by Ed Clark in 1980.

As expected, the highest percentage in a governor's race was achieved in Alaska, where Dick Randolph got 15% (about 25,000 votes) in a three-way race. To achieve this showing, the Randolph campaign spent about \$500,000.

Second-best showing was in Arizona, where former GOP Congressman Sam Steiger got just over 5% — enough to qualify the Arizona LP for ballot status. Steiger's campaign spent \$6,000.

Grant Third in Nation

Our own Paul Grant apparently made the third-best percentage showing of the LP's 21 gubernatorial candidates. Complete but unofficial figures show Paul with more than 19,000 votes — a hair over 2%, as compared to 2.2% in Colorado for Ed Clark in 1980.

As far as we knew at press-time, no other LP gubernatorial candidate hit the 2% mark.

In California, Dan Dougherty pulled about 78,000 votes — just over 1%, and only one fifth of Ed Clark's showing in that race four years ago. Dougherty had far less funding, however, and this year's race was much more closely contested than the 1978 election.

In Massachusetts, Rebecca Shipman received about 1% of the vote for governor; Bay State Libertarians had been hoping for 3%, to obtain ballot status.

States where LP gubernatorial hopefuls fell below the 1% line include New York, Texas, Illinois, Michigan, Ohio, and Pennsylvania. In most of these states, the dropoff from the Clark total two years ago was substantial.

Senate Races

U.S. Senate candidates fared no better, for the most part.

Best showing was Larry Dodge's 4% in Montana — roughly equal to the high-water mark for a U.S. Senate race set by Tonie Nathan in Oregon two years ago.

In California, Joe Fuhrig (backed strongly by the LP Radical Caucus) received slightly over 100,000 votes, pulling nearly 1.5% in the hotly-contested race between Jerry Brown

and Pete Wilson. Fuhrig appears to be the only LP candidate for Governor or U.S. Senate who broke the 100,000 mark this time.

At the time we went to press, there was no news of any other Senate candidates doing better than 1.5%. As with the gubernatorial contenders, many fell below 1%.

Colorado a Bright Spot

Relatively speaking, Colorado was a bright spot for Libertarians. Paul Grant virtually matched the percentage Ed Clark received here in 1980, and real gains were made in lower-level races.

Wain Dawson and Jim Phelps each got about 2.5% of the vote in their races for Treasurer and Secretary of State, while Suzanne Conlon pulled approximately 4% in the Regent's race. (Third-party vote is

almost always higher in lower-level races.) Wain, Jim and Suzanne each topped 10% in some counties.

Phil Prosser received 21% in a two-way race for State House — one of the nation's best showings in such a contest. And John Hartman got 23% in a race for Rio Blanco County Commissioner.

Overview

Nationwide, the trend seems to be that LP vote totals dropped significantly in "top line" races, but held up or even gained slightly in lower-level contests.

The party gained ballot status in four states (Alaska, Arizona, Montana and Indiana) and lost it in two (Oregon and Michigan). As in the past, showings were generally best in the Western states.

Private Courts: Moving Away From Governmental Justice

By Carolyn Phelps

Private courts in Colorado? Well not quite, but there is a growing movement toward private dispute resolution through arbitration, mediation, or a combination of the two. An

ation the couple is often able to keep the primary issue, the welfare of the children, at the forefront. Instead of looking for reasons



Private courts in Colorado? Well not quite, but there is a growing movement toward private dispute resolution through arbitration, mediation, or a combination of the two. As our courts become more inefficient, less just, too time consuming and expensive, private conflict resolution becomes a viable alternative to litigation through the traditional, cumbersome judicial system.

Private, voluntary dispute resolution isn't a new, or even an American idea. Private dispute resolution was utilized in Judeo-Christian societies, tribal moot courts, village courts in India, and in ancient Oriental cultures long before the establishment of English common law, but lay dormant during many years of government-controlled courts.

The voluntary arbitration movement began in this country around 1900. The American Arbitration Association was established in the 1940's largely as a result of the labor movement. Private arbitration in labor-management disputes was found to be more expedient, less expensive, and more satisfactory to both disputants than going through the traditional judicial system.

In the late sixties and early seventies the AAA started to organize neighborhood justice centers which provided mediation and arbitration services as an alternative to settling civil disputes through the courts. In recent years considering the backlog of cases in the judicial system and the high cost of justice, more and more people have turned to private dispute resolution techniques.

Arbitration involves a neutral third party who hears both sides of a dispute and hands down a formal judgement. The disputants choose their own judge, choose their own rules by which the dispute will be settled, and have their dispute resolved quickly and inexpensively.

Mediation differs from arbitration because the neutral party doesn't make a final judgement. The mediator may help to identify real issues and offer possible suggestions, but the disputing parties themselves reach agreement and sign a contract which is enforced by the court system.

Family disputes such as divorce and child custody settlements are especially conducive to mediation. In cases like these, where the disputants are likely to have some ongoing relationship because of children or property in common, it is important that the emotional issues of divorce and child custody are dealt with. The courts are ill-equipped to handle these emotional issues, but through medi-

ation the couple is often able to keep the primary issue, the welfare of the children, at the forefront. Instead of looking for reasons why one side is right and one side is wrong, a mediator enables the needs of both parties to be maximized. Because the disputing parties *themselves* reach agreement, instead of succumbing to the impersonal court system, their agreement is more likely to be long lasting and beneficial to both parties.

Neighborhood disputes, commercial relations, landlord-tenant disputes, cases involving juveniles, and even some criminal cases are being resolved through private conflict resolution. Environmental mediation and arbitration has been a boon to both business and environmental interests. ROMCO, the Center for Environmental Problem Solving in Boulder, is currently working with the Metro Water Roundtable, a project created to improve metro water problems. Representatives include County Commissioners from the Western Slope, The Denver Water Board, Mayor McNichols, the Mayor of Vail, and environmental groups. The project was underway a year ago with the goal to balance the needs of the Western Slope, the environment, and water storage. Environmental and land use disputes are particularly suited to private dispute resolution because of the technical expertise required to make a fair, intelligent judgement. Again, the final resolution is more productive, less time consuming, and less expensive than litigation would have been.

Private mediation and arbitration has in recent years become a highly successful profession. Statistics show private dispute resolution as a more workable and just way to settle conflicts. Follow up studies on conflicts resolved through mediation indicate that the agreements tend to be more durable, the disputants are less likely to return to court, and the final agreement is more likely to leave both parties satisfied.

People have found private dispute resolution to be less expensive and time consuming, but more than this they have found it to be a better way to resolve conflicts. Unlike the courts, which foster an adversary, you lose, I win, situation, private dispute resolution gives people the opportunity to make their own decisions and take responsibility for their own lives rather than leave important decisions to the discretion of an expensive attorney and an assigned judge.

However, the trend toward legislation

(Co. (Cont'd. on page 4)



One of the rolling billboards of the Grant campaign.

—Photo by Bill Cunningham

Civil Disobedience Alive and Well in Colorado

By David B. Tyson

On October 22, Ed Leeper, by placing unstamped brochures into rural mail boxes, broke the law — and the monopoly of the U.S. Postal Service. It appears that when a person puts up a mail box the box becomes a part of the Postal Service. Federal Law then forbids others than the Postal Service the use of these "private" boxes. In this manner the Service helps perpetuate its exclusive power to deliver mail. Defying the law and the related postal regulations carries a \$300 fine per offense.

Citing the harm the law caused his campaign for Boulder County Commissioner and decrying the lack of competition the Service faces, Leeper wrote the Service telling them he would publicly defy the law. The challenge went largely unmet. The press and supporters showed; the authorities did not. The *Denver Post* relates that the "regular carrier will pick up any leaflets that are still in the boxes (and) ... send Mr. Leeper a bill for the postage due."

It would remain up to the U.S. attorney to prosecute Leeper under the Federal law, although that appears unlikely.

Mr. Leeper, however, vows to continue to violate the law in the mountain region in which he makes his home. He believes that the use of the boxes is simply the best method to distribute printed matter and that it should be up to the "owner" of the box, and not the Postal monopoly, to decide what materials the box could receive. He suggests that the owner should be able to designate his/her box for the receipt of: all materials, U.S. mail only, or first class U.S. mail only.

In 1844, Lysander Spooner wrote his booklet: *The Unconstitutionality of the Laws of Congress Prohibiting Private Mails*. The basic question of whether the government has any constitutional right of monopoly of the mails has yet to be rigorously tested in the courts.

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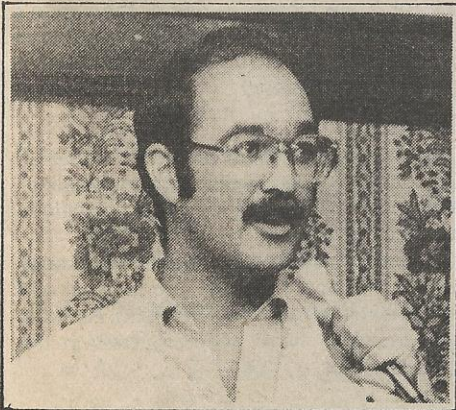
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Profile of a Libertarian: DAVE NOLAN

**SOUND MONEY, NO DRAFT,
NO INCOME TAX, NO WAR!**

By Bob Sheffield

With that bumper sticker battle cry of his latest effort, Project Liberty, Dave Nolan returns to his libertarian political roots. In 1965, Dave joined the Liberty Amendment Committee and started its National Youth Council. The Liberty Amendment proposed by that group would, among other things, repeal the sixteenth amendment to the Constitution. Then, after more than a decade and a half of battling for freedom, Dave and Murray Rothbard started Project Liberty this year, one of the four primary goals of which is passage of the Liberty Amendment, designed to eliminate the income tax by repealing the sixteenth amendment.



David F. Nolan, principle founder of the Libertarian Party.
—Photo by John Williams

Not that the Liberty Amendment Committee was Dave's first involvement in politics. Being born in Washington D.C., he was, you might say, born into politics. He majored in political science at Massachusetts Institute of Technology. In 1965, he was one of the first five people to graduate from MIT with a political science degree. His first real entry into active politics was inspired by an Independence Day Goldwater rally in 1963. During the 1964 presidential campaign, Dave was the Massachusetts youth coordinator for Goldwater.

From the beginning of his political career, Dave has been starting things. At MIT, he started the Radicals for Capitalism, a coalition of Objectivists, Goldwater conservatives, and

others started the Libertarian Party, an event that for many of us has become a special moment in history.

Dave was the Libertarian Party's first National Chair. He was on the National Committee from the beginning until 1981 except for a period from 1977 to 1979. He has been editor of the *Colorado Liberty* and a prolific contributor to other libertarian publications. Rarely does one find such outstanding, even prophetic, ideas coming from a man who also knows how to work in the trenches, doing the tough, real world organizing that transforms ideas from words to deeds.

In 1981, at about the time of LP10, the tenth anniversary convention of the Libertarian Party, Dave sharply reduced his political activities. He quit his job with a large Denver advertising agency and started his own marketing and communications consulting firm, AdPro Associates, Inc. operating out of an office in his home. He is dropping back from the furious pace of a fulltime job and fulltime involvement in Libertarian politics to a more laid back life style. His office, casual and comfortable but strictly in order, is furnished with desk, chair, a comfortable couch for his guests, bookshelves all around, and a new computer named Ralph on which Dave does his writing. He shares his home with an affectionate kitten named Miss Kitty.

Except for writing campaign literature for Paul Grant's gubernatorial race and participating in strategy sessions, Dave is concentrating his political energies on Project Liberty. The purpose of Project Liberty is to focus on a limited number of hard core libertarian issues which have a wide enough appeal to attract people of other political persuasions such as pro-freedom, pro-individual-rights, certain tolerant and rational constitutionalists, and non-socialist anti-militarists. Project Liberty pursues three goals directly which, taken together, will result in achieving a fourth. The three direct goals are: sound money, elimination of the draft, and elimination of the personal income tax. Together, they will make war very difficult to wage, thus achieving the fourth goal.

For more on Dave and his involvement in the libertarian movement, see "Present at the Creation", a May 1981 interview with Dave in Volume 9, Number 10 of *Against the Wall*. For a history of the Libertarian movement see Dave's article "The Road to Liberty" in the

Colorado Libertarian Party Calendar

1st Tuesday of every month the Libertarian Forum meets in the Brand Building, 203 S. Galena St., Aspen. Call 925-8292 for more information.

1st and 3rd Wednesday every month, Discussion Group, 7:30 p.m., Party Office.
2nd Wednesday every month, CLP Cocktail Party, 7:30 p.m., Party Office.
Relaxed, informal, cash bar.

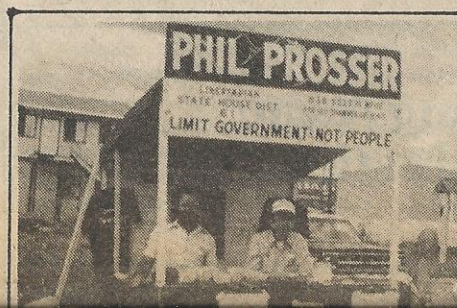
1st Wednesday of every month, Boulder County Libertarian Association, 7:30 p.m., at 1913 Broadway in Boulder. Call Jerry Van Sickle for details at (h) 442-0514 or (w) 443-5578.

4th Thursday of every month, Park County Libertarians meet, call Phil Prosser for details at 838-7693.

Every other Thursday, C.U. Libertarians/Objectivists meet at the C.U. Memorial Center. Call Len Jackson, 665-3413, or Robert Blumen, 444-1410, for details.

*4th Wednesday of every month the Arapahoe County Libertarians meet at 7:30 p.m. at the Aurora Public Library, 14949 E. Alameda Drive in the Community Room, 1-A. Call Karl Murphy at 693-1430.

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|----------|---|
| November | 10, Wednesday — CLP Cocktail Party. 7:30 p.m. at Headquarters, 1041 Cherokee, Denver. Everyone welcome!
14, Sunday — CLP Board of Directors Meeting. Noon at the Office.
17, Wednesday — Future Strategies, replacing regular Discussion Group. 7:00 p.m. at the Office. Everyone with positive ideas welcome.
24, Wednesday — Arapahoe County Libertarians meet. See above. |
| December | 1, Wednesday — Boulder County Libertarian Association meets. See above.
1, Wednesday — CLP Discussion Group. 7:30 p.m. at the Office. Topic: Who Causes Unemployment?
7, Tuesday — Libertarian Union in Aspen meets. See above.
8, Wednesday — CLP Cocktail Party. Come, bring your friends! 7:30 p.m. at the Office.
15, Wednesday — Discussion Group. Dave Nolan will join the group for a discussion of the income tax, Project Liberty, and the Liberty Amendment.
19, Sunday — CLP Board of Directors Meeting. Noon at the Office.
22, Wednesday — Arapahoe County Libertarians meet. See above.
23, Thursday — Park County Libertarians meet. See above.
25, Saturday — MERRY CHRISTMAS |
| January | 4, Tuesday — Aspen Libertarian Union meets. See above.
5, Wednesday — CLP Discussion Group. 7:30 p.m. at the Office. Topic: Abortion
5, Wednesday — Boulder County Libertarian Association meets. See above.
12, Wednesday — CLP Cocktail Party. Come celebrate the new year! 7:30 p.m. at the Office. |



Kudos and Gold Stars Dept.

The good folks listed below in no particular order put in a huge amount of effort, for which we humbly offer this inadequate recognition. If you run into any of these heroes in the fight for liberty, why not thank them yourselves? **Ruth Bennett** for being our "rock" ... always there when you need her — being our chair extraordinaire.

Jan Prince for not only enormous amounts

Dave has been starting things. At MIT, he started the Radicals for Capitalism, a coalition of Objectivists, Goldwater conservatives, and libertarians. In 1969, he and others started the Society for Individual Liberty, a libertarian education group. And, on December 11, 1971, in his livingroom in Denver, he and seven

Volume 9, Number 10 of *Against the Wall*. For a history of the Libertarian movement see Dave's article "The Road to Liberty" in the May 1978 issue of *Reason*.

For an accurate picture of how we are going to move toward liberty, listen to Dave Nolan any chance you get.



Phil Prosser campaigns in Leadville from his handmade booth. —Photo by Trish Filley

SPEND MEMORIAL DAY IN STEAMBOAT!

The Sheraton Steamboat in Steamboat Springs has been chosen as the site for the CLP 1983 State Convention. The convention, to be held over Memorial Day weekend, promises to be fun, entertaining and educational.

While the program is not yet set, suggested speakers include 1976 Presidential candidate, Roger MacBride, economist/philosopher Murray Rothbard, the candidates for

the 1984 Libertarian Party presidential nomination and the candidates for National Chair of the LP.

As usual, we will be doing revisions of our Constitution, By-Laws, and Platform, and selecting new state Party officers and Board members. But in addition, we'll be choosing the delegates to the Libertarian Party National Convention to be held in New York over Labor Day weekend.

In order to be eligible to vote at the state convention or to be a delegate to New York you must be a current member of the Colorado Libertarian Party. Membership forms are available from the State Headquarters.

More information about the State Convention will be available after the first of the year. Mark your new calendars to reserve Memorial Day weekend for the best Colorado LP State Convention yet!! See you in Steamboat!

there when you need her — being our chair extraordinaire.

Jan Prince for not only enormous amounts of work, but somehow keeping everyone pointed in the same direction.

Carolyn Phelps for calling 1,986 radio, TV, and newspaper people.

Rob Gilmor for being our "phantom of the night" and an incredibly hard worker.

Kathy Boucher for hosting a wonderful party and being so enthusiastic.

Jane Hough for her artistic and culinary talents.

Jackie Erickson for keeping the top candidate on schedule, and being our in-house crazy.

Nick Heller for being our "western slope agent" and Aspen host.

Judy Huffman for all the petitioning, doorbelling, and work since forever.

Diane Lisle for her enthusiasm and good ideas.

Marshall and Jennifer Gile for their generous financial support and wine party.

Ken and Jane Riggs for their continued long term financial and psychological support.

Pat Shortridge for her class, cheerfulness and thoughtfulness.

Preston Adams for the "Vote Libertarian" bumper stickers.

Albert Turner for a wonderful Thomas Jefferson.

Keane Richardson for his unconditional dependability, enthusiasm, and 7,000 brochures!

Patrick Lilly for being Suzanne's support and, as always, our Colorado Springs wonder.

Hal Herbert for being our mentor, coach, and sugar daddy.

Doug Anderson for being Craig's and Paul's Arapahoe County pamphleteer.

John Mason for fundraising, doorbelling, and being our favorite "boomer".

... and lots of others ...



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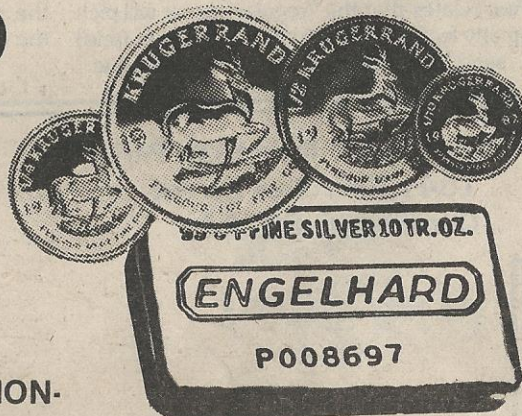


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VIEWS and NOTES

Saving "Colorado's Water"

Throughout this past election, non-libertarian candidates have been mouthing the standard line that they will "Fight to Save Colorado's Water." What this means is that they intend to steal some money from some people somewhere, (through taxation), to build a dam in Colorado, to provide more water to some Coloradoans.

Let's look at this from a libertarian viewpoint. First, common sense tells us that the more economical water storage projects have already been built. The projects left are marginal, or money losing propositions. Second, all such projects are nothing but subsidies. Taxpayers are forced to pay for a system to provide more water to some special interest, be it farmers, communities, or industry.

But most importantly, it's not even "Colorado's water" we are talking about. Democrats and Republicans alike agree that because five major river systems, the Yampa, Colorado, Rio Grande, Arkansas, and Platte, all originate in the state and flow out, that the state somehow owns that water. Libertarians, on the other hand, subscribe to the principle that legitimate ownership occurs in two ways. The most common is by working long enough to buy something currently owned by someone else. The other way is through a variation of homesteading. In the case of something not

previously owned, like land in the early west, river water, or a new idea for a better mousetrap, the first person to put that thing to beneficial use can claim ownership. The principle is used all the time. The first person in line to buy a movie ticket has that spot for as long as he uses it. The first person to pick up an aluminum can in the gutter owns that can and may recycle it for profit.

Under these principles, for the state to wave its hand and claim ownership of certain water is arbitrary and meaningless. The state has not, in Locke's immortal words, "mixed its labor with the soil, (or other resource) to gain possession."

Ownership of water should accrue to the person or company who first diverts the water to some use, regardless of what state he or she is in. Disputes as to who first used it can be, and presently are, resolved by the courts.

Thus we see a double fallacy in "saving Colorado's water." First, it doesn't in any moral or reasonable way belong to Colorado, and second, saving it involves stealing through taxation to build the facilities to do so.

So, to the Republicats and Democans; please don't save Colorado's water; rather save us, the taxpayers, from paying for the pork barrel.

personal property, to which you have no right unless that right is voluntarily given by its owner. To obtain those documents, or those intangible statements, by use of force, fraud, or clandestine sources, may be acceptable journalism and acceptable politics, but is a violation of property rights and therefore of libertarian principles.

"Clandestine sources!" The term smacks of the parties of Watergate and wiretapping. It has no place in the Party of Principle. Shame on you.

BUD HALL

YOUR VIEWS

Editor:

Should I wish to study the positions of Paul Grant (or any other candidate for public office), I would write, telephone, or visit the candidate's campaign headquarters, or his party's headquarters, and request statements of those opinions. Most of your readers, I suspect, would do the same.

But not *Colorado Liberty*. Rather you admit (or boast) that *Colorado Liberty* gets its information from "clandestine sources."

I submit to you, Sir, that a candidate's documents and his prepared statements are

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Opinions expressed in signed articles are those of the author, not necessarily those of the Colorado Libertarian Party. Likewise, advertising does not imply endorsement.

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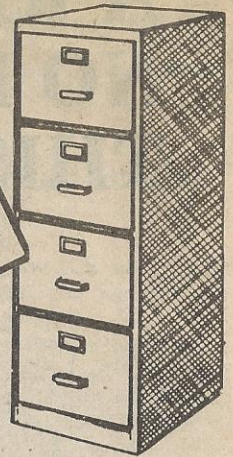
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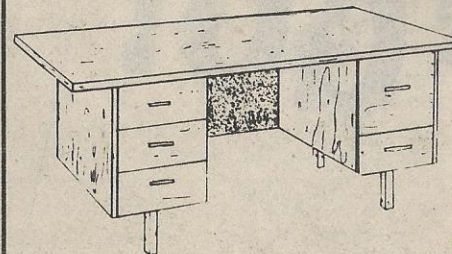


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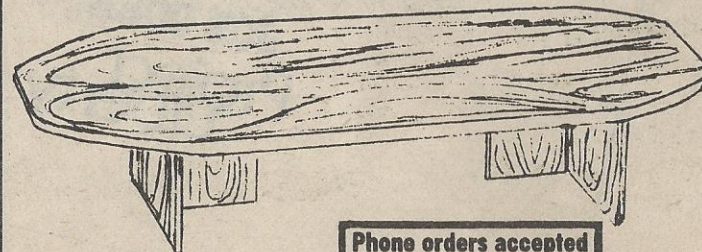
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How Others View Us

The following editorial appeared in the *Rocky Mountain News*, three days after the election. It is reprinted here for two reasons.

First, the deafening silence from the "establishment" until now was mostly because they did not believe we were strong enough

to be worth commenting on. Now, apparently, we are.

But secondly, this should be taken as a fairly accurate representation of how the world views us. Ponder it well.

✓ The Libertarians didn't do so hot in the state this year. And you know something? We're glad. These folks are as extreme in their horror of government as socialists are in their statism. While there may be something appealing in the Libertarians' philosophical purity, many of their ideas are utterly goofy. And there is something more than a little unbecoming in the Libertarians' smugness. If there comes a day when many of them actually are elected to office, they will discover that making and administering laws in a democracy can't be done without the kinds of ideological compromises they so detest.

Lenin was certainly right, there is no subtler, no surer means of overturning the basis of existing society than to debauch the currency. This process engages all the hidden forces of economic law on the side of destruction, and does it in a manner not one man in a million is able to diagnose.

—John Maynard Keynes

The history of every government since the dawn of time is one of increasing power and decreasing stability.

—Douglas R. Casey

Private Courts

(Cont'd. from page 1)

designed to give mediation and arbitration "credibility" and to guarantee funding, is a threat to the concept of voluntary, private conflict resolution.

Currently in Colorado, a bill has been drafted and sponsored by the Colorado Bar Association to establish an office of dispute resolution in the Governors office. The purpose of such an office will be to promote, establish and encourage mediation, insure confidentiality, and of course to appropriate money. This last, money, is the driving force behind the legislation. This means that the taxpayer will foot the bill. All for the "public good" of course.

If private arbitration and mediation become incorporated into the "public" court system through legislation, the idea that people can make their own decisions and resolve their own conflicts will be squelched again. As in California, where even mediation and arbitration aren't voluntary anymore, any semblance of a *private, voluntary* court system will be ensnared in governmental compulsion.

WEEKEND LIBERTARIANS

Do you have trouble attending Colorado Libertarian evening functions due to distance, job conflicts, family, or other commitments? If there is enough interest, I would like to set up Saturday or Sunday afternoon activities such as socializing, discussion groups, study programs, or volunteer work. If this appeals to you, please contact Paul Bilzi, 2507 South Evanston Street, Aurora, CO 80014. Thanks!

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MUST GO!**

JOE COBB
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"The power to tax is the power to violate human rights, and it must be opposed on moral grounds by all concerned for human liberty."

—Dick Randolph

The income tax . . . is the root of the malignant tree of Big Government. Lay the axe to that root, abolish the income tax, repeal the 16th Amendment, and the tree of tyranny will wither and die. America will take a great leap to reclaim the ideal of liberty, of ultra-minimal government, on which this country was founded."

—Murray N. Rothbard

"Joe Cobb presents compelling arguments why repeal of the 16th Amendment should be a central element — perhaps the central issue — of Libertarian campaigns in 1982 and 1984."

—David F. Nolan

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