

THANKS  
A LOT,  
FREEDOM  
PARTY!  
YOU'RE GREAT

FREEDOM PARTY  
TRASHES THE  
GARBAGE STRIKE  
IN LONDON!

...NEXT  
ISSUE

# Freedom Flyer

Summer 1987

The official publication of the Freedom Party of Ontario

Vol. 2 No. 4

FREEDOM AS SLAVERY

B.I.A. CAMPAIGNS EXPAND

HAMILTON CITY HALL SEEKS  
ATTORNEY GENERAL'S ASSISTANCE  
TO SILENCE FREEDOM PARTY

FP REPUDIATES PAY EQUITY LAWS

SUNDAY CLOSING LAWS ATTACKED!

MAGDER DINNER A SUCCESS!





# OPENERS

*an editorial by Robert Metz*  
**Freedom Party President**

AT right: FP President Metz testifying before Committee: Global TV

## FREEING THE "SLAVES"

It's finally happened.

**Freedom** has officially been declared **Slavery**. George Orwell was right, and we should have listened.

*Freedom is slavery.* I discovered the repeated use of this seldom mentioned philosophical axiom in a most unusual way. Over the past several months, it has been my somewhat dubious privilege to have addressed numerous government committees, panels, and forums of "public consensus."

After comparing notes, I became alarmed at how, *in order to justify their own brand of political coercion*, various politicians at every level of government have been fervently attempting to promote the Orwellian philosophy that *freedom is slavery*.

How do they do this? Simple.

Take, for example, the issue of Ontario's Sunday closing laws. Freedom of choice in Sunday shopping, so contemporary political logic goes, will "force" businesses to open on Sundays and will similarly "force" employees to work on Sundays, despite the fact that no one is holding a gun to anyone's head. (The logical extension of this fallacy is that consumers are being "forced" to go shopping! So who's "forcing" who?)

The argument continues that retailers who sign leases with malls or plazas stipulating hours of operation are being "forced" to open when they might not otherwise be open, despite the fact that these retailers have voluntarily signed contracts saying that they agree to this condition.

On the labour front, those who work for less than minimum wage, or who work for less than someone else performing a similar task, are said to be "exploited" by greedy employers, regardless of any personal and private *voluntary* agreements that may have created their relationships in the first place.

On the civil liberties front, we are told that freedom of expression "forces" people to unwillingly confront pornographic images when shopping in variety stores or while watching their TV sets at home, despite the fact that they can shop in other stores or turn their TV sets off.

And of course, we've all heard how markets unregulated by government will leave individuals prey to market "forces" --- the law of the jungle --- and without government intervention (i.e. control), our society would be reduced to an environment where "only the fittest survive", despite the fact that this has never happened in a free market environment.

On and on the arguments go, and they're all based on the philosophic premise that *freedom is slavery*.



I never really clearly understood why George Orwell insisted this philosophy was a necessary prerequisite to *totalitarianism*, but now I think I've learned part of the answer. By convincing a good percentage of the electorate (and themselves) that *personal commitments and obligations* represent *conditions of coercion and force*, our politicians have justified *their* use of *true, arbitrary, non-objective, non-voluntary* applications of *state coercion* --- all to "protect" us from the consequences and responsibilities of our own individual free choices.

But that's only half the story. The "freedom is slavery" premise is simply an attack *against* individual freedom. Where's the argument *promoting* state control?

Meet the other side of the "freedom is slavery" coin: **Slavery is Freedom:** "Just leave everything to us, and you'll be free!"

*This* is the philosophy that *Liberals, Conservatives, and New Democrats* alike are selling to the Canadian electorate. Short of outright war, I personally cannot imagine any single political action that could harm the social and economic fabric of any nation more.

"Free" medicine. "Free" education. "Free" daycare. "Affordable" housing. "Affordable" rental accomodations. "Universal" access. "Equal" access. "Fair" wages. "Equal" pay. "Guaranteed" pensions. "Cheaper" car insurance premiums. "No" health insurance premiums. "Protection" from business competition. "Protection" from labour competition. "Protection" from being offended. "Protection" of our "culture." "Guaranteed" jobs. Job "creation." "Affirmative" action. "Social" justice.

These are but a few of the kinds of *very expensive* and *totally unworkable* "freedoms" that our politicians have been selling us in return for our votes. It used to be considered unethical for politicians to *bribe* us with their own money. Today, it is acceptable practice for them to bribe us *with our own money*. And they even get away with selling us their political "products" without having to tell us the *price*.

Because the *price* is incredibly high. The average Ontarian pays *more than half of his annual earnings* to governments in the form of *taxes* alone. The *debt* of governments at every level is staggering, despite the size of the tax bite. Waiting lists are piling up for admissions to our "universally accessible" hospitals. Housing prices are at an all-time high. Rental vacancies are at an all-time low. Our health, pension, and education systems are all on an unsound economic footing and accumulating debt.



In Ontario, you can be treated like a criminal for opening your store on a Sunday. If you've got an apartment for rent, you have to justify your rates to a government committee --- not to your tenants. If you employ people, you must justify your wages to a government committee --- not to your employees. If you charge your customers "too much" for your product, the government could charge you with "price gouging." If you charge "too little" for your product, the government could charge you with "unfair competition." If you charge the *same* price as your competition, the government could charge you with "price fixing."

If you're unemployed or looking for a job, the government could prevent you from competing with any of the *labour monopolies* it's created. If you want to create your own job, the government could charge you for competing with any of the *business monopolies* it has created.

As if things weren't bad enough with governments

compelling us how to *act*, they're even telling us how and what to *think*.

The degree of *censorship* and *state control of communications* in our society is reaching an intolerable crescendo. The powers of Ontario's censor board have been dramatically increased, the federal government is hell-bent on banning depictions of sexual activity or "violence" in the media, and the penalties incurred for disagreeing with certain political perspectives make it clear that independent thought is as much a crime in this province as independent action.

*Liberals, Conservatives, and New Democrats* alike believe that the purpose of government is to *restrict* our individual freedom of choice, *not* to protect it. The only difference between their parties is not over *whether* freedom of choice should be restricted, but *whose* choice should be restricted for *whose* benefit --- and lately, they even agree on that.

*They* benefit. *We* pay. And that's why the kind of "freedom" they're selling us *is* slavery.

## TIRED OF THE OLD **STATIST** QUO?



### Support FREEDOM PARTY

#### FREEDOM FLYER

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**Editor:** Robert Metz; **Layout & Design:** Marc Emery; **Contributors:** Robert Metz, Marc Emery, Lloyd Walker, Bill Frampton, Greg Jones, Andrew Steckley.

#### THE FREEDOM PARTY OF ONTARIO

**Statement of Principle:** Freedom Party is founded on the principle that: *Every individual, in the peaceful pursuit of personal fulfillment, has an absolute right to his or her own life, liberty, and property.* **Platform:** That the purpose of government is to *protect* individual freedom of choice, *not* to restrict it. **Provincial Executive:** Ontario President: Robert Metz; Vice-President, Ontario, Lloyd Walker; C.F.O., Murray Hopper; Action-Director, Marc Emery.



# SUNDAY CLOSING LAWS .....



Freedom of Choice...

## ...EVEN ON A SUNDAY!

What began as a simple public information and advocacy campaign for the right to shop on Sundays soon evolved into what could possibly be Ontario's most philosophically focussed and effective drive against the province's immoral and reprehensible *Retail Business Holidays Act*. By no means are we trying to imply that our efforts will cause Sunday closing legislation to disappear in the foreseeable future. But **Freedom Party's** role in spearheading a philosophical attack against Sunday closing laws, combined with its increased political presence in upcoming provincial elections, will guarantee that Sunday closing laws will soon become an uncomfortable subject for the three major parties to have to face.

Last issue, you may recall, we reported on the launching of our information campaign promoting Sunday shopping as a matter of personal choice. During December 1986, while many retailers were "flouting the law" under the

false expectation that the Supreme Court of Canada would rule Ontario's *Retail Business Holidays Act* unconstitutional, **FP** members and supporters spent their Sundays stationed outside illegally-opened retail exit doors, handing customers our brochure which refuted the arguments most commonly used to restrict freedom of choice in Sunday shopping.

It was also during that same period that **FP** action director Marc Emery took some personal action to fight Sunday closing laws by opening his London bookstore illegally on Sunday, and he was charged by police for doing so. (Details in last issue of *Freedom Flyer*.) His case is not due before the courts until August 20, 1987, and we'll keep you updated as to developments.

Since our last report on the subject, much has developed on the political Sunday shopping front for **Freedom Party**:

### "ALL-PARTY" COMMITTEE OPPOSED TO FREEDOM OF CHOICE ON SUNDAYS

On February 25, 1987, **FP** president Robert Metz presented an oral and written submission to Ontario's "all-party" *Select Committee on Retail Store Hours*. Titled "Freedom of Choice ...even on a Sunday", the brief was essentially an expansion of **Freedom Party's** already-produced and distributed brochure on the same subject.

The 11-page report addressed the inherent hypocrisy in creating yet another forum for "public consensus" (i.e., the Select Committee itself), by pointing out that its only purpose was to justify what the government already had planned --- namely, the retention and enforcement of Sunday closing laws.

Metz fielded a number of questions from committee members, few of which had anything directly to do with Sunday closing laws. For the most part, the questions asked were strictly philosophical in nature and ranged in subject matter from issues like **FP's** position on minimum wage laws to the nature of lease agreements which contain clauses "forcing" retailers to open their stores according to pre-determined hours.

Because Metz argued that it would be equally unjust to force businesses to open on Sundays as it would to force them to close, he was challenged by a committee member as to how **FP** would deal with clauses in lease agreements that "force" mall retailers to open in accordance with hours pre-determined by mall operators.

Since the clauses in question represent a contractual agreement between two parties, Metz responded, the lease agreement should be enforced and retailers should comply to the terms with which they have already agreed. In fact, emphasized Metz, it was retailers themselves who originally were responsible for the inclusion of such clauses. Of what advantage would it be to be located in a

mall if each store in that mall operated on its own, non-uniform hours? Mall retailers depend upon the customer traffic generated by uniform shopping hours, and the maintenance of such hours merely represents the cost incurred in obtaining the greater benefit of increased customer traffic.

It is that very clause that makes malls attractive --- both to retailers and to customers.

Other terms in lease agreements, added Metz, require that the retailer must pay his rent on a specified day each month. Would it be equally logical to conclude that the payment of rent has been "forced" upon the retailer, simply because he is legally obligated to do so? Should we pass laws preventing the payment of such rents?

After a barrage of similarly misguided philosophical questions from committee members, Metz concluded his presentation on behalf of **Freedom Party** and was followed immediately by Marc Emery, who presented his own brief on behalf of his own London business, *City Lights Bookshop*.

Emery's arguments focussed on identifying the various interests and lobby groups promoting restriction of choice on Sundays, and his scathing attack on religious, business, and labour groups made it to the front page of the *Toronto Star*.

Copies of both briefs are available at the post-paid cost of \$1 each, and supporters are encouraged to arm themselves with the philosophical ammunition necessary to win the war against state control on Sundays.

In any event, Metz's original prediction that the committee would recommend the retention and enforcement of Sunday closing laws became a reality when it announced its "findings" in May 1987.

But then, what else could be expected from an "all-party" committee composed of "all the parties" who created our Sunday closing laws in the first place? No surprises here --- because *restriction of choice* is what they're all about!



## Sunday closing blamed on Christian intolerance

By William Walker Toronto Star

LONDON, Ont. — Christian intolerance is behind the "legislated criminality" of Ontario's Sunday closing law, an irate bookstore owner has told MPPs.

Marc Emery, who has operated downtown London's City Lights Bookstore for 13 years, said yesterday he has been charged numerous times for opening Sundays, "and I'm proud to say that I'm a law-breaker."

In a strong attack, Emery blamed churches and the religious community for pressuring government to uphold the law requiring Sunday store closings.

Four separate church groups also made submissions yesterday to the select committee on retail store hours, urging the government to protect Sunday as a day of rest and to close loopholes that allow some businesses to open.

### Deny choices

Current law prohibits Sunday store openings with a long list of exemptions, including a Saturday closing option to allow Sunday openings, a formula allowing municipalities to designate tourist areas where stores can open, and a general exemption for corner stores that sell convenience items.

"Show me a Christian who claims never to have enjoyed the productive work or service of others on a Sunday and I'll show you either a fool, liar or a hypocrite," Emery said.

He said "organized religions are the most ardent supporters of this legislated criminality" because they want to protect the status quo "by denying free choices to supposedly free citizens in a supposedly free nation.

"Many disciples of Christ have abandoned the task of saving souls with moral suasion and have instead opted for the tyranny of government legislation to save, or more accurately, to coerce a man's soul," he said.

"It is ironic, that while stripping businessmen of their right to their property, these same churches enjoy a tax-free status subsidized in part by the taxes of the victims of their Christian intolerance."

Some members of the small audience at yesterday's hearing gasped noticeably during Emery's testimony, while MPPs looked on impassively.

One MPP, Robert Mitchell (PC-Carleton), later said he also sees "a

great hypocrisy" in the Sunday closing law.

"I saw a man come out a grocery store one Sunday with his cart loaded with groceries and he had a priest's collar on," Mitchell said. "I have a great problem with this, if this is their position."

Emery opened his bookstore the first Sunday in December after the Supreme Court of Canada upheld the law.

### No growth

He gave away about \$1,500 worth of books in an attempt to prove there was a demand for Sunday shopping but was still charged by police for opening his store illegally.

He argued that customers are "always right," and if there is a demand for Sunday shopping, retailers should have the right to fill that demand.

Emery's views were mirrored by a submission from the Freedom Party of Ontario, a London-based registered political party with about 200 members.

Robert Metz, party president, said Sunday shopping is a basic issue of freedom of choice, both for the retailer and the consumer.

"Retailers who choose to open their doors to the public on Sundays are not forcing their customers to shop, they are not forcing their competitors to open and they are not forcing their employees to work Sundays," Metz said.

ABOVE article from front page, Feb. 26, 1987, Toronto Star



Above: FP President Robert Metz and Action Director Marc Emery as seen on Global TV NEWS, 6 O'clock edition.



## MAGDER DINNER A SUCCESS

### 110 SUPPORTERS SALUTE *SUNDAY LAWS* REBEL PAUL MAGDER AT FP DINNER

Paul Magder, as almost everyone in Ontario should know by now, is the Toronto furrier who has challenged Ontario's Sunday closing law (*The Retail Business Holidays Act*) all the way to the Supreme Court of Canada where his effort to have the law declared a violation of our fundamental religious freedoms was successful, but to no avail.

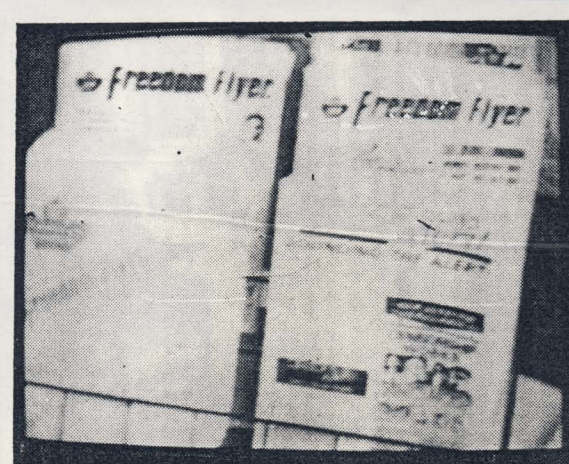
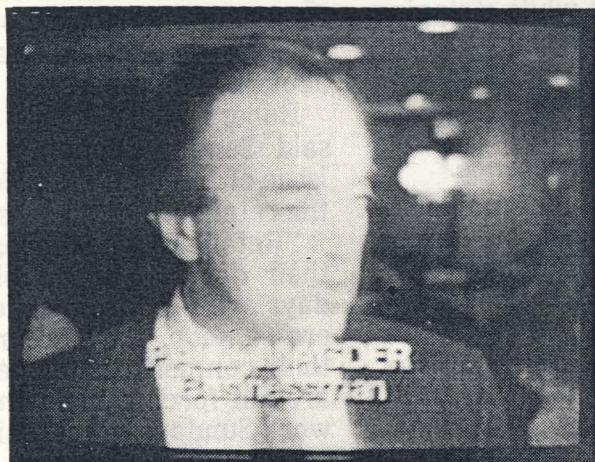
On December 18, 1986, Canada's Supreme Court ruled that, *despite its violation of our religious freedoms*, Ontario's *Retail Business Holidays Act* was nevertheless "justifiable."

When we heard of Magder's setback, we thought that a public show of support was definitely in order and arrangements were soon undertaken to introduce ourselves to him and offer him that support. On April 21, 1987, **Freedom Party** was proud to be able to sponsor an event held in Paul Magder's honour. This was an accomplishment in itself, considering the vow that Magder made on CTV's "W5" program ---that he would never again support any political party or candidate.

The \$50 a plate dinner drew about 110 attendees and judging by the response to the evening's presentations and activities, everyone seemed to have enjoyed themselves. Media coverage was extensive, though limited to the broadcast media, and much was accomplished in terms of publicizing the support for the elimination of Ontario's Sunday closing laws.

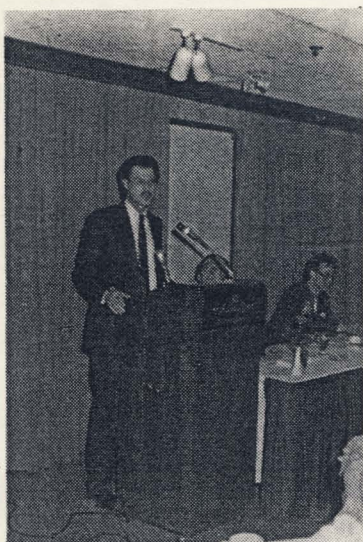
Even more was accomplished in terms of **Freedom Party's** growth and public profile. People who had never heard of **Freedom Party** contacted our London offices to see how they could get involved and organize in their communities, and arrangements are currently underway to do just that.

The speeches of Mr. Magder, and the three other guest speakers at the dinner, Messrs. Robert Metz and Marc Emery, and Dr. D.D. Devnich, have been transcribed and will be available to members.



Above: TV coverage from both CITY-TV (Toronto) and CBC-TV NEWS (all Ontario) on the evening of the Magder dinner and the following day's broadcasts.





Guest speakers at the *Paul Magder dinner*. Dr. Douglas Devnich (top left), Marc Emery (top, centre), Paul Magder (top, right), and FP President Robert Metz presents Paul Magder with a plaque "Dedicated to a true champion of individual freedom".

## EMERY TO GO TO COURT AUGUST 20 FOR SUNDAY OPENING CHARGES

Action Director Marc Emery will have his final day in court on August 20, when his lawyer will speak to the arguments of the current law before a judge. Emery has gone to court only to have proceedings delayed for results of Court of Appeal decisions regarding section 15 of the *Charter of Rights*, a section Emery is using in his defence.

Although a decision in Emery's case may take up to 6 weeks after trial, Emery has vowed to refrain from paying any fine if found guilty, and instead plans to defer payment until the 30th day after sentencing, when, according to law, a warrant will be issued for his arrest.

Anticipating this, Emery will hold a media conference before turning himself in to police for imprisonment. Emery expects to stay in jail for 72 hours or so, at which time he will make payment of the fine and secure his release.

Ironically, Emery's business may well be legally allowed to open as changes to the *Retail Business Holidays Act* are being made to allow a small bookstore like his to open legally on Sundays. Emery was featured on *CBC's Radio Morning* in an interview where Emery condemned mere tinkering with the current law to exempt a few bookstores, saying "this law makes me a citizen with rights and freedoms denied to my neighbours and other citizens. This amendment is saying that, because I sell books, I'm a better citizen than my neighbours who sell wicker furniture or musical instruments. This new law says my customers are a better class of people than customers of those other stores. This new law says I can work 16% more often than my colleagues, even though we all pay the same taxes. This change is wrong. The law should be abolished entirely, and that's why I broke the law in the first place, not to secure some special privilege."

The same cannot be said for other lobbying bookstores in Toronto whose efforts secured this new exemption.

Emery was also interviewed for similar comment on CFPL-TV London News, CKCO-TV Kitchener News, and all local London radio.

As we go to press, Emery's bookstore, *City Lights Bookshop*, can now legally open on all Sundays and statutory holidays as a result of a private members bill passed at Queen's Park. Emery still has vowed to keep up his fight until all businesses and consumers may exercise their freedom of choice...even on a Sunday.

### PAUL MAGDER TRIAL UNDERWAY

As we go to press, Paul Magder's lengthy trial to contest the myriad of charges against him is still underway after several weeks of testimony, evidence and witnesses. In our next issue, which will follow soon, we will bring you up to date on this important and potentially historic courtroom battle. *Best of luck, Paul!*



## "WARNING!" "TOURIST ZONE AHEAD!"

### FREEDOM PARTY BLASTS TORONTO CITY HALL INQUIRY INTO SUNDAY OPENING LAWS

In response to a newspaper advertisement requesting public submissions on the subject of the City of Toronto's official position on Sunday Closing legislation, **Freedom Party** prepared a brief advocating that *all* of Toronto be designated a tourist area, since the provincial government was obviously unwilling to do the right thing and relinquish its control over Ontario retailers.

Presented at Toronto's City Hall on the evening of March 24, 1987, it was the first time that **Freedom Party's** point of view was heard by Toronto politicians. Titled *Warning! Tourist Zone Ahead!*, **Freedom Party's** brief was presented by Ontario president Robert Metz in a firm and forceful manner, compelling attention from both the audience and councillors. The entire text of the brief was a direct critique of Toronto Council's own official report on the subject of Sunday openings, and it was the *only* brief presented that evening to do so.

**Freedom Party** has addressed the inherent hypocrisy of government committees virtually each time it has made a presentation before them, and Council's *Economic Development Committee* received the same tough treatment. Government committees of "consensus" invariably operate on the principle once expressed so clearly (and humourously) in an episode of *Yes Minister*: "The government does not go about seeking public input and consensus until it has already made up its mind!"

"...and that's why," said Metz, "we have committee after committee purportedly set up to 'study' an issue or seek a 'public consensus' on it. In my brief experience with government committees, there is one clear lesson that I have learned: they exist to deflect the assumption of *responsibility* for restrictive government controls from the politicians who pass the laws in the first place, to that undefinable, nebulous entity called the 'public', in whose interest it is claimed the restrictions must exist.

"It is incredible how little concern with their constituents' *rights* is being displayed by municipal councillors," Metz continued. "At one point in its discussion of tourist areas, the City of Toronto report says that 'it is not *practical* to prevent the general population from visiting the stores permitted to open on Sunday to service the tourist industry.

"Consider the implications of such a statement: the city is admitting that the only reason Torontonians themselves are 'allowed' to shop in *tourist areas* is only because of the *impracticality* of restricting their freedom to do so. What kind of government is it that allows freedoms and choices to *visitors*, but denies those same freedoms and choices to its own citizens?"

While this exposure of Council's hypocrisy did not endear us to Mayor Art Eggleton and his fellow councillors, the questions that followed clearly indicated that they knew what philosophy we were advocating. They even went so far as to avoid using the term *freedom of choice* and instead referred to **Freedom Party's** "free minds, free markets" philosophy as "the law of the jungle."

"The 'law of the jungle' refers to animals devouring each other," countered Metz. "Though I am aware of the analogy you are attempting to make, let me remind you that no one is being devoured here, nor are any of us animals. This is an *economic* issue where we are simply advocating that individuals be responsible for *their* own life and decisions, and the consequences that follow from these decisions."

This response brought forth the inevitable questions: "Do you think there should be minimum wage laws..." and "Do you favour any government regulation protecting workers from exploitation," both which were asked, in almost the same order, by members of Ontario's *Select Committee on Retail Sales* and of the *Committee On The Administration Of Justice* (pay equity: see related transcript, reprinted elsewhere in this issue).

In any event, Council had its collective mind made up well before the hearings took place, and thus its final recommendations were every bit as predictable as those of the provincial select committee: "That City Council is generally in support of a common 'pause-day', as provided for in the *Retail Business Holidays Act*."

It is clear that politics on the municipal level is driven by motivations no different from those on the provincial and federal levels: control over others seems to be the only enticement that attracts today's politician to his or her elected position, a position that is one of *power*, not of responsibility.



# BIA CAMPAIGNS DRAW GOV'T BACKLASH

*Hamilton City Council votes to ban FP's BIA brochure!*

Freedom Party's provincial warning campaign against *Business Improvement Areas* [BIAs] became much more aggressive in the months from January to May of this year, continuing the process outlined in the last issue of *Freedom Flyer*.

In terms of its implementation, the campaign is pretty straightforward and uncomplicated. When we learn of a business community with an *existing* BIA, particularly where there is already internal opposition to it, our *BIA Warning* brochure is delivered to businesses in the area, accompanied by a covering letter explaining the issue, why **Freedom Party** is involved, and who we are. Also enclosed is a card that can be mailed to the *Ministry of Municipal Affairs*, and a return envelope and response card. When we hear of a BIA being *proposed* in a business community in Ontario, we follow the same procedure. The only difference in dealing with *existing* BIAs and *proposed* BIAs is that we have a very good chance of preventing the latter from forming, while abolishing *existing* BIAs is a very difficult and tedious undertaking.

## WHAT IS A BIA?

**Business Improvement Areas (BIAs)** are the consequence of a provincial-municipal scheme aimed at compelling business people within an arbitrarily selected area to join a "business association." As "members" of this forced "association," they are also forced to pay an additional tax to the municipality.

Ostensibly, this tax is used to "improve" and maintain the appearance of government-owned lands in the business area, and for collective advertising to promote the area. Of course, the BIA tax widens the municipality's tax base, by adding it to existing property and business taxes.

## THE AREAS ( as delivered)

**September:** *London:* Richmond St.(250); London East (100);

**October:** *Toronto:* Yonge & Eglinton (1,300); Yonge St., north of Lawrence (200); Bayview Ave., south of Eglinton (East York) (200); Highland Creek Village (Scarborough) (100); *London:* London East (second delivery, additional material) (100);

**November:** *Toronto:* Avenue Road (North York) (300); Dufferin Ave., south of Lawrence (North York) (100); Bloor St., between Dufferin & Christie (250); *Keswick* (a town on Lake Simcoe) (125); *Newmarket* (100); *Aurora* (125); *Burlington* (350);

**December:** *Bronte* (a suburb of Oakville) (200); *Hamilton:* (James St. North) (200)

**January:** *Oakville:* downtown, Lakeshore Blvd. (250);

**February:** *Mississauga:* Clarkson (150); Port Credit (300); Streetsville (80);

**March:** *Toronto:* Yonge Street, north of Lawrence (200); St. Clair Ave. West (250);

**April:** *Georgetown:* (150); *Acton:* (80); *Waterdown:* (60);

**May:** *Hamilton:* Barton Street (150); Ottawa Street (200); King Street (175)

**June:** *Niagara Falls:* Queen St., (200)

## OAKVILLE

Following the delivery of our original *BIA Warning* brochure to Oakville's suburb of *Bronte*, **Freedom Party** Action Director Marc Emery, along with FP's Halton-Peel representative Bill Frampton and his wife Cathy, delivered the revised brochure to the businesses of downtown Oakville, which were already forced to belong to a BIA.

Reaction from the local merchants was somewhat restrained, but media reaction was substantial, resulting in a front-page article and photo appearing in the *Oakville Beaver*, a very distinguished weekly newspaper. Though both sides of the BIA controversy were accurately and extensively covered (much to the credit of the *Oakville Beaver*), the paper nonetheless launched an editorial

denunciation of **Freedom Party's** BIA campaign.

The paper's editorial was criticized by a brilliant editorial response by Bill Frampton (who will be FP's *Mississauga East* candidate in the upcoming provincial election). To our astonishment, Frampton's letter was followed by a second editorial regarding BIAs, which acknowledged that many problems had come to light and which urged a "go-slow" approach to the establishment of any new BIAs. We can only conclude that the newspaper investigated our allegations and found them to be true!

What can one person do to change public --- and media --- opinion? Plenty! Just ask Bill Frampton.



# Bronte BIA in trouble after pamphlet barrage



Cathy and Bill Frampton, along with Marc Emery were in town on the weekend campaigning against BIAs (Business Improvement Areas).

(Photo by Irv Mintz)

By LILIAN DIRISIO  
After months of preparation, and two weeks before its final approval, the Bronte Business Improvement Area has run into a problem — Marc Emery of the Freedom Party.

As it stands now, the Bronte BIA will be formed on Feb. 12 if there is no objection to it. However, town council can scrap the necessary passing of the by-law if 33% of the business owners file a petition with their objection.

Emery, along with two assistants, distributed pamphlets, titled "Warning: BIA'S are Hazardous to your Economic Health and Independence," to merchants in downtown Oakville and Bronte this weekend.

"Emery somehow swayed some merchants that a BIA is another government form of taxation. He basically told them untruths. There is a good chance he managed to sway one-third of the businesses to oppose the BIA," explained Richard

Carson, the owner of Home Hardware Store on Lakeshore Road West, and the man who has been trying to establish a Bronte BIA for the past 18 months.

The Bronte BIA, if formed, will run west of Jones Street and north of Marine Drive.

Carson stressed the formation of a Bronte BIA would help the business community. The major point of BIAs is to compel all business owners in an area to pay their share towards street beautification and business promotion.

And, Carson pointed out BIAs are eligible for provincial assistance from the Commercial Area Improvement Program.

The Freedom Party, an Ontario political party formed in 1984, opposes BIAs for several reasons: once a municipality passes the bylaw, every business in the defined area is automatically a member; BIA taxes have become "horren-

dous" in many communities; members have no direct say where their money is being spent.

"Membership is compulsory. BIAs practise extortion," said Emery.

He explained while a BIA can be stopped more effectively in its initial stages, it is not impossible to eliminate one that is already established. According to Emery, the Freedom Party had a hand in the recent abolishment of BIAs in Aurora and Toronto.

Emery, the action director behind the opposition to BIAs, said the Freedom Party began its campaign last summer. It has been concentrating on the Golden Horseshoe area for the past two months. Oakville was the target last Saturday.

"About 80% of the employers and managers we contacted (in Oakville) had no reaction. There were others who were very much opposed to it. We want them to know that

they are not alone. They have to convince council they want out. But that won't be easy because councils play into the BIA's hands," said Emery.

The pamphlet distributed by the Freedom Party highlights the Oakville downtown BIA. The downtown BIA, stretching on Lakeshore Road East from Allan to Navy Street between Church and Robinson, has been in operation since 1978. It boasts a membership of 285 businesses.

Emery said Oakville's BIA taxes are the most expensive in Ontario. According to the literature, the Oakville BIA taxed the businesses an average of \$35 in 1978 and in 1986 the tax bill jumped to \$617 per business. "By 1986, only eight years later, the budget was up to \$176,274, a whopping increase of 43% each and every year," states the pamphlet.

It also states BIAs act like

"dictatorships" which do not require input from its membership.

However, Julie Jelinek, the manager of the downtown BIA, said the pamphlet contains many distorted facts.

Jelinek stressed the Oakville BIA holds elections where every member has the opportunity to vote for the representatives who will sit on the Board of Management. The 12 representatives — including one town councillor — serve for a three-year term.

There are monthly board of management meetings, committee meetings and the membership is kept up-to-date with a printed newsletter.

As far as the budget goes, Jelinek said, the increases have been about 6% for the past three years: 1984, \$147,724; 1985, \$156,000; 1986, \$165,350. The 1987 budget will be presented to council on Feb. 24 with an expected 6% increase in the BIA tax bill.

Last year, the Oakville BIA spent their money on: \$58,250 for office salaries (two employees) and office supplies; \$60,000 for promotions; \$13,600 for parking; \$17,000 for beautification; and, \$24,424 for the street-scape.

"The budget is presented to the general membership and they have an opportunity to vote on it," explained Jelinek.

The process begins with the BIA drawing up a budget for the year. The town staff then strike a mill rate for the BIA, with the result that every commercial tax payer in the area pays a portion of the budget equal to his percentage of the total commercial assessment. This levy is on top of regular commercial realty taxes.

Jelinek is confident Emery and his Freedom Party will not sway the merchants in downtown Oakville to begin a drive to have Town Council abolish the BIA.

"I think most of the downtown people are in favor of the BIA because of the work we do for them," Jelinek said.

## Bronte needs BIA

For months, people in the Bronte area have been working to establish a downtown Business Improvement Area, similar to that of the one in downtown Oakville.

But, due to the recent efforts of Marc Emery of the three-year-old Freedom Party, those efforts may prove fruitless.

Emery was in downtown Oakville and Bronte on Saturday, passing out pamphlets entitled "Warning! BIA's are hazardous to your economic health and independence," telling merchants about the local business group and urging them not to establish one in Bronte.

Why attack something as innocuous as a local downtown business group?

Well, it seems Emery is of the belief local BIA's are unfair to local business people.

Why, he asks, pay an additional tax to improve government-owned land when business people already pay business taxes and other extra dollars to operate their businesses? And he claims the benefits derived from the BIA's are questionable.

To be sure, people have in the past questioned the benefits of the downtown Oakville Business Improvement Area association, claiming they do not see in direct dollars the improvement in their business.

However, in downtown Oakville, the BIA has always represented a voice for business people and acts as a successful lobbying mechanism for local merchants.

In short, it is much more than just an association bent on placing a few potted plants on the sidewalks.

In the past couple of years, the BIA has been instrumental in lobbying for the beautification of downtown Oakville and providing input into major decisions such as the

Lakeshore Road/George Street development.

The BIA has always recognized the unique attraction of downtown Oakville for both merchants and consumers and has consistently worked to improve it with local government.

Emery doesn't believe BIA's in the Golden Horseshoe have yielded such great results.

And in Oakville, he tried to convince people not to set up a BIA in Bronte, pointing to the extra taxation as a big disadvantage.

And he seems to have been marginally successful, according to one merchant who has been working to encourage business people to form a BIA. Should one-third of the merchants oppose the formation of the BIA on Feb. 12, council can scrap the necessary bylaw.

The major purpose for the BIA in any community is to compel all business owners in an area to put their share towards street beautification and business promotion.

In downtown Oakville, the efforts of the BIA have resulted in the increasing commitment of dollars by town council into that area of town. And, without the BIA, the work along the Lakeshore this year would have been undertaken without provincial funding from the Commercial Area Improvement Program.

In all likelihood, the high cost of undertaking such a program without the funds from the province and the contributions towards the work from the local merchants would have made town councillors shy away from it.

It would have been unfortunate for the town not to make any improvements to the downtown area of Oakville. It would be equally as unfortunate not to do the same in Bronte.

## BIA misrepresents case

Dear Sir:

When interviewed by Oakville Beaver reporter Lilian DiRisio about Freedom Party's Business Improvement Area pamphlet campaign, BIA backers Richard Carson and Julie Jelinek accused us of telling untruths and distorting the facts. In reality it is they who have misrepresented the situation.

Carson claims that BIAs are not another form of government taxation, which is totally wrong. BIAs can only be set up with the assistance of municipal governments, which must pass a bylaw to create one. Once in place, the BIA has the power to force businessmen to pay its annual levies. A tax is any government-imposed levy which is compulsory. Failure to pay will result in consequences no different for the businessman than if he fails to pay his property, business or income tax. He has no choice about whether to pay, how much to pay or when to pay. If BIAs are not a form of taxation, why does the town staff set a mill rate for the downtown BIA?

Jelinek stresses the consultation between the BIA and its members as one of the benefits. Yet according to one business proprietor whom I spoke to, notices about BIA breakfast meetings and advertising promotions are often received too late to be useful.

And what's the point of being able to elect a Board of Management that can be dissolved by town council and replaced by its appointees? This is precisely what happened in North York when businessmen opposed to their BIA were elected and attempted to reduce the budget and disband the BIA.

Both Carson and Jelinek imply that local merchants benefit by belonging to a group, but they are wrong on two counts.

First, merchants aren't the only ones forced into joining BIAs. All businesses, including lawyers, doctors, architects, bank branches, gas stations, etc. (all of which are in the downtown BIA) are forced to pay the BIA tax — and they are all treated as a single group with one common interest! Thus, a religious bookstore can

end up being forced to subsidize the promotion of a tavern and vice versa.

Second, BIAs do not work as a group. A legitimate group relies on the voluntary cooperation of its members, who join without being forced to do so, and who join for a recognized and agreed upon mutual interest. Those who do not recognize or share this mutual interest are not forced to join.

In contrast a BIA lumps all the businesses in an area together — including competitors — and then attempts to promote them as a unit. How can such promotions possibly benefit so many different businesses, each of which has its own distinct identity and reputation? Since a BIA doesn't have to earn the money it spends on promotion, it is not under any obligation to make effective use of that money.

The most glaring error of all can be found in the figures given by Jelinek for the downtown BIA's budget. Not only do they differ from those given to us by the town treasurer's office, they even contradict each other! According to Jelinek the 1986 budget was \$165,350, but her figures for separate items total \$173,274. This latter figure is still \$3,000 below the budget figure supplied by the treasurer's office.

In addition Jelinek's figures only cover the last three years. She is conspicuously quiet about the period from 1978 to 1984 in view of our calculation that the downtown BIA's budget — and taxes — increased at an average annual rate of 43% over its first eight years. The fact is that our statements are based on the information we received from the treasurer's office, and I have confirmed the accuracy of those figures. The budget has grown from \$10,000 in 1978 to \$176,274 last year, and this does indeed represent an average increase of 43% per year.

I invite anyone who shares our concerns about Business Improvement Areas to contact Freedom Party headquarters on London, After all, freedom of choice is what we're all about.

William Frampton  
Freedom Party of Ontario  
Halton-Peel Representative

Reprints: Above is the front page from the Oakville Beaver, late January. At far left is an editorial from the same issue condemning our campaign. The editorial and a letter from BIA executive is addressed by Bill Frampton. Below is an about-face editorial that followed two weeks after Frampton's letter was published.

**Oakville Beaver**

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## BIA on the ropes

With the current furor over the establishment of a Bronte Business Improvement Area (BIA), the town would do well to take a go-slow approach to the scheme.

At the present time, a petition is on its way to the Town of Oakville, containing the names of Bronte merchants opposing the plan. Opponents to the BIA say the list represents 33% of Bronte area merchants.

It would take at least that percentage for the town to quash a bylaw that would enact the Bronte BIA.

But Oakville is not the only municipality to run afoul of the BIA concept. In many other Ontario towns, there are problems with merchants who say they don't have enough con-

trol over their taxes imposed by a BIA bylaw.

In fact, the Ontario government is reviewing its legislation that permits municipalities to create BIAs with possible changes coming into effect some time this spring.

Those businessmen opposing the plan say they don't like the amount of money taken up in administration costs by the already existing Oakville BIA, and can see the same thing happening in their area.

Certainly there have been some dramatic changes made in Bronte over the past decade but it seems futile, at best, to put a BIA designation on the area if so many of the merchants are opposed to the scheme.



## MISSISSAUGA

Our visit to Oakville produced an unexpected benefit. Only a week following our mail drop there, a businesswoman from Mississauga happened to be a client of a downtown Oakville hair salon. She made a remark about how corrupt her own BIA in Mississauga was, and the salon's owner (bless her!) passed our BIA brochure on to her and said "These people were here last week about BIAs."

That's how we came to meet *Pat Pleich* of the *Barn Antiques* which is in the *Clarkson* BIA in Mississauga.

Pat is an individual completely committed to ridding her business area of its BIA, a task she has taken on, largely on her own, for the past five or six years. But like Ron Boyko of the Jamesville Street North BIA (Hamilton) and Bob Adams in North York (who finally had an existing BIA in his area abolished last November), she is *unrelenting* in accomplishing her goal. Every businessperson in Clarkson knows Pat, and she is armed to the teeth with facts, figures, and the usual stories of pervasive corruption that all BIA-fighters eventually collect.

As a consequence of meeting Pat, FP Action Director Marc Emery, with the constant advice and assistance of Halton-Peel FP representative Bill Frampton, coordinated our effort to deliver our *BIA Warning* brochure to all three Mississauga BIAs: Streetsville (80 businesses), Clarkson (150 businesses), and Port Credit (350 businesses).

In direct contrast to Oakville, where business reaction was restrained but media reaction was substantial, reaction from the businesses in all three Mississauga BIAs was much more vocal and supportive of our campaign, but the weekly *Mississauga News* placed a complete news blackout on our activities by refusing to print anything critical of BIAs.

Nevertheless, rapid and encouraging activity is underway. All three BIAs are being petitioned for abolition as we go to press. The petitions were produced by **Freedom Party** and signatures are being collected by local businesspeople.

## TORONTO

In the December 1986 issue of Toronto's *Metro Business Journal*, BIA fighters *Bob Adams* and *Bonnie Byford* were profiled in an article about the growing dissent within the Toronto business community to BIAs. A follow-up letter from FP Action Director Marc Emery was printed in its February '87 issue, and this resulted in an inquiry from a businessman petitioning to get rid of his BIA in the area of St. Clair Avenue West where 250 BIA brochures (covering only 65% of the district) were delivered the following week.

We also made a *second* visit to the Yonge Street area, north of Lawrence, because a local business association there has been persistent in promoting the BIA concept. When the proprietor of the *Vienna Clock Shop*, in the area, requested if we could provide someone to speak on the subject of BIAs, FP supporter and BIA-fighter *Judy Emslie* (who, with Bob Adams, was instrumental in abolishing the Avenue Road BIA in North York) gave a speech to local merchants as to the inherent dangers of BIAs at a general meeting of the business community.

While little support for the BIA concept exists among businessmen on Yonge Street North, it may be necessary to do a *third* information mail-drop because of the determination of a local businessman's association to force a BIA on its business community.

On another front, meanwhile, keeping close tabs on the Yonge and Eglinton business area has been necessary because certain interests have been steadfastly promoting the BIA concept there. The affected area consists of 1600 businesses, of which only 500 or so are retail.

1300 *BIA Warning* brochures were delivered to the area last fall but it is apparent that another effort may be necessary. Over 20 businesses for this area have written us indicating their opposition to the BIA concept, so it seems that a local group can easily be formed to oppose the BIA if necessary.

## GEORGETOWN and ACTON

In early April, **Freedom Party** was contacted by a reporter from the *Halton Herald*, a weekly newspaper in the communities of Georgetown and Acton. He was interested in our BIA brochure, which he had received from an affiliated newspaper in the region. After the interview, a front-page story appeared in the Georgetown edition of the *Halton Herald* with one of the most provocative cover headlines we have seen: *Party urges town BIA to revolt*.

Although we might have preferred a less sensational headline, the article accurately reprised our information and position. Two weeks after the article appeared, FP delivered its BIA brochure to both Georgetown's and Acton's *existing* BIAs, and to an area threatened by a proposed BIA, Waterdown, a community on Highway 5, north of Burlington.

## BIA BACKLASH

I would like to congratulate you on the article in your December issue, "BIA Backlash."

Business Improvement Areas have slipped into Ontario relatively quietly. In my opinion, it is time small businesses (not just retailers) realize that BIAs are one more instance of government encroaching and interfering with small business. Advertising and promotion is one area where government does not have to force businesses to contribute to a common pool to "improve" business. Small business wants less government interference, not more.

*R.W. Adams*

*President*

*Avenue Road Business Association  
North York*

May I congratulate you on your fair and balanced look at Business Improvement Areas in your December, 1986 issue.

BIAs are under strong attack in dozens of communities in Ontario and it is refreshing to see the business media pick up on the growing opposition to this blatantly socialist attempt to tax entire districts of independent businesses.

Freedom Party of Ontario has successfully fought against BIAs for over two years now, stopping several business districts from being stuck with a BIA, and assisting in the two areas in Ontario that have finally thrown off the burden of an established BIA (North York and downtown Aurora).

*Marc Emery*

*Freedom Party of Ontario  
London*

Two letters above were printed in March 1987 issue of *Metro Business Journal*.



## HAMILTON

Veteran BIA fighter *Ron Boyko* of the Jamesville Street North BIA (see last issue) passed on to us the name of another established BIA that was facing internal opposition from its members (Ottawa Street) and he also told us about two proposed BIAs (King Street and Barton Street) where we delivered our BIA brochures in early May. Response to our material was hot, as most businesses on Ottawa Street completely agreed with our stand, and some good contacts were developed.

In contrast, one businessman on King Street was so incensed at our attempt to derail the BIA proposed for his area that he nearly physically struck our volunteers threatening that he'd "make it so that you'll never be allowed back in Hamilton again!"

His threat may be supported by Hamilton's City Hall. Unlike all other Ontario municipalities who have been (perhaps grudgingly at times) cooperative in supplying us with BIA information, Hamilton refuses to supply us with information on BIAs even though such information is clearly within the public domain. The administration forced us to make our requests in writing, promising to send us the information requested under such circumstances, only to refuse us upon receipt of our written request!

## HAMILTON CITY COUNCIL VOTED UNANIMOUSLY TO ASK THE ONTARIO GOV'T TO BAN OUR BIA PACKAGE

Hamilton City Council is acting even more strangely than its administrators. Four weeks after our BIA mail drops in Hamilton, its City Council voted *unanimously* to condemn **Freedom Party's** *BIA Warning* brochure --- and further recommended that the Attorney-General investigate us under the Criminal Code Section 177!!! This is the law that was used to prosecute Ernst Zundel for "spreading false news" and reads (much to our nation's shame): "Everyone who willfully publishes a statement, tale, or news that he knows to be false and that causes or is likely to cause injury or *mischievousness* to a public interest is guilty of an indictable offence and is liable to imprisonment for two years."

Council's motion was covered by Hamilton's CHCH-TV news, which included an interview with Hamilton's Ward 3 alderman Verlaine, who proposed the motion. While news cameras panned extensively on our brochure, Verlaine remarked, "This pamphlet is changing the way businesspeople think," and that it might result in the cancellation of future plans for more BIAs in business areas of Hamilton!

## FREEDOM PARTY LOOKS FORWARD TO FACING CHARGES UNDER SEC. 177 OF THE CRIMINAL CODE: "SPREADING FALSE NEWS"

The Attorney-General's office is now faced with the unpleasant prospect of considering Hamilton City Council's bizarre request. Of course, from **Freedom Party's** point of view, a challenge of this sort would be most welcomed. Not only would we prove extensively every assertion in our brochure, but we would be in a legal position to subpoena Hamilton's civic administrators, politicians, Mayor Mel Lastman, Toronto's mayor Art Eggleton, London's mayor Tom Gosnell and Bernard Grandmaitré, of the *Ministry of Municipal Affairs*. A court challenge would force them to corroborate for the courts and media, *our* side of this corrupt BIA legislation. We would also be able to present dozens of friendly witnesses whose stories would make our currently circulated information seem to be merely a preamble to the *real* story behind the issue.

Stay tuned for further developments.

## FP WILL HELP IN HAMILTON CITY ELECTIONS.

In addition to the recent areas visited, our relationship with leading activists and business-people in areas visited last fall continues to develop as their fight against BIAs continues.

**Freedom Party** supplied the Jamesville merchants (James St. North in Hamilton) with 'No BIA' buttons for a rally at Hamilton City Hall on the future of their BIA.

*Action Director* Marc Emery has been asked to help plan campaign strategy for BIA activists in Hamilton who intend to run in the city's 1988 CITY ELECTIONS. Meanwhile, Emery himself will be a contender in London's 1988 city election.

## CONTROVERSY STILL RAGES OVER BURLINGTON BIA

**Freedom Party** delivered its BIA package to merchants of downtown Burlington last November, and the issue still continues to create controversy. As recently as April, **Freedom Party** was interviewed by the *Burlington Post* on the subject of BIAs in Ontario generally, and in Burlington specifically. A random poll conducted by the paper discovered that most merchants are opposed to their BIA.

## THIS SUMMER OUR BIA CAMPAIGN GOES TO SARNIA,

Over the summer of 1987, petitioning to get rid of the three BIAs in the Mississauga area will continue. FP intends to expand our BIA campaign to western Ontario communities such as Sarnia, Windsor, and Forest. *Most certainly, we will be returning to Hamilton ---often!*

As usual, we will continue to give highest priority to distress calls from businesses facing the establishment of a new BIA.





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## Overthrow plan would reduce budgets to zero

Marc Emery said one way to get rid of a BIA is for merchants opposing the organization to garner enough support to get themselves elected to the executive, then reduce the budget to zero, effectively eliminating the organization. The only other way to abolish BIA is to gain support of one third of the members and one third of the assessment, said Mr. Emery.

He said that can be difficult to do because a major store might not vote to abolish the BIA, and that store might hold a big chunk of the assessment, thus giving one store a bigger vote.

One disgruntled former member of the Georgetown BIA is Bill Apgar, former owner of Thinkinkers Learning Centre on Main Street. Thinkinkers, which sold children's books and educational items, opened in April of 1986 and closed down in Jan. 1987 due to "lack of volume," Mr. Apgar said.

"For new business starting up you start paying the bucks. The BIA to me is still pretty much an unknown," Mr. Apgar said.

"It looked to me that they took a shot at (beautification) and just gave up on it, the BIA is not a very high profile operation as far as I'm concerned," Mr. Apgar said.

He said he would have opted out of the BIA program if such an action was allowed.

Like several other businesses contacted, Mr. Apgar wasn't sure what his BIA taxes actually were, but added "It was a fairly good chunk of money".

"Mr. Apgar said his business "didn't benefit at all from anything they (BIA) did."

"I don't think they have the big picture. It's sort of piecemeal," he said.

Mr. Emery claimed many professionals, who are located inside the BIA boundaries and are forced to pay the levy are angry because they feel no benefit from the organization's activities.

## Party urges town BIA to revolt

By BRIAN MacLEOD  
Herald Staff

The Business Improvement Area in Georgetown is serving its purpose and members are getting their money's worth.

That seems to be the opinion of members of the BIA and the executive heartily agrees.

But BIAs do have their detractors, both provincially and locally.

The Freedom Party of Ontario, a registered political party based in London, is actively campaigning to have BIAs annulled in the Niagara region. Freedom Party Action Chairman Marc Emery said his party's actions have played a role in eliminating the BIAs in North York and Aurora, Ont.

Mr. Emery said his party has been in contact with over 40 BIAs in the Niagara Peninsula and 12 from all over Toronto in the past three months and he has met with a great deal of response.

Their campaign has included publishing a pamphlet entitled "BIAs are Hazardous to your Economic Health and Independence".

Mr. Emery's arguments centre around the fact that business in the area designated as a BIA area have no chance to opt out of the program and have little say over how much money is spent and where it goes.

The party cites the Oakville BIA as a "typical" example of how budgets can skyrocket in a short period. "The BIA was formed in 1978 with a \$10,000 budget, a mere \$35 average for each of the 285 businesses. By 1986, only eight years later, the budget was up to \$176,274, a whopping increase of 43 per cent each and every year," the party said.

In Georgetown the 1987 BIA budget stands at \$39,890, for approximately 100 businesses, with an additional \$15,000 left over from last year's budget, said Administrator-Clerk Joe Simon.

That represents a 21.6 per cent increase over the \$32,800 budget in 1986.

The tax levied on each business in the BIA is not entirely decided by the BIA executive. The Province sets an assessment of each business in the area based on the physical size of the business. The town decides where the BIA boundaries are and the BIA executive submits a budget to the town which, in turn, must give its ap-

proval, Mr. Simon said.

The Georgetown BIA, which consists of roughly 100 businesses in the downtown core, has engaged in many activities in the past, which, executive members said, has provided members with value for their dollars.

Georgetown BIA Chairman Carol Barrow cited beautification of the downtown core as the organization's main responsibility.

"I think they do (get their money's worth) if they would just sit back and look at it. Beautification is an expensive thing to do," Mrs. Barrow said.

Trees, crosswalks, lights and a median are some of the examples Mrs. Barrow listed as BIA projects.

John McDonald, a director of the BIA executive, noted the BIA is involved in several annual activities including Pioneer Days (Main Street is closed off for three days in June for the event) and Midnight Madness (shops stay open until midnight) in late summer.

Both Mrs. Barrow and Mr. McDonald said the BIA promotes the downtown core through cheaper advertising rates in local newspapers and through the installation of signs on the major arteries directing visitors to the downtown shopping area.

Coun. McDonald believes the local BIA has played a part in the rejuvenation of shopping in the downtown core.

BIAs are developed by the merchants themselves. Store owners operating in the affected area vote on whether or not to establish a BIA. But Mr. Emery noted those who oppose forming the BIA, or those who open a business in the BIA area, have no choice but to become a member and pay the tax levy. "It is pure coercion. Since you haven't joined our voluntary association on your own, fine, we'll force you to be the sentiment behind any BIA drive," the Freedom Party says.

Mr. McDonald feels the information published in the Freedom Party's pamphlet is "absolutely misleading. It's maddening. A lot of things are taken out of context," he said.

"It's not something that is imposed on anybody. It's a reality," he added.

He said the accusations levelled by the Freedom Party are "not necessarily representative of what BIAs do."

Top left, right:  
Articles from front  
page of Halton  
Herald, April 14,  
1987.

Left: Article from  
Scarborough paper  
indicates BIAs are  
being disbanded in  
places where we  
have not visited,  
but the problems  
are being seen, by  
this group at least,  
as they really are.  
The newspaper  
does editorialize  
about the loss to  
the community,  
trying the undercut  
the logic behind  
the move to dis-  
band the BIA.

## Birch Cliff Loses B.I.A.

On March 23, Members of the Birch Cliff Businessmen's Improvement Area voted to disband the association.

Reasons given for disbanding were that the work of the Association fell on too few shoulders and in particular, one man, Val Valetta, President; that the Association does not have any clout in preventing businesses coming into the area that defeat the purpose of "improvement"; that purchases made by the B.I.A. do not even belong to the Association, but to the City of Scarborough, that they could not donate money to any cause; any monies spent had to be spent on City property.

In the brief life of the

Association, (6 years), close to \$70,000 has been spent - a sum of money which seems incredibly high for the results obtained. All of this money has come out of the pockets of the merchant members in the form of a separate tax imposed by the City when the Association was formed.

Without this association, Birch Cliff will now lose the benches and flower containers. The flower bed in front of the T.D. Bank which was once serviced by students hired for the summer by the association, will in all likelihood be concreted over now. Manager Shirley Samis is now searching for a solution.

The appearance of our neighbourhood is certainly going to suffer by this loss.



## Meet **Bill Frampton** Activist, Candidate in Mississauga



Meet **Bill Frampton**, our candidate for *Mississauga East* in the upcoming Ontario election, and the current *Halton-Peel* representative for **Freedom Party**.

Frampton, a computer analyst and programmer with *Kurtz and Steel* in Mississauga, became involved with **Freedom Party** in 1985, after briefly being a member of the *Libertarian Party*. Along with his wife, Cathy, Bill has been extensively involved in **Freedom Party's** BIA campaigns in the Oakville, Mississauga, and Hamilton regions. Both were also involved in organizing the distribution of our "...Even On A Sunday" brochures during December 1986, along with other members who distributed the brochures at retail outlets which were defying the Sunday closing law at the time.

Frampton's efforts have produced a flurry of letters published in various publications. Samples are reprinted below, the shorter letter appearing in the *Toronto Sun*, and the longer one from the *1987 Annual Issue of Canadian Business Magazine*.

No doubt, you'll be hearing more about the Framptons in future issues of the **Freedom Flyer**. For the time being, **Freedom Party** members and supporters in the area are encouraged to contact *Halton-Peel* representative Bill Frampton to discuss our current and future plans for the area. There's plenty going on!

I am appalled by your proposal to spend our tax dollars on having an Expo 2000 in Toronto. If the experience of other world fairs is a reliable guide, this would be a scandalous waste of the taxpayers' money. Past Expos have been anything but successful. Eight Expos have been held in North America since 1960, and with only one exception the rosy predictions turned into a depressing reality of cost escalations and staggering financial losses. When measured by an objective criteria the two Expos held in Canada — Montreal in 1967 and Vancouver in 1986 — were both expensive disasters.

William Frampton  
Mississauga

### FREEDOM PARTY GROWTH RATE HIGHEST IN THE MISSISSAUGA, OAKVILLE REGION

Coincidentally, **Freedom Party's** membership growth rate has been greatest in the Mississauga and Oakville areas during the period from March to May 1987, though this is only *partly* attributable to our BIA campaigns. Our Sunday shopping campaign, including our dinner held in honour of Toronto furrier *Paul Magder* (see related stories), and our classified ads in the *Toronto Sun* have all contributed to the strong rate of support we are receiving from this region.

And supporters on one issue have found other issues that they can support **Freedom Party** with. Anti-BIA activist Pat Pleich, accompanied by her husband and two guests, attended **Freedom Party's** *Paul Magder Dinner* last April and were pleased to be involved with Paul's cause. They were joined by another anti-BIA organizer, Bob Adams, who also attended the dinner, and he and Pat were able to share many BIA experiences.

### IF YOU WANT TO GET INVOLVED WITH THE ACTIVITIES IN THE MISSISSAUGA AREA, CALL BILL FRAMPTON AT 272-0371!

#### Disturbing and astounding

The April cover story, *How to get money out of the government* by Michael Clugston, is quite disturbing. Instead of advising *Canadian Business* readers to take advantage of government assistance, the magazine should condemn such programs on both moral and practical grounds.

These assistance programs are based on the fallacy that government dictocrats can spend other people's money more wisely and effectively than they can spend it themselves. In contrast, the legacy of government attempts to assist business is a long litany of failures such as Nova Scotia's Sydney Steel Corp. and Ontario's Minaki Lodge. The effect of these

schemes is merely to encourage and assist businessmen to make bad investments.

Politicians claim that these schemes can expand the economy and create jobs, but this is a myth. Governments must ultimately get every dollar they spend from the taxpayers, who consequently have less money available for their own spending. As a result, government spending does not create any additional jobs at all but merely displaces those jobs that the taxpayers would otherwise have supported directly.

The state cannot give even one dollar to anyone that it does not take from someone else. When the force of law is used to take money from people without their

consent and give it to others, the law becomes an instrument of the very plunder it is supposed to prevent. Plunder is an immoral and criminal act, even when it is legal plunder.

The only real winners in this game are the cynical politicians who further their own ends with the taxpayers' money. Whether they take the form of a \$200-million loan for an aging auto plant or a \$10,000 small business start-up grant, government subsidies are morally wrong and economically unsound.

William Frampton  
Halton-Peel representative  
Freedom Party of Ontario  
Mississauga, Ont.



### PAY EQUITY LEGISLATION CONDEMNED BY FREEDOM PARTY

With barely 48 hours notice, **Freedom Party** president Robert Metz and vice-president Lloyd Walker were on their way to *Queen's Park* in Toronto to present their prepared brief to Ontario's *Standing Committee on Administration of Justice*.

The subject? Ontario's controversial *Bill 154*: "An Act to provide for Pay Equity in the Broader Public Sector and in the Private Sector."

Unprecedented in the western world, Ontario's pay equity law is intended to *force employers to take the initiative* in implementing "pay equity," which is defined strictly in sexual terms and along arbitrary categories created by government bureaucrats and politicians. Personal fines of up to \$2,000 and corporate fines of up to \$25,000 are the coercive tools that the government intends to use to create an economic illusion that Ontario's three major political parties are hoping will translate into *votes* in the upcoming provincial election.

As a consequence of that political objective, Ontario employers will now be expected --- or rather, *forced* --- to place their values on the *jobs* they create, *not* on the *people* they employ.

To those affected, the Act will prohibit the valuing of individual employees, and instead force employers to treat them all "equally" by predetermining the "value" of the *jobs* they do and paying them all the same rate for a particular function or job.

Under *Bill 154*, *individual worth and initiative* will be replaced by a bureaucratic, impersonal, costly, and wasteful system that ultimately has only *one objective purpose* intended: *state control* of private business and of the economy. Pay equity's logical, and eventually necessary extension will be price equity.

For female employees in particular, *Bill 154* is bad news. By virtue of their sex alone, *Bill 154* will place them in a precarious economic situation: Potential employers now know, that in addition to the many concerns, considerations, and headaches already associated with being an employer in this province, that in hiring *female* employees, they will be faced with the *additional* threat of personal and corporate fines should their judgement not happen to coincide with that of the government's.

Like the minimum wage laws that keep those whose objective labour value is less than minimum wage *unemployed*, pay equity laws will begin to place undue political and economic pressure *against* women, since their employment represents an additional threat to those who employ them. This will, of course, eventually lead to the necessity of government-enforced quotas in the hiring of women, and it shouldn't be too hard to see where that will eventually lead us.

It is with these concerns in mind that **Freedom Party** took its case against *Bill 154* to *Queen's Park* on February 23, 1987.

Metz opened up with the charge that *Bill 154* was entirely based upon an unsupportable premise by addressing the Act's *preamble*, which reads: "Whereas it is desirable that affirmative action be taken to redress gender discrimination..."

"The goals (of *Bill 154*), argued Metz, "are (admittedly) the consequence of a *desire*, not the consequence of a condition of injustice or of a violation of rights or of any such nature.

"The questions begging to be asked are: *desirable* by whom, discrimination by whom, towards whom, and with what unjust effects, and supported by what objective evidence? Since when has simple *desire* become justification for violating individual rights and denying individual freedom of choice?

"How is it that the mere existence of 'economic inequality' proves gender discrimination?" challenged Metz. "The fact that this bill is even being seriously considered by our legislators verifies that, for them, the end justifies the means, even if those means violate our individual rights and freedoms to a terrifying extent."

Where Metz dealt with the basic philosophic and political premise of *Bill 154*, Walker dealt with the *economic* and *social* implications it would have. His presentation focussed on the unintended but natural consequences of *Bill 154* and similar government legislation ranging from rent controls to free trade.

"To put it bluntly," insisted Walker, "government controls, like the road to hell, are paved with good intentions, but good intentions are not enough. No matter what good is intended, a law must be judged on its treatment of all citizens and the results of that treatment."

Walker demonstrated how *Bill 154* would give employers good reason *not* to hire women, and thus would make women victims of the very legislation that was intended to benefit them. His argument was based on the realization that relatively free individuals, when faced with government restrictions and controls, will find and create alternatives to get around government legislation (i.e., investing in something other than rental accommodations when faced with rent controls), which in turn would contribute to the creation of consequences *opposite* to those intended by legislators.

It was clear that the consistent, rational arguments put forth by Metz and Walker caught committee members completely off guard. Chairman Andy Brandt (MPP, PC), recognizing the philosophic consistency of **Freedom Party's** position, challenged the party's position on *minimum wage laws* and used an entirely *Marxist*-based assumption that employer-employee relationships that are not government controlled are situations of *exploitation*, irrespective of any voluntary agreements or arrangements that may privately exist between employers and their employees. Brandt seemed particularly confident in his assertion that "exploitation", which he blatantly avoided defining, has "been looked upon by all three of our parties as being totally unacceptable to us."



If nothing else, at least that answered the question about *whose desire* it was that affirmative action be taken to equalize wages paid within certain job classifications. All three parties were obviously in agreement on asserting their mutual "desire." But it was Brandt's concluding comments that verified Freedom Party's assertions and fears:

"The question is," said Brandt, after dismissing any objective standards to determine employee value, "where do we evolve to from here? That is what Bill 154 is all about."

Where *do* we go from here?

It's fairly obvious where the government is heading --- towards *state control of the labour market*, and Bill 154 is but one piece of legislation in the over-all process.

For Freedom Party, and for those committed to the principles of individual rights and economic freedom, the task is a formidable one. It begins with *education* and ultimately, in the best interests of all, must end with a political victory on the side of freedom of choice and freedom of association.

YOU can help.

Copies of Freedom Party's 13-page submission to Ontario's *Standing Committee on Administration of Justice* are available, post-paid, for \$1 each. Multiple copies can be obtained for less cost by request. Help spread the word. Send financial contributions. Tell your friends and acquaintances about Freedom Party. Get involved. Make the commitment to *support* your principles.

Free minds. Free Markets.

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Reprinted below and on the following pages are questions by members of the 'Pay-Equity Committee' that followed Freedom Party's official presentation. These kinds of questions are becoming predictable from Committees of all three levels of government.

Mr. Chairman: I am going to go to Mr. Polsinelli, but I want to make one comment. I think all of us on this committee are aware of circumstances where child labour has been exploited, where females have been exploited in so-called sweat shops, where all kinds of circumstances that are totally unacceptable in today's society have been looked upon by all three of our parties as being totally unacceptable to us. The question is, where do we evolve to from here? That is what Bill 154 is all about.

It does cause me some concern that you do not see any need under any circumstances, however extreme, for government to protect those who are in a weakened position or who are unable to protect themselves.

Mr. Metz: Your implication is that all those people in the sweat shops and in the circumstances you describe were forced there through some coercive or illegal method. You are saying they were not there by choice, that they did not make an agreement with their employer, that somehow someone came up to them and forced them into that situation.

If any individual in this room decides to work for another individual for even the ridiculously low rate of \$1 an hour, how does that make it anyone else's business? We are not in a situation to predetermine what a person needs for himself and what situation he would like to have in terms of his own priorities. It gets very dangerous when government begins to set priorities for its citizens and individuals within its society.

Mr. Polsinelli: I would like to thank you for presenting the other point of view. I have two or three very short questions. I would first like to ask whether or not you believe in equal pay for equal work.

Mr. Metz: If you define the terms, yes. Who will be doing the defining? If I am the person doing the valuing, then it becomes a moot point, does it not?

Mr. Polsinelli: Let me give you an example. A woman and a man are sitting side by side on an assembly line and are doing exactly the same work. Would it be proper for the employer to pay the woman less than the man?



Mr. Metz: Yes, it would be proper.

Mr. Polsinelli: Secondly, are you familiar with any other jurisdictions that have implemented equal pay for equal value legislation?

Mr. Metz: Just vaguely.

Mr. Polsinelli: Are you aware it has been federal law in Canada for, I believe, the last seven years?

Mr. Metz: Yes.

Mr. Polsinelli: Are you aware no one has died from that legislation yet?

Mr. Metz: No one has died from a lot of the legislation that even exists in the Soviet Union, but that does not mean the Soviet Union would be a preferred country to live in.

Mr. Polsinelli: This is my last and final question. Are there any ties between the Freedom Party of Ontario and the National Citizens' Coalition Inc.?

Mr. Metz: None in a formal way whatsoever.

Mr. Polsinelli: Thank you.

Mr. Chairman: Thank you for your presentation. Perhaps I could start off with the questions. I have only one. With the basic thrust of the brief you have put before us, I gather that a form of pay equity, primarily the establishment of minimum wage in this and other provinces and other jurisdictions many years ago, is something you would also not support. Is that correct?

Mr. Metz: You are absolutely correct, because we do not believe in legislating unemployment. If you have a minimum wage of \$6 an hour, people who are in a market worth \$5.50 an hour are legislated out of work.

I know of many instances of people who cook the books so that people can work. They are people who do not have to deal with minimum wages and do not have to fear their own government. It looks all nice and legal to the government, but they are not working the number of hours that are being reported. That is a private deal that any employee and any employer can make, and no government could ever be in a position to find that out. As long as the paperwork is filled out, it is going to look very nice, clean and aboveboard. This is going on. This is part of the underground economy we are talking about. Let us not fool ourselves by denying that it exists.

If we are going to be a free society for much longer, we had better consider the consequences of what we are doing these days. We are looking at a justice system. What happens when the average citizen starts to realize he is going to be treated the same by his government, whether he commits a serious crime such as theft, rape or robbery or whether he fails to pay someone in accordance with a certain government-prescribed amount; whether he opens his store on Sunday or whether he is a doctor who wants to charge his patients. None of these controls works, and we are seeing evidence of it every day in the newspapers. I cannot understand a government putting itself in a position of going headlong into action that has proven consistently time and time again that it does not work.



Mr. Chairman: I gather that, with respect to my initial question about minimum wage laws, you would not agree with the premise that there are some elements of exploitation in the work force, where a worker may be subjected to the power of a particular employer who can subject that employee to a level of income which is considered to be less than acceptable. In other words, the employee, being in a position which is less firm or not as strong as the employer's position, may well be forced into a situation where he has to accept something. In your particular example, you are saying that is going on in the underground economy now. I am suggesting to you that, as I understand it, government has to protect the liberty of individuals and has the responsibility to protect those who are not able to protect themselves in some instances.

By extension, if you do not accept the philosophy that there are exploiters out there or people who would take advantage of those who are weaker in our system, then obviously you cannot accept the philosophy upon which Bill 154 is based, because minimum wage is perhaps a lot less controversial than Bill 154.

Mr. Metz: I accept the philosophy of a government protecting its citizens. I do not accept the premise of your definitions. Coercion exists between an employer and an employee only when one or the other is using an explicit threat of force, not when they are using mutually agreed-to situations and terms they have both agreed upon. Unless an employer is holding a gun to an employee's head and forcing him to come into that building to work for him, how can it possibly objectively be said that coercion or force is being used in that relationship?

Mr. Stevenson: Government can get involved in the operations of business directly or indirectly in a great many ways. One way is through various tax incentives, special tax write-offs, protection from competition from similar businesses in other jurisdictions through tariff and nontariff barriers and so on. Do you support that sort of government involvement in business?

Mr. Walker: Absolutely not.

Mr. Stevenson: Let me use a particular example such as the European Community where there is substantial subsidization of several industries. Would you suggest that other governments such as Canada, the United States and Australia step totally aside and allow those policies to hit our countries on a free and open market?

Mr. Walker: I would say to you if the European Community wants to subsidize something it is sending to us, we should say: "Thank you very much. We appreciate the fact that all those people in Europe want to give us things cheaper." Our consumers would love the idea of having things subsidized by other countries. When those countries finally catch on to the idea that all they are doing is paying us to buy something, they will change their ways. You cannot run an economy giving away money for ever.

Mr. Stevenson: Thank you.

Mr. Chairman: There being no further questions, I would like to thank you for your submissions before us. As Mr. Polsinelli said, it does present a different view point from that which we have heard up to this point, and we appreciate hearing views from all sides of the spectrum. That is what our democracy is all about. Thank you very much.



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