



THE CLARKSON CONTROVERSY

Freedom Flyer

Winter 1988-1989

The official newsletter of the Freedom Party of Ontario



FREEDOM OF CHOICE



COMPETITION



PRIVATE PROPERTY RIGHTS



FREEDOM OF RELIGION



JUSTICE



SELF-RESPONSIBILITY



FREE ENTERPRISE

SUNDAY SHOPPING

NOT JUST A SINGLE ISSUE!

THE
FREEDOM PARTY
CAMPAIGNS



"If people elect a lot of people from the Freedom Party, they'll get less regulations. But so far, we're not overpowered by people voting for the Freedom Party"

--- Solicitor General Joan Smith
December 27, 1988

THE LONG HARD CLIMB

Small new political parties may, as was said about **Freedom Party** in a recent television feature, be facing "a long hard climb" to ultimate electoral success, but their active influence and impact on the outcome of *issues* and on public attitudes is both immediate and dramatic. We can prove it --- and we have.

Freedom Party's record of action --- and results --- is a testament to the truth of this statement and to the value of supporting a new political party. January 1, 1989 marks the end of **Freedom Party's** fifth year of activity, and the beginning of our sixth. From the very outset, **Freedom Party's** strategy has been twofold: (1) grass-roots community action; (2) grass-roots community education. It's a formula that works, and is well-worth supporting.

When Ontario's Solicitor-General Joan Smith implied that **Freedom Party** still has a long way to go before its votes will make a difference (see *Open-Line on Sunday Laws*, elsewhere in this issue), she paid us a great tribute. Since Smith has campaigned and debated against various **Freedom Party** spokesmen from the very beginning of her career in provincial politics, she is well aware that the principles on which **Freedom Party** is founded are not for sale --- not even for votes!

Back in 1985, when I first met Joan Smith, she was hard at work campaigning (successfully) to unseat Conservative incumbent and *London South* MPP Gordon Walker during Ontario's general election that year. Joan had served in London's municipal government both as alderman and as a member of its Board of Control, where ironically, she was known to be adamantly opposed to any municipal involvement with Sunday shopping laws. But more significantly at the time, Joan Smith was a strong supporter of London's hosting the 1991 *Pan-Am Games* at an incredible *tax-paid* cost of over \$100 million!

Upon her entry into *provincial* politics however, Joan Smith dramatically reversed her position on tax-funding for the *Pan-Am Games*. Her reason? According to Smith herself, as she knocked on the doors of *London South* voters during the provincial election campaign of 1985, she was constantly confronted by a tremendous, consistent voter opposition to the scheme.

The same mood was reflected in the other two London ridings where, as chance would have it, Liberal opposition leader David Peterson was running in *London Centre*. (It is somewhat amusing to reflect that in 1985, Peterson's riding campaign headquarters set up shop right next door to the offices of **Freedom Party**.) Not surprisingly, both Peterson and Smith promised London voters that they would not spend any provincial tax dollars on the Games, a factor that weighed heavily in the subsequent success of each of their campaigns.

As many **Freedom Party** members and supporters who have been with us since our beginning are aware, organizing the official opposition to the tax-financing

(federal, provincial, and municipal) of London's 1991 *Pan-Am Games* was **Freedom Party's** first major community campaign, and by any objective standard, it was a smashing success. Not only did it demonstrate the value of direct citizen involvement in an issue that would otherwise have been dominated by bureaucrats and politicians, but it proved to our members and executive alike that we don't have to be getting votes to have a profound and measurable impact on political issues of the day.

Joan Smith's discovery of a consistent and informed opposition to the tax-funded *Pan-Am Games* was a direct consequence of our "No Tax for Pan-Am" campaign, and of that there can be no doubt.

In 1984, the year before Smith began her provincial campaigning, **Freedom Party** distributed over 60,000 8-page brochures to households in London, which outlined in detail the risks and pitfalls associated with such an expensive undertaking, especially when it is undertaken by politicians and governments. Prior to our information campaign, there was virtually no vocal or organized public opposition to the scheme.

Within three months, **Freedom Party** was servicing 1,100 local subscribers with its monthly *No Tax for Pan-Am* newsletter, and our supporters intensely lobbied municipal, federal, and provincial politicians to withhold tax funding from the Games.

Without going into every detail, (a complete documentation of our first campaign is available to any member or supporter on request) suffice it to say that **Freedom Party's** first community campaign was an unprecedented success:

A record number of letters to the editor of the *London Free Press* (a paper which editorially and financially supported the tax-financed scheme) were generated on the issue --- with 85% of the comments opposed to the greater tax burden. The same statistical range of opinions was reflected in a wide range of informal polls, including one conducted by the *London Free Press* and two conducted by, of all things, a local open-line sports program.

by Robert Metz

(continued from previous page)

Otto Jelinek, federal sportsminister in 1985, was among the many who acknowledged our campaign and supporters. Fortunately for taxpayers at the time, he announced that federal funds would not be forthcoming for the 1991 Pan-Am Games, and both an unnecessary expensive undertaking and more taxes were avoided.

Needless to say, our influence on the outcome of an issue that saved taxpayers over \$100 million was dramatic:

Freedom Party --- and no one else -- supplied the intellectual and moral ammunition that made it possible for citizens to effectively voice their opposition to more taxes and thereby, to force two significant political candidates (David Peterson, Joan Smith) to withdraw their previous support for an ill-conceived scheme. If this isn't a demonstration of political power and influence, then I don't know what is.

And yet, many people still have doubts and reservations about the value of supporting a small, new political party --- especially one dedicated to individual rights and freedoms. Current political mythology has it that "principles", "idealism", and "philosophy" just don't mix with realistic political action. But that depends on the objectives of your political action. If you're out to violate rights, buy political favours, or steal money from the pockets of hard-working honest individuals through constantly increasing their taxes, *of course principles won't work!*

But principles of individual freedom *do* work and we've proven it time and time again. Since our first campaign, **Freedom Party** has amassed an impressive list of campaign accomplishments and has played an important community role in defining the issues and principles behind many of today's political controversies.

We've successfully fought against forced association in both labour and in business. They told us we couldn't take on coercive unions. So we did it. Twice. Two union ratification drives were defeated as a direct consequence of **Freedom Party's** involvement. We even dared to picket the postal union during a postal strike in which violence and vandalism erupted. We supplied free garbage pick-up service to residents of London during that city's last garbage strike. (Ask for *Freedom Flyer: The Labour Issue* [November 1987].)

They told us we couldn't take on big government and those business people who would use political influence to achieve their ends. So, through our BIA campaigns, we did it. Not once, but many times. (See coverage elsewhere this issue and ask for *Freedom Flyer, January, 1987 and Summer 1987 issues.*)

Because **Freedom Party** is a party based on principle, we're not out to *appeal* to public opinion; we're out to *change* it.

In the course of our public advocacy of individual rights, responsibilities, and freedoms, we've become Ontario's leading proponent for freedom of choice in Sunday shopping. While some may observe that "Sunday shopping" seems a trivial subject for concern, the issue has offered us a tremendous opportunity to educate and influence the public on the *real* issues behind Sunday shopping --- in fact, the real issue behind *every* political controversy: individual freedom of choice. Through public advocacy, we not only educate the public, but the politicians.

Still, the events reflected in this newsletter and in my previous remarks represent only the tip of the iceberg in terms of *what Freedom Party is doing*. I haven't mentioned the numerous visits to schools, open-line debates, special events, radio and television interviews which have become a routine part of our activities. Or our past and future participation in provincial elections. Or the fact that **Freedom Party** is becoming a bona-fide *research and information resource center* in its own right. Or that **Freedom Party** has printed and published more literature, pamphlets, newsletters, etc. in its first few years than most political parties would offer their supporters in a lifetime.

We've accomplished and done all this *because* of our principles, not in spite of them.

And just as in 1984, when **Freedom Party** was founded, we're still challenging and confronting politicians like Solicitor General Joan Smith (see coverage, elsewhere in this issue) --- politicians who bend and sway with every political wind and who, because of their *lack* of principles, are destroying our rights, our freedoms, and our future.

We *can* stop them.

Let's do it. We have only our freedom to regain.

FREEDOM FLYER

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FREEDOM PARTY OF ONTARIO

Freedom Party of Ontario is a fully-registered Ontario political party. Contributions are tax-creditable. **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. **Annual Membership & Support Level:** \$25 minimum (tax-creditable); **Provincial Executive:** **Ontario President:** Robert Metz; **Vice-president, Ontario:** Lloyd Walker; **Ontario Secretary:** Jack Plant; **Regional Vice-president, Metro Region:** William Frampton; **Action Director:** Marc Emery; **Chief Financial Officer:** Dean Hodgins; **Party Leader:** Robert Metz.

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FITZGERALD

WELLAND—THOROLD BYELECTION SECOND FOR FREEDOM PARTY IN '88

Having just announced our official registration in the provincial riding of *Welland-Thorold*, we were somewhat caught off guard by NDP MPP Mel Swart's sudden announcement that, for health reasons, he would be relinquishing the riding he had represented for the past thirteen years (see coverage, last issue).

As part of our commitment to the riding, **Freedom Party** launched a modest but highly credible election campaign where, thanks to **Freedom Party** candidate **Barry Fitzgerald**, our presence in the byelection played an important role in helping define the issues. It was **Freedom Party's** second participation in a byelection in 1988, the first being the London North byelection (see last issue).

On November 3, 1988, in the midst of municipal election campaigns and a federal election campaign, voters in the riding of *Welland-Thorold* went to the polls to re-elect an NDP representative, candidate Peter Kormos, whose wide margin of victory was indicative of the strength of NDP support in the riding.

Nevertheless, as illustrated by our media coverage (examples reprinted), we demonstrated once again that our participation in an election can have a measurable impact even long before any realistic expectations of significant vote returns. As we announced in our August 1988 Media Release (issued before the byelection was called): "Fitzgerald's upcoming byelection campaign will be a first step in establishing **Freedom Party's** presence in the *Welland-Thorold* area, where the party's grass-roots approach to politics is expected to contribute to the creation of a riding organization capable of having representatives elected in the future."

The Welland arm of the fledgling Freedom Party of Ontario is represented by **Barry Fitzgerald**, a 35-year-old maintenance electrician who espouses his party's belief that government controls designed to protect citizens actually strip away personal freedoms.

He argues that while the provincial and local governments battle over who should enforce Sunday shopping legislation, people should be able to make up their own minds. Sunday shopping should be allowed for people who want it.

The married father of three, who is a member of Amnesty International and the Foster Parents Plan, tells unionists they should have the right not to strike as well and their sacred right to strike.

He says, a bit tongue in cheek, that politicians are not suitable to legislate morality. People should have the right to make their own decisions under provincial legislation which protects their freedom of choice rather than restricting it.

☆☆☆

OFFICIAL RESULTS:

NDP	
Peter Kormos13,933
LIBERAL	
Mike Lottridge9,819
PC	
Brian O'Brine4,574
FREEDOM PARTY	
Barry Fitzgerald 260
INDEPENDENT	
John Turnel187

Freedom Party fields byelection candidate

By KEN AVEY
Tribune staff writer

WELLAND — A 35-year-old maintenance electrician at Atlas Steels is the fourth entrant into the upcoming Welland-Thorold provincial byelection.

Barry Fitzgerald, of 280 Brownleigh Ave., will represent the Freedom Party in the campaign.



Fitzgerald

Fitzgerald, in an interview yesterday, said he will run on a platform that states the "purpose of government is to protect freedom of choice and not restrict it."

The Freedom Party, based in London, Ont., is a registered political organization formed four years ago.

Fitzgerald has worked at Atlas for the past six years, is married and has three children. He is a founding member of the Brownleigh Tenants' Association and a member of the Niagara Chapter of Amnesty International. He is also fluent in Italian and French.

The Freedom Party is registered in 11 provincial ridings in Ontario and its leader is Robert Metz of London.

Fitzgerald said the byelection campaign "will be the first step in establishing the party's presence in the Welland-Thorold area, where the party's grass roots approach to politics is expected to contribute to the creation of a riding organization capable of having representatives elected in the future."

Fitzgerald will face New Democrat Peter Kormos and Progressive Conservative candidate Brian O'Brine in the byelection. The local Liberals will choose a candidate to contest the riding on Sept. 22 and the Family Coalition Party is also expected to field a candidate.



Welland-Thorold Provincial Byelection Preview

Wants more freedom of choice

— By TIM BYNG

Barry Fitzgerald plans to make some inroads in Welland-Thorold as the first member of the Freedom Party to seek election in the riding in a provincial election.

The Freedom Party, which was formed more than four years ago and is headquartered in London, Ont., believes "the purpose of government should be to protect an individual's rights, not restrict them," says Fitzgerald, an electrician at Atlas Steels.

The 35-year-old Welland resident said he joined the Freedom Party after becoming "very disillusioned" with the three major parties. He found the Freedom

Party to be "sincere".

"With the system of government we're looking for, there would be no special benefits in it for us; whereas all the other parties pander to special interests," said Fitzgerald, who is married with three children.

Fitzgerald was asked about a number of provincial and local issues by The Guardian. He believes the concept of free trade is good. "The deal that has been worked out does have certain drawbacks," he said, but added that it could be a base upon which to build the principles of free trade in the future.

"We should also take a very

close look at inter-provincial trade, which has way too many restrictions," he said.

ABORTION

On the controversial issue of abortion, Fitzgerald said "Abortion is a federal issue. I personally am not in favor of abortion, however, I don't feel I have the right to make the decision for anybody else."

Fitzgerald feels, however, that OHIP funding for abortions should be removed. "I don't think it's right that people who oppose abortion should have to subsidize abortion, which is what is hap-

See — Fitzgerald — page 12

BARRY FITZGERALD Freedom Party



Continued from page 3

pening now."

Tax reform "is basically just a reshuffling of the pot, and the working man in most cases gets stuck with the bill," said Fitzgerald. "The only meaningful tax reform is to have the government stop spending money."

Fitzgerald believes environmental laws are tough enough, "but the way these laws are administered leaves much to be

desired." He said raw sewage is still entering the Welland River despite several calls by himself to the ministry of the environment.

There are also too many levels of government, said Fitzgerald. "We find a lot of duplication of services. This is just a duplication of expenses more than anything else."

Fitzgerald said he supports "freedom of choice" on the issue of Sunday shopping. "It should be up to the individual—the customer and the merchant," said Fitzgerald.

Regarding the situations at Niagara College and the Welland hospital, Fitzgerald said local taxpayers must decide if they want to pay more taxes to fund such institutions.

Fitzgerald said the college's board of governors "has been given the power to decide which courses will be run based on enrolment and financing." When asked about a possible increase in provincial funding, Fitzgerald said "When I look at the amount of

money they are putting in there, I think in most cases it would be sufficient if the college is well-managed."

Fitzgerald said he has talked to nurses and cleaning staff at the hospital "and they feel the hospital is not being run very well, and labor relations there seem to be at an all-time low."

When asked where he would allocate monies in the riding, Fitzgerald said there is a "serious

lack of funding" for apprenticeship and job training. "I can't think of any instances where the government has created good permanent jobs that become self-supporting."

Fitzgerald said he is also opposed to no-fault auto insurance, saying it will fall into the same pitfalls as the Workers' Compensation Plan, "which is the province's first no-fault government insurance plan." Fitzgerald said he and other candidates recently listened to a number of complaints from workers regarding Workers' Compensation.

Regarding day care, Fitzgerald said "The decision to have children is an individual decision; once that decision is made, we don't believe the government is responsible for raising your children."

Fitzgerald said he hopes to increase voters' awareness of the Freedom Party and its views during the provincial byelection, adding, "I'm the first Freedom Party candidate in Welland-Thorold, but not the last."

Quotes from Richard Needham

When the politicians come up with a solution for your problem, you have got two problems.

The ultimate consequence of liberal democracy is that 15 percent of the people are in jail, 15 percent on pension, 15 percent on welfare, 15 percent on unemployment insurance, and 15 percent in the bureaucracy. The remaining 25 percent are working to support them.

Following the disaster (military, political, economic), the men who obeyed the orders are punished; the men who gave them are promoted.

The politician tells you the beautiful things he is going to do when he is in power. He doesn't tell you the ugly things he will do to get that power — or the even uglier things he will do to hang on to it.

Candidates debate issues of injured workers

Three provincial byelection candidates participate

By Guardian Writer
GLORIA KATCH

It was not much of a political showdown. Three provincial candidates met Monday night at the U.E. Hall in Welland armed with pledges and promises on how they would improve the quality of life for injured workers, and how they would deal with Bill 162.

Approximately 50 interested persons, primarily injured workers, attended the debate by three of the four candidates seeking election in the Nov. 3 Welland-Thorold Riding provincial byelection.

There was no mudslinging and it was a clean debate with Conservative Brian O'Brine; Ontario Freedom Party candidate Barry Fitzgerald; and New Democrat Peter Kormos participating. Liberal candidate Michael Lottridge did not attend the debate, and told the members of the Welland and District Injured Workers Organization (WDIWO) that he had a prior commitment.

Lottridge sent a letter outlining his policies to Donald Comi, president of WDIWO. Comi was not impressed with Lottridge's stance and stated, "He is basically telling us the same thing as Sorbara (provincial minister Gregory Sorbara) is telling us. We wanted to express our concerns to him (Lottridge), but he is not here."

Bill 162 to change the Workers'

Compensation Board (WCB) was scheduled for its second reading in the legislature Tuesday. If passed in its present form, Bill 162 will mean sweeping changes to the Workers' Compensation Board and many injured workers groups are averse to the bill.

ALL AGREE

All three candidates agreed many changes were needed to the proposed bill. "If I'm elected I will work strenuously for you to stop this legislation and any bad legislation. I will personally push for your funding. I know it's a battle and you have to have funding," said O'Brine. Comparing the Liberal government to the WCB, O'Brine said both institutions were becoming known for their bureaucracy and red tape. The bureaucracy is causing a huge backlog of injured workers, and particularly those seeking appeals.

When O'Brine's party was criticized by Peter Kormos for being associated with big business, O'Brine said he did not like to be labelled. "No party has a monopoly on caring for people. I don't have to be a member of the NDP to have a heart." O'Brine said he personally cared about the issue because of a back problem he has, which has affected his quality of life. In addition to stating that accidents are a business cost and should be, O'Brine said the bottom

line was to improve the workplace so that accidents are greatly reduced.

Criticizing the Liberal government for being "arrogant," O'Brine used Sunday shopping as a prime example. "The Liberals are going ahead with it, despite the fact they know the whole province is against it."

After giving a brief history of the WCB, Fitzgerald pointed out how the WCB has deteriorated with time. Fitzgerald said prior to the WCB, workers were allowed to sue their employers, but that right was taken away when the WCB was established and money was guaranteed to compensate for the loss of rights. Fitzgerald called for a more accurate financial assessment of injured workers, since the WCB's assessments are unsatisfactory.

Fitzgerald does not agree with how the WCB assesses pension claims depending on age. Those on pension will receive \$1,000 less in pension monies for each year they are older than 45. Therefore, many people who are more than 65 years old receive "next to nothing" for their pensions. Fitzgerald later told The Guardian: "The Freedom Party does not believe in mandatory retirement. We don't like the arbitrary figure of 65."

The Freedom Party is approximately four-and-a-half years old. Fitzgerald is a Welland resident and is employed as an electrician at Atlas Specialty Steels.

According to Kormos, "Injuries have continued to spiral. Every working day a person is killed on the job." Since 1985 the Liberals have had the opportunity to amend the Compensation Act to help alleviate "the streams of workers" on compensation, Kormos said. The NDP office in the Welland-Thorold Riding has been assisting people in making appeals to the

WCB, and the numbers increase each year.

Being a lawyer by profession, Kormos said the proposed bill in its present form gives "free reign" and "discretionary powers" to the board. "And that's why we have to have it stopped."

If the bill is passed, Kormos told the audience the WCB will be assessing employees on what it estimates a worker should be able to make in the workforce in the future, despite the injury or disability.

However, the WCB is assuming that injured workers will be able to obtain work when they assess the amounts allotted in compensation claims. The monetary allotments are based on "phantom jobs," he said.

"The minister of labor absolutely has no right to indicate he

has broad public support, because that's a lie. Because if Bill 162 were an example of sound public policy, we wouldn't be here," Kormos said. "We know that it's horribly, badly flawed."

All three candidates said they would support a task force established to tour the province to hear the concerns of injured workers. Both Kormos and O'Brine said they agreed with the idea of establishing a holiday to honor workers killed or injured on the job. Fitzgerald said he was uncertain about supporting such a holiday. "We already have a day to honor the dead (workers). I don't think another holiday will help anybody. I don't want to remember injured workers that way. You have to think of health and safety every day."

NEXT ISSUE: THE ENVIRONMENT



FITZGERALD
VOWS HE'LL
"MAKE SURE
McMASTER AVENUE
SEWAGE IS CLEANED UP!"

A reactionary is a man who thinks that doctors know more about medicine than politicians do, that builders know more about housing than bureaucrats do, that farmers know more about food than clergymen do, that bankers know more about money than university professors do, and that people who live in the North know more about Indians than people who live in Toronto do.

Welland-Thorold Provincial Byelection Preview



Niagara College hosts debate

Provincial candidates square off with media

By Guardian Writer
DAVID EDGAR

Under the hot lights and tough questions the five Welland-Thorold provincial byelection candidates sweated a little as they met a panel of media questioners in a televised debate at Niagara College Thursday evening.

Panelists, Paul McPhee from CHOW Radio, Pat Barevich from the Welland Tribune, and Guardian Express editor Ted Thurston quizzed Freedom Party candidate Barry Fitzgerald, Progressive Conservative candidate Brian O'Brine, Liberal candidate Mike Lottridge, Independent candidate John Turmel, and NDP candidate Peter Kormos for 90 minutes. Peter Marina of CHOW Radio served as moderator of the forum.

Kormos and O'Brine were most clearly on the offensive, placing Lottridge on the defensive, while Turmel attempted to outline an alternative position to that of other candidates, and Fitzgerald stuck to his theme of individual freedom of choice on most issues.

ENVIRONMENT

Thurston asked candidates if they would force polluting industries to clean up their operations even if in the short term this would result in job losses. He also asked candidates for their position on attaching criminal charges to convicted polluters.

Fitzgerald said he would force the industry to clean up even if it meant a loss of jobs.

O'Brine would force a clean-up but does not support foisting criminal charges on polluters because he doesn't feel this is necessary with appropriate government legislation.

"We can't make compromises when it comes to the environment," said Lottridge.

Turmel suggested that the government pay people to clean up the environment.

Kormos supports laying criminal charges against polluters. "When one corporate executive goes to jail, a strong message will be sent to others."

Fitzgerald claimed Kormos was irresponsible as a city alderman for allowing sewage to be dumped into the Welland River. Kormos said this was untrue.

FREE TRADE

In response to McPhee's questions on free trade, candidates were asked to explain their position and the deal's impact on grape growers.

Turmel, Fitzgerald and O'Brine support free trade. O'Brine expresses sympathy for grape growers, and supports their rejection of the recent compensation package offer. "They're

Welland.

Kormos said that expanding Hwy. 406 from a two lane to a four lane highway would improve local economic growth rates.

O'Brine warned not to look to the Liberals for help, and Fitzgerald called for lower taxes and more job retraining programs.

Candidates were asked to solve the hospital crisis.

Turmel began by claiming that the system, as it exists, is incapable of solving the hospital crisis. He said that people must examine his platform of "people service instead of interest service," if there is any

ministry was not a bailout but awarded on the basis of a reassessment. He said that the hospital will receive up to \$1 million each year from now on, when deficits occur, in addition to the standard increases that all provincial hospitals receive.

The media panel seemed surprised, asking Lottridge to clarify if he was stating that the provincial government had in fact not only given a "one-time bail-out", but was promising to maintain the increased budget grant of \$1 million in all future budgets. When Lottridge restated the same

of people to work on Sundays and business to open.

Lottridge defended the Liberals' position of allowing the municipalities to decide for themselves.

Turmel said that with all of the problems we are facing, Sunday shopping didn't rank high on his list of priorities, however, he supports Sunday shopping.

DRUGS

On a question from Thurston, candidates expressed concern over the infiltration of drugs into society.

Kormos blames the federal government for cutting budgets, forcing the Niagara Regional Police to close down a department which dealt with drug enforcement.

O'Brine suggested beefing-up our commitment to drug enforcement instead of expanding the provincial bureaucracy.

Lottridge stressed improving enforcement regulations and educating the public.

Fitzgerald did not allow for individual freedom in the case of drugs. He emphasized that improvements in drug education were necessary.

Turmel said that drugs should be treated like alcohol, and that it could be a matter for the LCBO.

TOP ISSUES

The primary issue in this campaign for Lottridge is who will be the best representative, promising he has the desire and ability to be the best representative for Wellanders, in the tradition of Ellis Morningstar and Mel Swart.

Fitzgerald is concerned with the erosion of individual freedom in Canada.

Turmel believes monetary reform is the most pressing issue Canadians must face.

The environment, and the development of a vision to guide future development based on grassroots participation, is the top issue for O'Brine.

Kormos said he is committed to ensuring that the "Mel Swart tradition", of working hard for the average person, and being accessible to the public, is maintained.



BARRY FITZGERALD
Freedom Party



PETER KORMOS
NDP



MIKE LOTTRIDGE
Liberal



BRIAN O'BRINE
Conservative



JOHN TURMEL
Independent

right to reject the first offer," said O'Brine.

Lottridge likes the idea of free trade but doesn't like this deal. He blames Mulroney for the grape growers difficulties, while O'Brine blames Ontario Premier David Peterson.

Kormos noted how Mulroney flip-flopped on the issue of free trade, being opposed to it prior to his election. Kormos opposes free trade.

ECONOMIC GROWTH

"How do you achieve economic development?" asked Barevich.

After outlining a plan to attract business by promoting Welland, Lottridge was asked why he moved his business from Welland to St. Catharines. He claimed that his move was prompted by a lack of appropriate commercial space in

hope of dealing with any one of our numerous crises.

Kormos and O'Brine slammed the provincial Liberal government. Kormos accused the Liberals of "abdication its commitment to health care." Saying the Liberals accused hospital administrators of inefficiency, O'Brine noted that the Liberal government had expanded its bureaucracy by 7,000 since being elected. He questioned their priorities and said, "Who is calling who inefficient."

Lottridge said he sits on the board of directors for the Shaver Hospital in St. Catharines and is well aware of the difficulties that hospitals are facing. He clarified his position regarding underfunding at Welland County General Hospital, maintaining that the \$1 million grant from the health

commitment the panel indicated that the revelation was news to them.

SUNDAY SHOPPING

Kormos and O'Brine oppose shopping on Sundays. Kormos said, "Sunday shopping means Sunday work." He also noted that by letting the municipalities decide for themselves, pressure would be placed on municipalities deciding not to open, because of neighboring municipalities which decide to open. In other words, they will be put at a competitive disadvantage.

O'Brine expressed concern that the legislation would place more unneeded pressure on the family unit.

Fitzgerald said that the Retail Business Holiday Act should be scrapped because it is full of inconsistencies. He supports the right

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THE VILLAINS THAT OPPRESS
AND ENSLAVE OUR COUNTRY.

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CALENDAR
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on investments, taxes and financial privacy

February 1989

ACTION OF THE MONTH

First, get the fascinating 1989 Calendar of Individual Freedom. The calendar is jam-packed with different events in the history of freedom, both bright and dark, as well as famous quotes from freedom lovers. Among them are Judge Gideon Tucker's "No man's life, liberty or property are safe while the legislature is in session" and Adam Smith's "It is the highest impertinence and presumption, in kings and ministers, to pretend to watch over the economy of private people. They are always, and without exception, the greatest spendthrifts in society." Amen! To get your copy, send only \$6.95 to Freedom Party of Ontario, PO Box 2214, Station A, London, Ontario N6A 4E3, Canada. Choose between a U.S. or Canadian edition.

Second, obtain a copy of the exciting new book, *The Free Market Reader*, a collection of essays on economics, investments, taxes and liberty by Murray Rothbard, Ludwig von Mises, Henry Hazlitt, Ron Paul and Lew Rockwell. It also includes my article on the Austrian theory of the business cycle. *The Free Market Reader* is 400 pages of great material. It is available for \$13.95 postpaid from the Mises Institute, Auburn University, Auburn, AL 36849. Highly recommended!

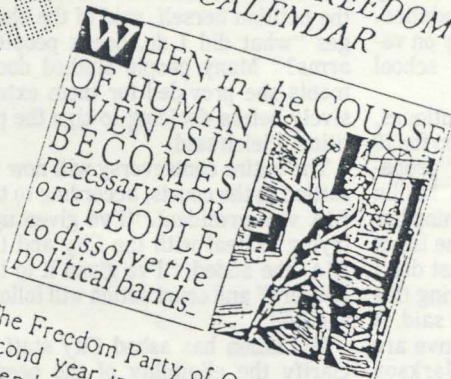
Mark Skousen
Mark Skousen

Mark Skousen, Ph.D., Editor of FORECASTS & STRATEGIES, is a nationally known investment expert, economist, author and lecturer. Skousen has edited FORECASTS & STRATEGIES for the past 10 years, and is the author of such best-selling books and special reports as *The Complete Guide to Financial Privacy*, *High Finance on a Low Budget*, *The Offshore Loophole* and *Who Called The Crash?* In fact, Skousen was one of the few investment advisers to warn his subscribers to sell all stocks on September 8, six weeks before October 1987's stock market collapse. Skousen is an adjunct professor of economics and finance at Rollins College, lecturer at the Ludwig von Mises Institute, a former economic analyst for the CIA, and a member of the White House Press Corps.

November-December 1988
Freedom Network News

BULLETIN BOARD

CANADIAN LIBERTARIANS PRODUCE FREEDOM CALENDAR



The Freedom Party of Ontario, for the second year in a row has produced a calendar that is bound to delight libertarians. The 1988 version was good, but it is even better for 1989 with slick coated stock and high quality three color printing. It is jam-packed with pithy quotes, plus photos and illustrations of libertarian luminaries both present and past. Each day features a brief note depicting *Highlights* and *Dark Days* of Individual Liberty. We recommend it highly -- as a matter of fact one is hanging in LI's office. Available in American and Canadian versions (an international version is also planned for 1990). Price is \$6.95US, payable to: The Freedom Party of Ontario, P.O. Box 2214, Stn. A, London, Ontario, Canada N6A 4E3.

A SAMPLE OF REVIEWS

Advocates for Self-Government
**FREEDOM CALENDAR
AVAILABLE**

Did you know this coming New Year's Day marks the 158th anniversary of the first appearance of William Lloyd Garrison's *Liberator* (catchy name, eh?), an antislavery newspaper?

Also in January, you can toast the birthdays of Ben Franklin, Thomas Paine and Lysander Spooner. These are just some of the freedom highlights you'll find in the 1989 Calendar of Individual Freedom, published by the Freedom Party of Ontario.

The handsomely done Calendar also commemorates freedom's dark days. For example, upcoming in January are anniversaries of such events as LBJ's announcement of the Great Society, the first statewide attempt at Prohibition (in Tennessee), the introduction of the world's first income tax (in Great Britain) and the forcible removal of the Sioux Indians onto reservations.

Each month also features a quotation, portrait and brief bio of one of freedom's champions. The honorees this time include Milton Friedman, Walter Block, Adam Smith, Ludwig von Mises, Josiah Warren, Henry David Thoreau, Thomas Jefferson, Murray Rothbard, Walter Williams, Maria Montessori, Clarence Darlow and Ayn Rand.

The Calendar comes in Canadian and U.S. versions. The difference is mainly in emphasis; Canada's, for instance, notes the anniversary of the beginning of socialized medicine in that country (a dark day for sure).

The Liberator, November-December 1988

Looking Back BILL DWYER



HENRY DAVID THOREAU (1817-1862) said it: "If a thousand men were not to pay their tax bills this year, that would not be a violent and bloody measure as it would be to pay them, and enable the state to commit violence and shed innocent blood."



Thoreau's one night in jail for refusing to pay poll taxes for several years as a protest against slavery and the United States-Mexican War prompted his writing of "On Civil Disobedience," which was originally titled "Resistance to Civil Government." His relatively small published output in his lifetime (two books and a few magazine articles) is a testament to the power of his pacifistic and libertarian beliefs that have been cited by both Martin Luther King Jr. and Mahatma Gandhi for his peaceful civil disobedience.

— Adapted from the "Freedom Party Calendar for 1989: Highlights and Dark Days in Individual Freedom," published by the Freedom Party of Ontario, Ontario, Canada N6A4E3.

January 19, 1989
The Trentonian, New Jersey
[from Trenton]

No investigation planned

Province is staying out of Clarkson BIA affairs

By JOHN STEWART
Staff Reporter

There will be no provincial investigation of the Clarkson Business Improvement Area (BIA) as requested by some of its members, says Mayor Hazel McCallion.

The mayor told a City planning committee meeting Wednesday that she and Ward 2 councillor Pat Mullin met with Ontario officials after a request was made for an investigation. Some BIA members have alleged that there have been significant irregularities in the management of the group.

But McCallion says "we've been assured that they are quite satisfied" that no investigation is required.

Frank and Robin Raimondo, who have a business in Clarkson, requested the investigation in June following an unruly public meeting at which charges of poor management were levelled at the executive. Counter-charges were also levelled at the group of dissidents for not participating in past decisions which affected their businesses.

In their letter to the government the Raimondos alleged that the executive makes all of the key decisions while "the rest of us are discouraged from expressing differences of opinion from this select group by threats."

John Canham, manager of the community renewal branch of the Ministry of Municipal Affairs, says the branch has taken the position that "this is a local matter, and something which the municipal council and the BIA would have to resolve."

At its meeting Wednesday, the planning committee endorsed a recommendation not to repeal the Clarkson BIA bylaw as requested by the dissident group in a petition. Pat Pleich, vice-president of the BIA and the leader of those who want to dismantle the BIA, had asked for deferral of consideration but Mullin said the issue had already been deferred several times at Pleich's request.

The committee decided to accept a staff recommendation not to repeal the BIA bylaw. All members of the BIA will be invited to discuss the issue at the council meeting Sept. 26.

McCallion blamed the whole problem on the Freedom Party, a political party which has encouraged the dissolution of BIAs across Ontario and has encouraged the splinter group in Clarkson. "It's the Freedom Party that's in action. That's what we're up against," McCallion said. "They go everywhere people are unhappy with BIAs. There are just a couple of people, maybe one" who are anxious to disband the BIA, the mayor indicated.

Pleich said in an interview Wed-

nesday that she had requested only one deferral of the recommendation. Several of her group are away on vacation or busy because of school starting, she said.

The owner of the Barn Antiques, which has operated in Clarkson for 19 years, said she is tired of the "propaganda" from McCallion and Mullin that the Freedom Party is behind her group's concerns. She says she is not a member of the party. "I just don't like living in Canada and having this shoved down my throat," she said. A handful of men on the executive are controlling the entire Clarkson Village community, she claimed.

The petition asking for dissolution of the BIA was signed by people representing 54 business in Clarkson. However, three of the business don't appear on the assessment rolls and another four are not in the area. The remaining 47 businesses represent 55 per cent of the assessment in the area according to a City report.

In a letter, BIA president Ted Biss said the petition represents only a minority view of businessmen. Some signatures were obtained "under false pretences" because people were "misled and regretted signing the document after being informed of the true facts," Biss claimed. He said BIA members will have their opportunity to challenge any of the group's actions at the November general meeting when a new executive will be elected.

Pleich, who collected the names on the petition herself, said of the charges "what did I do, break peoples' arms?" Many people studied documents she provided for them extensively before deciding to sign the petition, Pleich said.

The entire controversy will now be settled in the courts, according to the BIA vice-president. "I've given up" trying to deal with the City and the BIA, she added. "I've given it to the lawyers" and court action will follow, she said.

McCallion has asked City staff to clarify the eligibility of the people who signed the petition.

Ward 4 councillor Larry Taylor said a drive along Lakeshore Rd. W. in Clarkson Village convinced him of the progress which has been made because of the BIA, which is involved in a long-term beautification program involving financial contributions from both Mississauga and Ontario. "People would have to be blind not to see the real positive progress," Taylor said. "It's a shame to see BIAs disrupted."

Ward 6 councillor David Culham rejected the argument that the majority of Clarkson businessmen weren't aware of the \$500,000 beautification plan. "I find it impossible to believe they would allow the executive to enter into this arrangement without full knowledge. They can't be that clueless," he said.

**'It's the Freedom Party
that's in action. That's
what we're up against...'**

- Mayor Hazel McCallion

THE CLARKSON CONTROVERSY

Of all the BIA controversies in Ontario, this one is currently the hottest, and it's been hot for quite some time.

Almost as if it were created as a test-tube case for demonstrating the inherent folly of BIAs, the BIA in **Clarkson**, a business community in Mississauga, has helped illustrate virtually every point that was warned against in **Freedom Party's** original *BIA Warning* brochure (copies available upon request).

More than that, the delivery of our original brochure to the businesses in the **Clarkson BIA** has evidently struck some raw nerves --- and produced some highly volatile, though predictable, results. At the centre of the controversy (apart from the principles already outlined) lies the integrity of the BIA's board of management itself.

Though our original BIA brochure dealt primarily with the *principle* underlying BIAs (i.e., forced association) and offered few specifics, the manner in which the controlling interests of the **Clarkson BIA's** board of management reacted to its content would seem to indicate that they saw themselves being quite accurately --- and unflatteringly --- portrayed. All, that is, except for the BIA's own vice-president, *Pat Pleich*.

We first met Pat Pleich (owner of the *Barn Antiques* in the business community of Clarkson) early in 1987 when we learned of her commitment to rid her business area of its BIA, a task she had been taking on for several years. It was in February of 1987 when **Freedom Party** conducted its first mail-drop to her business community: our *BIA Warning* brochure.

Since then, a great deal has transpired.

Using every tactic of intimidation and misinformation available to them, those who have an interest in continuing the Clarkson BIA have managed, so far, to prevent the BIA from being disbanded. Ironically, Mississauga mayor Hazel McCallion has blamed the whole Clarkson BIA controversy squarely on the shoulders of **Freedom Party**, and while we would certainly love to be in a position to take all the credit in this regard, it just isn't so. No doubt, McCallion is having difficulty accepting the fact that any *individual* could possibly have created such a political outcry and protest against the power of her municipality.

Clearly the credit belongs to Pat Pleich, who almost single-handedly has taken on the combined clout of the Clarkson BIA's board of management, several municipal councillors (Mississauga), federal politicians, and a corrupt, unethical law itself. It takes a great deal of courage and conviction to challenge such apparently unsurmountable odds.

With the objective of abolishing Clarkson's BIA, Pleich has set out on a campaign that has found her collecting petition signatures, producing and distributing her own newsletters to all the BIA's members, and generally trying every legitimate and open way (i.e., voluntarily) to collect the support necessary to accomplish her goal. With the help of **Freedom Party's** William Frampton (Regional Vice-president, Metro Region), her campaign eventually got the attention of much of the media (see reproduced press clippings) when together they distributed **Freedom Party's** first *BIA Alert!* newsletter to the Clarkson business community last spring.

Citing various "irregularities" and the lack of ability of any of the BIA's "members" to have any meaningful input, the *BIA Alert!* (copies available upon request) forced the issue into the open when Clarkson BIA president Ted Biss called for a special general meeting on June 14, 1988 "to clear the air". Unfortunately, the meeting turned into chaos, and the air was more clouded than ever.

Ultimately, the controversy was dumped right on the lap of Mississauga's mayor Hazel McCallion. Her continued defence of the BIA in full light of its shortcomings caused Pleich to respond: "We have given you, Mayor McCallion and council, a licence to steal from us... If you can't see your way clear to finally tell the truth about the Clarkson BIA, then you, Hazel McCallion and councillor (Pat) Mullin, should resign your positions. If you continue to cover this much up in Clarkson, I can imagine what you are hiding with the millions of dollars spent all over Mississauga."

Many of the issues and details behind the Clarkson controversy are covered in the reprinted press clippings accompanying this article, but the matter is far from resolved. Watch for further developments in future issues of **Freedom Flyer!**

WHAT IS A B.I.A.?

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 already existing property and business taxes.

At the heart of the issue lies the principle that is at the heart of every BIA controversy: **freedom of association**. Since BIA "members" cannot *independently and voluntarily* join or quit a BIA, they have become victims of forced association, where independent planning and action becomes replaced by forced collective planning and action (an economically, socially, and morally disastrous principle).

A BIA operates very much like a labour union, being a body that requires a large consensus before it can be "de-certified". Like a union, "dues" are compulsory and the compulsion is enforced by law. And in the same way that an individual worker would have to quit his job to avoid compulsory dues, so too must the individual businessman be forced to leave his business community to avoid the extra compulsory tax.

Like a union, a BIA can adopt a political platform, or support a particular political point of view --- purporting to be a view "representative" of all its "members".

Battle rages over Clarkson's Business Improvement Area

By JOHN STEWART
Staff Reporter

The battle for control of the Clarkson Business Improvement Area (BIA), which has raged for three years, has intensified in the wake of publication of a newsletter which accuses the group's executive of a series of irregularities.

On one side of the battle for control of the BIA is longtime local businessman Ted Biss, who heads the association founded in 1976 to beautify and promote shopping in Clarkson Village.

On the other side is vice-president Pat Pleich who is actively working to have the BIA disbanded on the basis that it is not acting on behalf of the majority of the 110-odd merchants in Clarkson. She has collected the signatures of more than 50 per cent of the merchants on a petition calling for the BIA to be abolished.

Adding fuel to an already troubled situation is the Freedom Party, which is actively campaigning across Ontario to have BIAs disbanded and which has already been successful in two communities. The party, which opposes government taxes in general and mandatory BIA tax assessments in particular, caused a furor at the last general meeting of the Clarkson association when two of its members taped the proceedings, much to the executive's chagrin.

A newsletter published by the Freedom Party in early April accused the BIA of a long series of perceived sins including: operating without a constitution, improperly conducting votes, allowing non-members to vote, refusing proxy votes, using the BIA newspaper as a "publicity gimmick" for the executive, and acting like "dictators."

In an interview, Biss who has run the All-Trailers company for two decades in Clarkson, rejected the host of criticisms levelled at

the BIA executive. In a written reply to the newsletter, Biss said those bent on destroying the association have "sunk to new lows of misinformation, half-truths and outright lies." Only the "malicious, personally slanderous remarks" prompted him to reply, he said.

The budget for next year will not double, unless the association agrees to such a move, he pointed out. The BIA operates under a constitution, which are the regulations of The Municipal Act, he says. Those regulations make no provision for proxy votes. He rejected suggestions that any vote has ever been deliberately miscounted, and says he no longer writes for the Clarkson Corners newspaper since the question of potential conflict arose.

Biss admitted that in the past, people have voted at meetings who were subsequently found to be ineligible. In fact, Biss and his son James, who was president of the BIA for three years, have only one assessed property and should not have been allowed to each vote on issues or to both be on the executive. "We assumed we had two different businesses and two votes and everyone else assumed it too," says Biss.

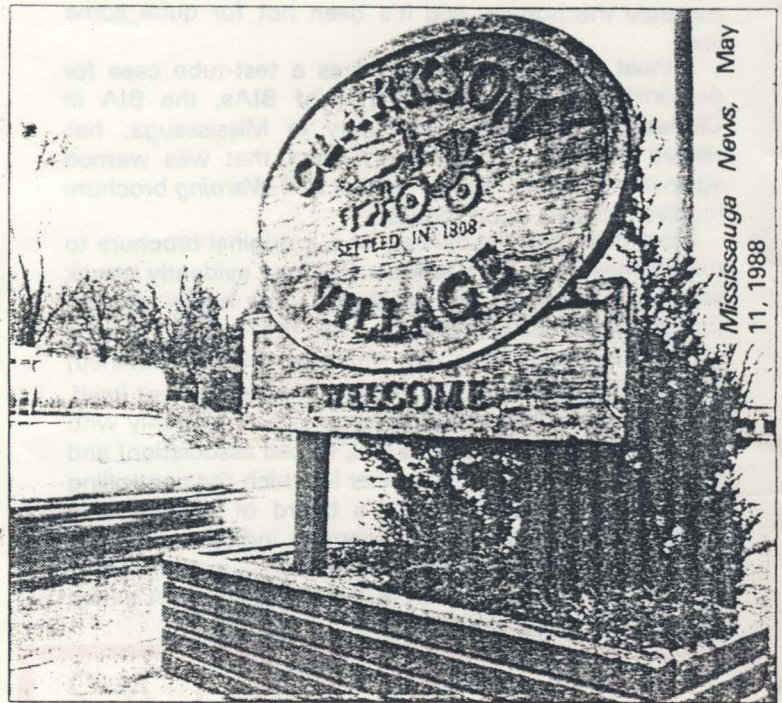
James Biss says the flyer clearly "goes beyond reasonable criticism." He accuses Pleich of "being manipulated by the Freedom Party for their own political objectives."

"As far as I'm concerned, it's fanatical," adds the elder Biss.

Pleich, who has been involved with her family business, The Barn Antiques, for 18 years in the village, says a small minority of Clarkson businessmen have dictated to the majority, most of whom are too busy running their businesses to fight their rising BIA tax assessments.

"A little clique was formed and there's no control," she says, "and things have gone horrendously wrong." She says that after a unanimous vote in December to add five additional board members to better balance representation from various plazas, the executive held a "secret" meeting in February which excluded the five new members.

It was a \$250,000 grant coupled with a \$250,000 loan under the Community Association Improvement Plan that really caused Pleich to begin questioning the BIA's direction. When she went to a meeting where final approval was given and found only eight people in attendance, she was alarmed. "When they can't even look after the flowers in the flower pots, how can they manage \$500,000?" she asks. Pleich claims that circulation



When you see the sign, you know you're in Clarkson Village.

of notice of the meetings is poor with the "friends" of executive members being invited, in the main.

As for her participation on the executive, Pleich claims she has been "verbally abused" at several meetings. "I might as well have been invisible" at most of them, she adds. But Ted Biss says Pleich rarely spoke up at executive meetings at all.

The rebels in the BIA have already been successful in blocking, at least temporarily, expansion of the association to take in the Clarkson Village shopping centre, which would increase the total tax assessment revenue for the BIA by about a third.

William Frampton of the Freedom Party, who has attended meetings along with his party's action director, Marc Emery of London, Ontario, says his party is simply assisting the concerned local business people. He admits abolition of the BIA is his party's aim. "The executive and city hall don't want to do anything about the problems," claims Frampton who lives in Mississauga and ran in the last provincial election.

His group is philosophically opposed to BIAs because once city council passes a resolution establishing them, every merchant in the prescribed area must pay a special additional tax, whether he supports the idea or not. There is no specific provision in the provincial legislation to allow abolition of BIAs, but in other areas dissidents have simply taken over the executive, reduced the annual budget to zero, and prompted local councils to repeal the bylaw es-

tablishing the business group.

Pleich says she is not a Freedom Party member, but she agrees with its criticisms of BIAs. She says she would support a business association in Clarkson if it was voluntary.

Biss has already promised that the first item of business at the next BIA general meeting will be a vote of confidence in himself as president. If the majority don't support him, he will step down.

Biss is waiting for a list of names from city hall of those who are eligible to vote before he holds the next meeting. He's obviously becoming tired of the trench warfare that has plagued the association. "Every time we do anything, she's against it," he says of Pleich.

"I don't want to see this drawn out to the point where it interferes with Clarkson as a viable place to shop," the president adds. Surveying the changes in Clarkson including the street furniture, lampposts, new signs, and lockstone paving, Biss says things have never been better for the village.

Pleich points out that many of the street improvements seem to be in front of the stores of the merchants who are on the executive, or support it. She agrees Clarkson is getting better, but she doesn't agree that the BIA deserves any credit.

Both Biss and Pleich say the strong statements and actions in the fight for control of the BIA have forced them to consult lawyers and consider legal action.

Clarkson BIA

Dear Editor:

Re: Clarkson BIA, May 11, 1988.

You state in your editorial that the Clarkson BIA members are fully unable to change its direction. You also state that the president "may not have gone out of his way to invite (their) participation" but that "their involvement...remains their responsibility."

To the first comment I suggest that, by introducing the use of proxies, the members may better exercise their democratic rights.

To the second, all I can say is if you don't know there's a meeting, how can you possibly attend?

R. Rickart New
Mississauga



The Mississauga News

Clarkson BIA

After nearly three years of internal bickering over the viability of the Clarkson BIA, the principals involved have turned the whole matter into little more than a popularity contest, while the real issues remain unresolved.

If, as the two main players — BIA president Ted Biss and vice-president Pat Pleich — insist, the real issue is what's best for Clarkson, they'd be wise to resist the impulse to take things personally and invest in a little objective problem-solving.

Operated efficiently, with input from a majority of members, BIAs have proven to be very effective tools in improving local shopping districts. Certainly, the BIAs in Streetsville and Port Credit have had a positive effect on their communities, from both the merchants' and area residents' perspectives.

Pleich, whose main concern appears to be lack of involvement from Clarkson BIA members, which has resulted in a small minority making commitments for the majority, has set her sights on the wrong target.

If anybody's to blame for lopsided representation on the BIA executive, it's the membership. While Ted Biss may not have gone out of his way to invite the participation of all members, their involvement — or lack of it — remains their responsibility.

Pleich has complained that notice of meetings is poor, if not non-existent, denying the majority of members the right to attend and become involved.

Hogwash. Anyone who is really interested in what the BIA is doing should make it a priority to find out when meetings are held, a simple enough venture when Biss' telephone number is easily found in the telephone book.

Already, cloudy issues are being further muddled by the meddling of the Freedom Party, which has embarked on a province-wide campaign to quash BIAs. A newsletter circulated last month to local merchants accused the BIA of many sins against its members, mostly unfounded.

While the past three years have been filled with charges and counter-charges, name-calling and reputation-battering between two of the most long-standing business people in Clarkson, one thing remains eminently clear. Control of the Clarkson BIA lies in the hands of its members, or at least those who choose to exercise their rights of membership and become active participants.

If the majority of members don't like what's going on, they have the power to change the direction of the organization. And if the detractors are in the minority, well, that's democracy.

BIAs

Dear Editor:

Your editorial "Clarkson BIA" (May 11) suggests that the dispute that has arisen in Clarkson is a simple personality conflict. In reality it is due to the nature of so-called Business Improvement Areas.

The problems in Clarkson are not simply the result of lack of interest. BIAs invariably create serious problems whenever they are imposed on a business community and Clarkson is certainly no exception.

What's the point of being able to elect a board of management that can be dissolved by city council and repalced 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.

Your assertion, "BIAs have proven to be very effective tools in improving local shopping districts," is wrong on two counts.

First, merchants aren't the only ones forced into joining BIAs. All businesses, including lawyers, dentists, real estate agencies, bank branches, gas stations, etc. (all of which are in the Clarkson BIA), are forced to pay the BIA tax — and they are all treated as single group with one common interest! Thus, a 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 co-operation 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 district identity and reputation? Since a BIA doesn't have to earn the money it spends on promotion, it is under no obligation to make effective use of that money. The empty stores in Port Credit and Clarkson show that these districts are not doing well.

I invite anyone who shares our concerns about Business Improvement Areas to contact Freedom Party headquarters in London.

William Frampton
Metro Chairman
Freedom Party of Ontario

The *Mississauga News* editorial, far left, prompted the two responses shown opposite page, lower left corner by R. Rickart New and immediate left by FP Metro Chairman William Frampton. Both letters appeared in the *Mississauga News* on June 22, 1988.

Clarkson business group in turmoil

By Chris Flanagan Toronto Star

Merchants in Clarkson are gearing up for a battle tonight at a meeting which could spell the end of the local Business Improvement Area (BIA) after years of dissension.

Ted Biss, president of the group which represents most of the businesses in Clarkson, says he has called for a vote of confidence at the meeting, to end the ill-feeling which has split the business community.

Pat Pleich, the BIA's vice-president, wants the group disbanded because of what she calls mismanagement and questionable electoral practices.

In particular, she says that the president will not let her see the group's financial statements.

Biss said he hasn't sent her copies of the reports "because of her association with the Freedom Party."

"I suggested that she come to the board meeting to see them."

Pleich told The Star that she is not a member of the Freedom Party, a political group which opposes constraints on busi-

ness, but has received help from members in putting together newsletters which condemn the Clarkson BIA.

The Freedom Party is campaigning throughout Ontario to disband BIAs, and has been successful in North York and Aurora, she says.

Mayor Hazel McCallion plans to be at tonight's meeting, as will lawyers from both sides.

BIAs — there are 20 of them in Toronto — are established by municipalities to effect improvements in business areas. A special business tax is levied on members and administered by an elected board.

Pleich says she has the support of more than half of the 126 merchants in the area, while Biss is confident he will be able to get the support he is looking for.

The BIA has installed new brick sidewalks, trees and traffic islands along Lake-

shore Rd. which runs through Clarkson.

Pleich says that not only are the traffic islands a waste of money, they are a hazard to motorists.

The dispute has been fuelled by a traffic accident that occurred in March 1987 during island construction, in which a woman was seriously injured. She was to appear in court today on a charge of careless driving but has filed a suit against the city for negligence in the accident.

About 10 merchants opposed to the BIA held an informal meeting last week. Most are disillusioned with the group because it has no official constitution and is only governed by a municipal bylaw.

Merchants at the meeting maintained that the real problem is the amount of money spent in the last three years and the nature of the expenditures.

The Clarkson BIA's annual budget aver-

aged \$9,000 from 1976 to 1983 but jumped to \$21,000 for the next three years. In 1987, its budget ballooned to \$500,000, when it secured a \$200,000 loan from the city of Mississauga coupled with a \$250,000 grant from the province.

Pleich also charges that at the last election, where Ted Biss succeeded his son, James as president, votes were not properly counted.

James Biss says his father won a clear majority in the election, conducted by a raising of hands, and that a recorded vote was never requested.

Biss adds that he asked Pleich to run as vice-president in a gesture of good will after she lost the election for presidency.

Another Clarkson merchant, Pat Melhuish of Countrywide Realty, says many businesses in the area are "ready to pack it in," because of the trouble with the group.

Toronto Star, June 14, 1988

Concerns lead Ontario

to review laws on BIAs

BY GARY WEBB-PROCTOR
Special to The Globe and Mail

The Ontario Ministry of Municipal Affairs plans to conduct a comprehensive review of legislation governing the operation of municipal Business Improvement Area associations because of concerns raised by supporters and detractors.

Peter Boles, director of the ministry's community renewal branch, said in an interview yesterday that the ministry "has identified some areas we want to investigate more fully" about the overall mandate and specifics of the operation of BIAs.

"We want to initiate a compre-

hensive review of the BIA program across the board to recommend some changes," he said.

Mississauga City Council voted this week to seek improvements in the legislation after a group of businessmen asked it to disband the city's Clarkson BIA because of alleged abuses in the way it is being run.

Three of more than 240 Ontario BIAs — in Aurora, East York and North York — have been disbanded as a result of local opposition, in part fueled by a province-wide campaign against the concept by the London-based Freedom Party.

Under a 20-year-old section of the Municipal Act that governs BIAs, the associations can be formed when a municipality passes an enabling bylaw at the request of a group of businessmen in a defined commercial district.

Once formed, the BIAs are authorized to collect, through the municipality, a special tax levy imposed on businesses within its boundaries, and to spend the money on staff, promotions or physical improvements to their district.

The groups also become eligible for certain provincial community renewal grants and may take out loans, but must have their budgets and executive officers approved by the municipalities.

The methods used to run BIAs largely have been left to local discretion, however, and disgruntled members of groups in London, Hamilton, Burlington, Oakville, Georgetown and Brampton, among others, say this has enabled small cliques to control their associations' affairs.

Members of the Clarkson group, for example, say that some executive members are not merchants in the Clarkson area, that some merchants get too many votes, that the organization's books are not open to scrutiny and that projects undertaken have benefited the businesses of executive members the most.

Mississauga City Council, while refusing to disband the Clarkson group, voted to ask the ministry to specify how elections and voting, fiscal policy and other BIA activities are to be carried out.

Mr. Boles said he agreed that some of the organizations have problems that need immediate attention. Some of the areas of concern include how boundaries for BIAs are established and expanded and the interpretation of the tax levy provisions, he said.

Mr. Boles said the ministry has found, however, that conflicts within the groups often arise from personality clashes and that no malfeasance or fraud has been detected.

Globe and Mail, November 3, 1988

Lots of bizarre happenings

Clarkson BIA meeting turned into chaos

By JOHN STEWART
Staff Reporter

Refused

A chaotic meeting of the Clarkson Business Improvement Area (BIA) Tuesday night that featured a litany of insults, putdowns, and personal accusations failed to resolve the issue of confidence in the BIA executive.

After two hours of vituperative rhetoric from the pitched camps involved in the BIA battle, a motion of nonconfidence in the BIA executive was finally placed. But Pat Pleich, the leader of the group critical of the business association, led her supporters out of the steamy church hall at John Knox Christian Church as the vote was being taken because Mayor Hazel McCallion refused to allow a secret ballot for the vote.

"We're going to leave right now and let the courts deal with this," Pleich said, as about half of the 120 people in attendance began to straggle out.

Before she left, Pleich gave City solicitor Bruce Thom a "gift" in a shoebox. It turned out to be a can of dogfood. Pleich said Thom had described the BIA situation last year as a "dog's breakfast."

"That's a really mature thing to do," a visibly angry Thom snapped in response.

It was only one of a series of bizarre incidents at the meeting. Even before BIA president Ted Biss had called the meeting to order, Pleich was on her feet urging that a vote be called on the use of proxy votes for the evening's proceedings.

"There are rules and regulations and we can remove anyone who heckles the meeting," replied Biss. But despite his warnings, people regularly interrupted speakers throughout the proceedings to loudly voice disagreement with their statements.

Biss said he refused to respond to the lies and innuendos published about the executive's action by Pleich and the Freedom Party. After referring to the "garbage" published by Pleich, Biss added, "But what other material comes from The Barn." Pleich runs The Barn antique store in Clarkson.

Biss' remarks, which drew boos from the part of the crowd, set the tone for the bitterness that was to follow.

McCallion asked to take over the chair for the meeting because she said she was neutral. But when she added that she just wants the BIA to work, there were shouts that she couldn't be neutral in that case.

The mayor appeared startled when Rick New, a critic of the existing BIA, challenged her for the chair of the meeting. But he eventually withdrew and McCallion presided. It wasn't an easy job as shouted interruptions continued to be the order of the day.

At one point, McCallion told one irate man, "Don't get excited, you might have a heart attack, and I'm not a nurse." At another point, she told a man, "If you want to yell, go home and yell at your wife."

When Bill Frampton of the Freedom Party asked to speak, McCallion said, "Are you a member? Well then, sit down." She told a councillor from Cookstown who attempted to speak against the BIA to "Go back to Cookstown if you want to make a speech."

Biss planned to make a vote of con-

fidence in himself and the executive the first order of business of the evening, but the meeting was sidetracked in procedural wrangles. The dissidents lost their fight to use proxy votes at the session, which both McCallion and Thom counselled against, in a 29-24 vote. The proxy issue was tabled for consideration at November's annual meeting.

Motion

New then placed a motion of nonconfidence in the executive. McCallion prompted more accusations that she was not impartial when she commented that the motion was "bloody unfair." She said the volunteer board has put extraordinary effort into trying to improve Clarkson. "There's such a thing as fairness in life and common sense," she said.

New replied that the judgment on the executive's performance seemed to be something Biss wanted. And he got support from an unusual source, Biss's son, James.

"In the past few months the executive has gone through an awful lot of nonsense and we'd like to clear the air," Biss said. He added in reference to the Freedom Party, which is conducting a province-wide campaign to try to disband BIAs, that "outside forces" have caused a lot of confusion. "Those on the executive have to think seriously if they want to go on. We've got better things to do than to take the harassment."

The dissidents argued that some business people in Clarkson would be intimidated by an open vote on the motion. When businesswoman Pat Melhuish suggested that some people are worried about the consequences of a public vote because it could affect contracts or business, McCallion demanded that she support her "very serious charge." The woman replied that she couldn't do that without revealing confidences.

If the group wants votes by secret ballot, it will have to adopt that regulation at a general meeting, McCallion said. The mayor, like many of the dissidents, said one of the main problems with the BIA is that it has no constitution guiding its procedures. The meeting later appointed six people to serve on a committee to draft a constitution.

When the non-confidence motion was put and the dissident group began leaving, James Biss urged them to stay. "We want you to help us," he said. "It's easy to complain. Join this group and work with us."

One woman who spoke, one of the few people who wasn't aligned with either side, blamed people such as herself who haven't previously taken an interest in the BIA for what has happened. "We haven't been out supporting the BIA so we have stymied the whole thing," she said. "We're not into the issues we should be here about tonight," she said, "we're just into mudslinging."

When the group did get to the actual business on its agenda, it approved the acquisition of 55 additional planters in the third phase of its \$500,000 beautification program. But plans to add 10 more banners, three waste receptacles, more interlocking paving, and install 20 new street signs throughout Clarkson Village were deferred for consideration of a written report.

At the end of the long, hot meeting, McCallion expressed her disappointment at what has happened in Clarkson. She accused the Freedom Party of "cashing in" on the dissatisfaction in the business community. The group had been unsuccessful in encouraging dissent in the Streetsville and Port Credit BIAs. "But all you need is a weak link to grab that situation . . ." she added.

Both Ward 2 councillor Pat Mullin and Mississauga South MPP Margaret Marland praised the efforts of the Biss family. The meeting ended with the small portion of the crowd still remaining offering a standing ovation to Ted Biss.

Mississauga News, June 17, 1988



One well-known champion BIA opponent is *Bob Adams*, of *Adams Rent-All Limited* on Avenue Road in Toronto. His success in helping defeat BIAs (including an *existing* BIA) has made him an expert on the subject, and he has been offering the benefit of his experience to other businesspeople who find themselves "members" of an "association" they never chose to join in the first place.

Mr. Adams has even brought the matter of BIAs to the attention of the *National Citizens' Coalition [NCC]* where his letter titled "Taxation Without Representation" was featured in the November 1988 issue of *Overview* (an NCC newsletter). Following are reprints of Mr. Adams' correspondence with John Eakins, of the Ministry of Municipal Affairs, on the subject of Ontario's BIAs. We believe the arguments speak for themselves:

TELEPHONE 789-2985

Adams **RENT-ALL**

1864 AVENUE RD., TORONTO M5M 3Z6

L I M I T E D

December 2, 1988

John Eakins, Minister
Ministry of Municipal Affairs
17th Floor
777 Bay Street
Toronto, Ontario
M5G 2E5

Dear Sir:

Thank you for your letter of September 9, 1988. I am pleased that you intend to afford everyone directly affected by this legislation the opportunity to express their concerns during your review.

May I ask what mechanism you intend to employ so that these concerns may be heard?

I have seen the reports in the press regarding difficulties of the Mississauga and other B.I.A.'s. It appears that the same old problems keep recurring.

It is my opinion that flaws in the original Ontario legislation are the root cause.

In your present review of the legislation, I believe the changes required should address the following:

1. The manner in which B.I.A.'s are installed.
2. The procedure of appointing the Board of Management.
3. The eligibility of Board members.
4. The procedure for getting rid of B.I.A.

To expand on the 4 points above:

1. I have spoken to several of the merchants in B.I.A.'s in trouble now and without exception these people have no recollection or at best a very dim one of ever being notified of the upcoming B.I.A. In the O'Connor Drive, East York, B.I.A. which was eventually rejected, I spoke to every merchant (about 100). The notice that East York sent out was a typical B.I.A. notification. I would say that when the notice arrived the average businessman had no idea what a B.I.A. was all about or what the implications were.

Until you visit these typical small businessmen you can not realize

- a) How busy they are.
- b) How unreasonable it is to expect a welder or an auto mechanic or a new immigrant to understand or to react in a sophisticated manner to this notice.

- c) How cynical they are about taxes inflicted on them by government.
- d) How little they read notices from local governments especially when the words used are not readily understandable. The notice is being sent in a form to people many of whom are ill-equipped to understand it.
- e) How unreasonable it is to expect them to marshal forces, and to get organized to resist or reject B.I.A.'s. The onus is on them not those in favour.
- f) Typically they glance at the B.I.A. notice and chuck it out as though it was a notice of a by-law change that did not really concern them.
- g) How myopic they are when it comes to working at their business
- h) How disinterested they are in forming any type of business association. They are quite certain their business will succeed or fail on their talents not on any local business association.

What all this boils down to is that B.I.A. By-laws usually or often are passed in an underhanded way. It is sneaky, dishonourable, and close to being a shell game. Canada is still a first class country. It's citizens deserve and should expect fair treatment by one of its Provincial governments.

2. The difficulties being experienced by B.I.A.'s in Mimico, Burlington, Oakville, Bronte, Cookstown, Ottawa St. in Hamilton and earlier, here on Avenue Road are partly caused by merchant dissatisfaction with the Board of Management.

It is only the merchants who pay for B.I.A.'s so surely it is they who should decide on their own Board. When the Board is appointed by council it is political common sense for council to appoint those who they favour not who the merchants want. I will never get over the fact that after 5 years of bad feeling created here on Avenue Road because of our B.I.A., North York Council had the gall to appoint a Board representing 15% of the street when the opposition represented 85%. It was James Otis (1725-1783) who said "Taxation without representation is tyranny". Would it not be reasonable to allow B.I.A. merchants to have an election ok'd and supervised by council, if necessary, and then have council appoint those elected by the merchants. This would go a long way to preventing further B.I.A. difficulties.

3. Line 4, page 2, Section 217 of the Municipal Act uses the word "nominees". The context in which it is used is the appointment by council of the Board of Management. What it appears to mean is that a board member must be from the B.I.A. area concerned but once he is appointed he may appoint a nominee who can be, and has been in actual practice, from outside the area. This means someone with a business on Yonge St. could sit on our Avenue Road Board. This obviously is a formula for dissension.
4. The present procedure to get rid of a B.I.A. is to have the local council repeal the By-law. This would be fine except that it doesn't work when the local councillor favours the B.I.A. which they almost always do. This is really the same problem as that stated in 2, whereby the merchants who are paying are dominated by the local council because it is council who passes the by-law and repeals the by-law. Apparently, what is wanted of the merchants is for them to pay but not to have any real power.

I and others look forward to being consulted in your review of the present legislation.

Yours sincerely,

Bob Adams

Bob Adams

Dresden opposes Sunday shopping

By BOB BOUGHNER
News Staff Reporter

DRESDEN — "We don't want it!"

That was the clear message regarding Sunday shopping Dresden Mayor Les Hawgood gave last night to Ontario's Solicitor General Joan Smith during a discussion on the Sunday shopping issue, sponsored by the history department of Lambton-Kent Composite School.

Hawgood said it appears as if the province is treating the Sunday closing issue in a similar fashion to another "hot potato" it had on its hands last year — the question of beer and wine at corner grocery stores.

"Instead of dealing with the subject themselves, the provincial government is shuffling off its responsibility to the municipalities," said the Dresden mayor. "I would like to see the government shelve this Sunday shopping business the same way it shelved the corner beer and wine issue."

Hawgood, one of a six-member panel, said he has the support of all Dresden merchants and townspeople when it comes to opposing Sunday shopping.

The mayor was supported by town businessman Brent Babcock, chair-

'We don't want it,' mayor Hawgood tells discussion panel at LKCS

man of the Dresden Business Association.

Babcock argued that having to remain open Sundays would only add to the cost of operations for most retailers and those costs — estimated to be 15 per cent — would then be passed on to consumers.

He also contended that few new jobs would be created.

But London bookstore owner Marc Emery, who is currently challenging the Sunday closing legislation in the courts, told the audience, estimated at 120 people, that the customer is always right "and customers want Sunday shopping."

"Everyone I know shops on Sunday, whether it be at the corner convenience store or at a mall. In fact, I doubt if there is one person in this hall tonight that hasn't shopped on a Sunday."

Emery said businessmen and women have to learn to put aside their

personal preference and serve the public.

"It's a poor businessman who runs to government to try and close down his competitors on Sundays."

Emery said he doesn't think the government should be allowed to penalize him if he wants to work Sundays.

"I don't think you want the government to tell you if it's okay to watch television on Sunday or rake the lawn."

Rev. Jake Binnema of the Dresden Ministerial Association, said the provincial government has the responsibility to tell retailers they can't open on Sundays.

He claimed that 30 per cent of the Ontario work force is in the retail trade and of that 70 per cent are mothers with children. He said they often have to decide between spending time with their children and working.

"The government should not permit

seven days of an unbridled consumerism ratrace. There is more to life than shopping."

Binnema argued that the province has failed to do its duty by dropping the Sunday shopping matter in the hands of municipalities.

Robert Metz, president of the Freedom Party of Ontario, claimed that Sunday shopping should never have become a political issue.

"It's simply a personal preference."

At the same time, he said the Peterson government benefits from retailers, who are made to act as tax collectors for the government.

And, he said, as a result of the latest budget, the retailers will now have to collect eight instead of seven per cent sales tax for the provincial treasury.

Smith said municipalities are being given the responsibility of deciding themselves if they want Sunday shopping. And she noted there are currently 26 municipalities in the province which now allow Sunday shopping under the tourist exception to the Sunday closing law.

She said that under the proposed new law, shopping malls would not be allowed to force its stores to open Sundays.

Chatham Daily News, April 22, 1988

Many of the debates, interviews, conversations, and open-line talk shows will soon be available to Freedom Party members and supporters on video and audio cassettes. Watch for our announcement coming up soon.

Remarkably, various groups organizing debates on the issue were having a tough time finding speakers or debaters willing to argue the issue from a pro-choice point of view. As a consequence, we found ourselves being invited to forums all around the province — opportunities that may have been denied us were it not for the Sunday shopping issue.

The article at left (our apologies for reproduction quality) represents but one of the many occasions in which Freedom Party leader Robert Metz and FP Action Director Marc Emery debated the issue of Sunday shopping with high-profile politicians around the province, including Ontario's Solicitor General Joan Smith.



NOT JUST A SINGLE ISSUE!

ANATOMY OF THE SUNDAY SHOPPING DEBATE



Overview:

By the end of January 1988, public lobbying *against* freedom of choice in Sunday shopping was reaching a crescendo.

Many of the well-established retailers, fearing the prospect of competition on a day that has traditionally (for them, at least) been a "day of rest", were spending thousands of dollars on newspaper advertising aimed at swaying the public (and politicians!) to use the law to *force* their competitors to remain closed on Sundays.

Even though the ads were highly emotional and completely lacking in substance, few had the courage to publicly address the moral and legal vacuum in which the issue was being debated. It is alarming, in a free society, to watch so-called "community" groups, "reputable" retailers, and politicians display such utter disregard for (and ignorance of) the fundamental principles that make a free and prosperous society possible.

Whether they were for or against the idea of Sunday shopping, most of the major participants in the Sunday shopping controversy (i.e., politicians and the business, labour, and special interest groups who were lobbying them) completely avoided any mention or discussion about the *consequences* and *significance* of Sunday shopping laws.

No one seemed concerned that Sunday shopping laws were being directed at people whose only "crime" was trying to earn a living as they best see fit. No one seemed concerned that Ontario's Sunday shopping laws have already been declared a "justifiable" violation of *freedom of religion* --- and remarkably, the groups who had the most to lose by this decision (i.e., organized religious groups) were among those who were doing the most celebrating when the Supreme Court of Canada declared that freedom of religion could be overruled (December, 1986).

Most alarmingly, the legal, moral, and social significance of Sunday shopping laws seems lost on most voters. Few people understand how subjective and arbitrary laws tend to multiply to the extent that eventually, any citizen could find himself in legal peril simply for making a choice that disagrees with some irrelevant and unsubstantiated "majority".

The London Free Press

Established 1849

B8—Saturday, February 20, 1988

Sunday's changing face

In the past, The London Free Press has endorsed the idea of Sunday as a common pause day during which most regular types of business activities would be closed, to provide families a period of time to spend as they choose: in rest, worship or recreation.

That concept in itself was the product of an evolutionary process; it was not so long ago that, for most, Sunday was a day restricted to religious-oriented activities, when most forms of commercial recreation were considered inappropriate.

Times change, as do community standards. There is no longer a need for government to regulate a common pause day, nor any reason to regulate shopping hours on any other day of the week. Retailers should be free to determine their own hours and days of business, based on the perceived need for their service.

Despite the emotional appeals made by those who fear that the traditional family lifestyle will suffer, the modern family's priorities are no longer geared to closed Sundays. Besides, in a pluralistic society such as ours, the law should not be used as a tool by some people to impose their views of what constitutes appropriate Sunday behavior on others.

By no means all of those who oppose Sunday shopping do so from a religious perspective. Some store owners prefer not to work, nor to ask employees to work, on Sundays. Labor unions fear retail workers will be forced to give up a traditional day of rest.

Family considerations are important but rather than restrict opportunities for common activities, open Sundays should increase them: When many stores are closed on Sundays, busy families have to squeeze shopping and price comparison trips into hectic Saturdays. By having the freedom to extend those activities over a longer period, leisure

activities that must now take place only on Sundays — or not at all — can be spread out over a longer period.

The argument in favor of a pause day has become antiquated. For many, Sundays and holidays are no longer days of rest: Police, firemen, workers in manufacturing, those catering to tourism and recreation, corner store staff, and newspaper employees are called upon to work on those days so that others can continue to benefit from their services.

Provincial labor law sets out a minimum wage and the maximum number of hours staff can be required to work each day and each week and establishes when overtime must be paid. Apart from that, one of the few non-retail prohibitions to Sunday activities is that contracts cannot be executed.

Many Canadians have learned to live with that system and would be annoyed if they were suddenly deprived of services they have come to depend on each Sunday and holiday. Many churchgoers, for instance, rely on public transportation to get to their place of Sunday worship.

Consider the outcry if we turned on the television set Sunday afternoon to watch a football game, only to find the athletes had been told they could no longer play, the television network was ordered not to produce a program because its staff needed the day off, and the TV wouldn't work anyway because Ontario Hydro had been ordered to close shop so its employees could enjoy a pause day.

Public demand requires many people to work Sunday and their employers have responded by giving them another day off instead.

The time has come for government to stop dictating what stores can open for business on Sundays. It should be left to individual choice.

Monday: The next step.

The London Free Press editorial above appeared a week after our ad (overleaf) was run in the paper. Coincidence?

YES! TO FREEDOM OF CHOICE IN SUNDAY SHOPPING!

SUNDAY SHOPPING IS NOT JUST A SINGLE ISSUE!

YES! to INDIVIDUAL CHOICE:

Everyone should have a choice when it comes to Sunday shopping! But in order for *Some* people to have their freedom of choice, it is important that they respect *Other* people's freedom of choice as well. Those who do not wish to shop (on *Any* day of the week) have no right to impose their choice on others. And vice-versa. That's why *Political Referendums*, and 'local options' will never be able to accommodate everyone's choice. With freedom of choice, consumers can "vote" with their dollars *Every Day Of The Week!* What could be more fair than that?

YES! to SELF-RESPONSIBILITY:

Freedom of choice and responsibility go hand in hand. No matter what choice individual retailers or consumers may make with respect to Sunday shopping, the benefits or consequences are theirs to reap. One person's freedom of choice, when responsibly exercised, *Never* imposes an undue obligation on others. Retailers and consumers who *choose* Not to participate in Sunday shopping are doing so out of conviction. Let's make sure their personal "convictions" don't result in the legal "convictions" of others.

YES! to PRIVATE PROPERTY RIGHTS:

Sunday closing laws violate fundamental principles of private property rights. Certain retailers are being told that, every Sunday, they will not be permitted to exercise their right to the peaceful use of their property. Think about it. How would *You* feel if someone suggested you should not be allowed to turn on your TV set or drive your car on a Sunday? When politicians can tell retailers what to do with their property, simply by "passing a law", then there's nothing to stop them from "passing a law" to prevent *You* from using *Your* property. Like homes, retail stores belong to their *Owners*, not to anyone else.

YES! to INDIVIDUAL JUSTICE AND EQUALITY BEFORE THE LAW:

Justice demands that *Every* citizen be treated equally before the law. No matter how you look at it, Sunday closing laws just don't work. With all the exceptions, regulations, and selective restrictions outlined in Ontario's *Retail Business Holidays Act*, there isn't a person alive who could reasonably argue that the law is "equally bearing upon all." And the only standard that fills that bill is called *Freedom Of Choice*. Let's be fair to everyone and abolish the *Retail Business Holidays Act!* Even if 99% of Ontario Consumers refuse to shop on Sunday, that's no reason to treat the remaining 1% like "criminals".

YES! to FREEDOM OF RELIGION:

On December 18, 1986, the Supreme Court of Canada ruled that Ontario's Sunday closing laws represented a "justifiable" infringement of our *Freedom Of Religion*, even though Seventh Day Adventists, Jews, Moslems, Atheists, and Agnostics (among others) are not Sunday worshippers. When the ruling was announced, many church groups and religious leaders actually applauded the decision. Worse, some have even organized to *Fight Against* freedom of choice in Sunday shopping by favouring a law that openly violates *Freedom Of Religion!* Imagine that! Among many other things, individual freedom depends upon a clear separation of church and state. Remember, no one is being asked to give up their faith or the practice of their religious convictions. Freedom of choice merely requires us to respect the right of others to *Their* beliefs and convictions. People with differing religious convictions and people with no religious faith have a right to their freedom of choice too. After all, that's what *Freedom Of Religion* is all about!

YES! to FREEDOM OF ASSOCIATION:

Ontario's Sunday closing laws not only prevent customers from freely associating with retailers, but they also limit the number of staff allowed to serve the customer. But there's no reason why those who want to shop on other days of the week should be restricted. Similarly, those who want to *Shop* on Sundays have the right to do so.

YES! to FREEDOM OF SPEECH:

Recently, retailers have actually been charged for allowing the public to "browse" in their stores and shops on a Sunday. As absurd as it may seem, Ontario's *Retail Business Holidays Act* effectively makes it illegal to "discuss the sale" of items that are prohibited from being sold on Sundays. A visit to your local gardening centre during the summer, for example, may reveal posted signs on lawn furniture and certain home gardening accessories that say something like: "Sorry, we are not permitted to discuss the sale of this item on a Sunday." Should talking about patio furniture be considered a crime?

YES! to FREE ENTERPRISE:

It's funny how there are so many more people who *Talk* "free enterprise" than there are people who actually *Practice* it. It's funny because among the biggest *Opponents* to Sunday shopping are business groups and retailers themselves, including many who claim to uphold the principle of free enterprise. Still, they want the government to interfere with the peaceful operation of businesses that do not belong to them, and are lobbying politicians to fine and jail honest, peaceful businesspeople who merely happen to view their business obligations to their customers differently. If you believe in *True* free enterprise, then be aware that those businesses lobbying to deprive *YOU*, the consumer, of your right to choose, are your enemies adopting a misdirected and dangerous course of action not your friends. They want to restrict the businesses who prefer to serve you on your terms, while demanding special privilege protecting them from competition... and that's NOT free enterprise. The "free" in "free enterprise" refers to *Freedom From Government Intervention* and from the *Political Intervention* of one's fellow citizens.

YES! to THE FAMILY:

There's no doubt that there are many families who prefer to spend their Sundays as a day of rest, but consider this: There are also families who like to *Shop* together; there are families who like to *Work* together; and there are even families whose members would rather have nothing to do with each other. And let's not forget, there are families who *Depend* on the income they earn on Sundays. Just like individuals, families have differing needs, preferences, and lifestyles. Freedom of choice accommodates *Every* family.

YES! to COMMON SENSE:

Some people believe that the freedom to shop on Sundays will "force" retailers and their employees to work on Sundays. It just isn't so. The idea that one's commitments, responsibilities, and obligations constitute "force" is not only misleading, but entirely inappropriate and improper. People who choose to work in retail have *Obligated Themselves* to serving the customer, not the reverse. And that kind of "obligation" is what *Self-Responsibility* is all about! There are other people who seem to believe that Sunday shopping will mean that retailers and their employees will be forced to work seven days a week! It just isn't so. Just because *Stores* may happen to be open seven days a week doesn't mean that people will have to work "seven-days-a-week". Just as now, most people will still have *Two* days per week on which they will not have to work. Better still, for in retail, Sunday openings can provide a greater margin of flexibility in scheduling of work hours. That means retail employees who have not been able to have *Two Days Off In A Row*, because of forced Sunday closings, may now have that option. Common sense scheduling along with an increase in the work force, will usually see to it that even those who work on weekends will have the opportunity to book many of their weekends off. And always remember, freedom of choice means that any retailers who want to remain closed on Sundays still have the freedom to make that choice. In fact, they can close their stores on *Any* day of the week.

YES! to INDIVIDUALISM:

Imagine a world where every store opened at the same time, sold the same products, charged the same prices, looked the same, and was run by people who all acted the same. What a terrible world that would be. Thank goodness we live in a society enhanced by individuality, variety, and difference. Isn't that what the Sunday shopping issue is really all about?

YES! to A NEW CHOICE, NOW!

All *Three* of Ontario's traditional political parties are *Opposed* to freedom of choice in Sunday shopping. They believe that someone other than *You* should have the right to control *Your* choice on a Sunday. Even so, David Peterson and Joan Smith are *Right* when they say that Sunday shopping shouldn't be a provincial matter. And our municipal leaders are also *Right* when they say that Sunday shopping shouldn't be a *Municipal* matter. Unfortunately, they all believe the choice belongs to anyone but *you!* Freedom Party believes that the *Purpose Of Government* is to *Protect* our *Freedom Of Choice*, *Not* to restrict it. Whether you're a *Retailer*, an *Employee*, or a *Customer*, when it comes to when you shop, it should be *Your* choice...even on a Sunday!

FREEDOM PARTY

YOUR NEW CHOICE NOW!

THE PURPOSE OF GOVERNMENT IS CHOICE, NOT TO RESTRICT IT.

SUPPORT

FREEDOM OF CHOICE FILL OUT AND MAIL TODAY!

(OR BRING IT TO OUR
OFFICE PERSONALLY, 364
RICHMOND ST., 3RD FLOOR,
DOWNTOWN LONDON)
FREEDOM PARTY OF ONTARIO IS
OFFICIALLY REGISTERED

I'M PROUD TO BE THE ONLY CANDIDATE IN THE UPCOMING LONDON NORTH BY-ELECTION SUPPORTING FREEDOM OF CHOICE IN SUNDAY SHOPPING!

— BARRY MALCOLM, FP CANDIDATE, LONDON NORTH

THIS ADVERTISEMENT WAS PAID FOR BY MEMBERS AND SUPPORTERS OF THE FREEDOM PARTY OF ONTARIO, INCLUDING:

ROBERT METZ PARTY LEADER BARRY MALCOLM CANDIDATE - LONDON NORTH MARC EMERY ACTION DIRECTOR

Lloyd Walker, Robert Smeenk, Murray Hopper, Chris Baker, Gordon Deans, David Hogg, Mark Pettigrew, Dean Hodgins, David Bawden, John Cossar, Lynda Doberstein, Paul Dinardo, Frederick Dreyer, Mark Elms, William Frampton, Ian Gillespie, Mary Lou Gutscher, Andrea Hanington, Doreen Kimura, Sandra Chrysler, Lois Mood, Tony Panos, M.D., Wendy and Mike Patterson, Steven Sharpe, David Southen, Robert Vaughan, Kathleen Yurich, Lili Cummins, Peter Vandenberg, Chris Doty, Greg Jones, Andrew Boyle, Ray Monteith, C. Richard Fagley, Brendalynn Metz, Linda and John Runge, Lawrence Mood, Aldo Vicia, David Kohlsmith, David Pengelly.

IF YOU WISH TO OFFER YOUR SUPPORT AND COMMENTS, PLEASE CALL:

433-8612 OR 433-3305

FREEDOM PARTY RESPONDS THROUGH NEWSPAPER ADVERTISING

The real issue behind the Sunday shopping controversy has nothing whatsoever to do with "shopping" or with "Sundays". The real issue is *freedom of choice!*

To make this point perfectly clear to both sides in the debate, Freedom Party executive initiated and produced, on an experimental basis, two versions of a full-page newspaper ad aimed at defining the issue for the public and politicians alike. Under the headline: YES! TO FREEDOM OF CHOICE IN SUNDAY SHOPPING!, we clearly laid out why "Sunday shopping is not just a single issue!"

A reproduction of the longer version of this ad, placed in the *London Free Press* in February 1988, appears in the centre pages of this newsletter. Since the ad appeared shortly before David Peterson called the London North byelection (see last issue, *Freedom Flyer*), a pre-election announcement by Freedom Party's candidate was placed in the lower right-hand corner. Also appearing in the ad were the names of those supporters and members whose contributions, totalling almost \$5,000, paid for the full-page ad. (Our apologies to Joanne Metters, whose name was inadvertently omitted from the ad; sorry Joanne, it won't happen again.)

A second, shorter version of the ad was later placed in the *Welland Guardian Express* in April 1988. By coincidence, it too appeared shortly before another provincial byelection in the riding of *Welland-Thorold*, and like the *London Free Press* ad, it also carried a pre-election message by our candidate (see coverage, elsewhere in this issue).

FITZGERALD ADDRESSES SUNDAY SHOPPING COMMITTEE

IT'S A MATTER OF CHOICE

On August 29, 1988, **Freedom Party** was represented before Ontario's *Standing Committee on Administration of Justice* by **Barry Fitzgerald**, our official representative in the riding of *Welland-Thorold* since April 1988 (see coverage, last issue), and our candidate in that riding's '88 byelection (see coverage, elsewhere in this issue).

Of the twelve presentations made to the committee that day, Fitzgerald's was the only one argued from a principled and consistent position which, as is so often the case with **Freedom Party's** public advocacy of individual rights, earned him his own headline in local press coverage of the event.

"I realize this committee is a sham, but I'm hopeful I created a spark in someone that they will take back to the legislature," Fitzgerald was quoted in the *St. Catherine's Standard* (Aug. 30, 1988), which then went on to observe: "That mix of anger and optimism was displayed by many of the presenters."

A brief, edited synopsis of Mr. Fitzgerald's presentation to the committee follows:

Mr. Chairman, members of the committee:

Let me begin by reviewing some of the reasons it is claimed that we "need" Ontario's **Retail Business Holidays Act**.

"The common pause day": Well, "common" means "belonging to everyone". Obviously, there is no such day as many people are required to work Sundays, and many other people rely and depend upon those working for the goods and services they provide.

Some claim that *"Working Sundays destroys families"*. I have yet to hear anyone claim that their family fell apart because one member had to work on a Sunday. But I have heard about the stresses of those workers who work on three rotating shifts, or workers who are required to work away from home for extended periods of time. These workers cannot be protected by law. They rely on the strength of their family bonds to overcome the hardship.

We must learn to recognize that every family is unique. We should also note that many families have come to depend on the money that they earn on a Sunday. How can we accommodate everyone? The only answer I can come up with is to give the choice to the individual.

We have heard the argument put forth that *"We don't need Sunday shopping; it could increase prices by as much as 15%"*

If we take this argument to its logical conclusion, we would find that with good planning, we could get by with only one shopping day a week, and thus reduce prices by as much as 70%!

Obviously, this isn't realistic. I have found that the *Canadian Tire store in the official "tourist area" of Fort Erie has the same prices on Sunday as the Canadian Tire store in the unofficial tourist city of Welland, which is only open Monday to Saturday.*

Some claim that Sunday is a Christian holiday."

'A matter of choice' Fitzgerald argues

ST. CATHARINES (Staff) — Striking the Retail Business Holidays Act from the books is the only way to guarantee fairness to all Ontarians, says Wellander Barry Fitzgerald.

The Atlas Steels worker, appearing before an all-party select committee which held hearings on Sunday shopping yesterday in St. Catharines, said current legislation — even under proposed amendments — is unfair.



Fitzgerald... "The majority of people don't care one way or another about this issue," said Fitzgerald, a member of the Ontario Freedom Party. "We believe it's an individual decision, and the government should not try to make it for you."

The Retail Business Holidays Act doesn't treat everyone equally, he said, noting many religions observe the Sabbath on days other than Sunday. Moslems, for instance, observe it from sunset Friday to sunset Saturday.

"We are imposing a day of rest on all religions whether they want it or not."

Fitzgerald also questioned claims by opponents of wide-open Sunday shopping that it would tear the family fabric.

"I have yet to hear anyone claim that their family fell apart solely because one member of the family had to work Sunday."

He said the Employment Standards Act already stipulates the number of hours employees work in a week, so further legislation is not necessary.

"The only answer is to give the choice to the individual."

But some members of the committee, made up of seven Liberal, two Conservative and two New Democratic MPPs, took Fitzgerald to task for his views.

"You've got a real strange notion of freedom, sir," Etobicoke-Rexdale NDP member Ed Phillips told Fitzgerald.

Mike Farnan, NDP member for Cambridge, also disagreed with Fitzgerald's stand.

"Freedom is an inter-related concept; one person's freedom is an imposition on another person," he said, adding that employers would find loopholes in legislation guaranteeing employees would not have to do "undesirable" Sunday work.

"I think you live in an unrealistic world," he told Fitzgerald.

Regional Coun. Mike Collins, an outspoken opponent of Sunday shopping, said the existing retail law would be effective in "maintaining the quality of life" associated with having Sundays off if a few minor variations were made in the legislation.

Collins wants bona fide Sunday openings recognized — where businesses close Saturdays for religious reasons — and he wants changes made in the legislation to close some of the loopholes, such as supermarkets "disguising themselves as drug stores."

He also called for stiffer fines for those defying the retail act, and for the approving of all future tourism exemptions by the province.

Let us look back to the year 1906 when the **Lords Day Alliance** persuaded parliament to pass the **Lords Day Act**, which banned movies, concerts, dancing and sporting events on a Sunday. The **Retail Business Holidays Act** became a companion Act which legislated that virtually every business close on a Sunday.

Times have changed. The **Lords Day Act** was found to be unconstitutional under the Canadian Constitution and it was repealed. The **Retail Business Holidays Act** was amended, with all references to the Lord's Day removed in a effort to disguise the intent of the Act.

We are now considering amending this Act once again, when we should be considering its repeal.

The religious argument boils down to this: "We don't believe in doing business on Sunday --- so you can't."

I would like to bring to your attention Ontario's **Religious Freedom Act**. It begins: "Whereas the recognition of legal equality among all religious denominations is an admitted principle of provincial legislation..."

Did you notice the term "legal equality"? Do the **Retail Business Holidays Act**, **Bill 113** or **Bill 114** conform to this principle? I think not.

The Act made an exemption for Jews, Moslems and Seventh Day Adventists, since they observe the Sabbath from sunset Friday to sunset Saturday. They were allowed to open Sundays if they closed for 24 consecutive hours within a 32 hour period immediately preceding Sunday. But what of their further restrictions which only permit a maximum of seven employees and the use of 5000 square feet on a Sunday? There is no day that stores who are closed on Sundays must be subject to these restrictions!

Bill 113 would change the wording of these restrictions to allow Sunday openings subject to being closed on another day during the week, without employee and store size restrictions. But consider the case of the Bahai Faith, which has its own calendar, with months of 19 days each, and no "weeks", as such. How are the Bahai's accommodated by the law? They are not.

Reaction to Fitzgerald's submission was predictable, given the collectivist philosophies of the Committee's members.

In response to Fitzgerald's assertion that "The only answer is to give the choice to the individual", committee member Ed Philips (NDP, Etobicoke-Rexdale) commented "You've got a real strange notion of freedom, sir", while Mike Farnam (NDP, Cambridge) concluded "I think you live in an unrealistic world."

The fact that this "unrealistic" world operates quite well for six days a week was obviously not enough evidence for those predisposed to regulating and controlling the lives of others, a strange notion of "freedom" if ever there was one.

Farnam's comment that "Freedom is an inter-related concept" is undeniably true, but his belief that "one person's freedom is an imposition on another person" reveals a gross misunderstanding of the nature of individual freedom and of its natural limits. These limits can only be legally enforced through the observance and entrenchment of private property rights, the very mechanism which is being directly violated by Sunday shopping laws.

Yet, Farnam's confusion on the issue is one that is popularly shared by many, and on which politicians of all three major parties have been promoting their positions. It is a tragic irony that the very people who claim to be expressing concern with the "imposition" of one person's choices on another person are those who seem to have no hesitation in imposing their opinions on Ontario retailers.

Their opposition to the entrenchment of private property rights, coupled with their organized resistance to any application of individual rights and choice is the proof of the three major parties' intentions: political power at any price. Another reason why... Sunday shopping is not just a single issue.

The only way we can achieve **LEGAL** equality of religion is to repeal the **RETAIL BUSINESS HOLIDAYS ACT* AND FORGET ABOUT Bills 113 and 114.**

Bill 114 allows a retail employee to refuse "unreasonable work" on a Sunday. But what about employees of different religions who think that working on Saturday or any other day of the week is "unreasonable"? And why only **Retail** workers?

Bill 113 Section 5 Subsection 2C raises some interesting problems since it now forces corporations to adopt a "religion". The government of Ontario is in the retail business, so what I'd like to know is what is the official religion of the Province of Ontario?

The real issue is choice:

We should never forget that businesses belong to people and as such, are someone's property. Sunday closing laws violate their property rights by denying the business owner peaceful use of his property for one day of the week. Some retailers believe that the customer is always right and have opened on Sundays in violation of the law --- not to flaunt the law, but to meet the needs of their customers.

The legal paradox of their action places them in the position where only one party to their illegal transaction is prosecuted, fined, or jailed. Who is the victim of this hideous crime? The only person victimized is the merchant, for being in the wrong business, in the wrong town, or in the wrong area of town where such transactions are perfectly legal elsewhere, or for just having "too big" a store, or for giving jobs to "too many" people. The customer he is serving is never charged, yet without the customer's involvement, no law would be broken.

The **Employment Standards Act** already sets the maximum number of hours one may work in a week, so **Bill 114** is completely unnecessary.

David Peterson and Joan Smith are right when they say Sunday shopping is not a provincial matter and like them, municipal politicians are also correct when they say that Sunday shopping is not a municipal matter either.

Sunday shopping is a matter of choice. The only answer to the Sunday shopping issue is to give that choice to the individual.

FORCED TO WORK? FORCED TO CLOSE? IF FORCE IS...

OPEN-LINE ON SUNDAY LAWS

The following conversation took place on the radio phone-in program *Talkback*, which was aired live on *CFPL-AM* [Radio '98, London] on December 27, 1988. This was the day after several stores in the Toronto region (but only one store in London) were charged for being open on Boxing Day, December 26.

The program's guest: Ontario's Solicitor-General Joan Smith, who, for the past year or so, has been touring the province trying to sell the Peterson government's newly-announced policy of placing political responsibility for Ontario's Sunday shopping laws squarely on the laps of Ontario municipalities. A highly unpopular move, the Ontario Liberal Party's strategy on this issue has provided more than enough evidence of the unworkability of laws which flagrantly violate our fundamental freedoms. Better still, the arguments, logic and evasive tactics employed in their defense of Sunday shopping laws have clearly demonstrated the lack of respect and outright contempt our politicians have for our fundamental freedoms. To prove the point, witness the following conversation:

The Participants:

1. Program Host: **Anne Hutchison,**
2. Program Guest: Ontario Solicitor-General [and London South MPP] **Joan Smith,**
3. Program Caller: **Freedom Party** President and Leader, **Robert Metz.**



Sam McLeod/London Free Press

London Free Press, December 28, 1988

Ontario Solicitor-General Joan Smith, left, was pleased with the respect shown by London store operators on Monday — Boxing Day — for the Retail Business Holidays Act. She appeared Tuesday on Radio 98's *Talk Back* program hosted by Ann Hutchison.

Metz: Good morning Anne. Good morning Joan.

Smith: Good morning.

Metz: Joan and I have debated Sunday shopping several times over the past few years, and there's always been one fundamental question I've really never got around to asking and...

Hutchison: Bob, can I just point out who you are?

Metz: Sure.

Hutchison: Bob Metz actually ran against Joan in London South.

Smith: That's correct.

Metz: Yes, and I've also appeared before Joan at one of the many committees on Sunday shopping. As well, we've debated in other forums on this issue.

Joan, as Solicitor-General, I've never really asked you this question before: Do you consider Sunday closing laws to be *justice*? If so, I'd like to know on what particular principles of justice do you think Sunday closing laws operate on.

Smith: Well, if you're talking about deep moral justice, I don't think that it has anything to do with Sunday closing. Open or closed, it's not a moral issue.

Metz: You don't think it's a moral issue to have freedom of religion, to have property rights, to be treated equally before the law?

...WRONG, IT DOESN'T
MATTER WHETHER YOU'RE
"FORCING" SOMEONE TO...

Smith: If a community wants to have a law (where) they want the stores closed, and the majority of the people want that, or elect people who say that, they're entitled to do that, like many regulations we have.

Metz: Well, if the community can "do whatever it wants", i.e., the "majority", what I want to know is: What *protection* does any individual have from "whatever the community wants"? That's not justice. How is that justice? You're telling me that if ten people want something, and five people have it, the ten people get it. That's *justice*?

At this point in the conversation, Joan Smith no longer responds, while the program host, Anne Hutchison, assumes the offensive.

Hutchison: Bob, the way our society works is we have an Ontario government, a federal government, and a

municipal government, and they all make laws in certain areas. The question that we seem to be discussing this morning is whose decision should this be?

Metz: Precisely! And whose decision *should* it be? (A store) only belongs to one person, the retailer or store owner. Who else --- physically, morally, ethically, justly, logically, pragmatically, philosophically, religiously --- who has the *right* to decide with XYZ store except the owner of that store? Who (else) in God's name has that right, and how did they get it?

...OPEN OR "FORCING"
THEM TO CLOSE.

Hutchison: Bob, I think that's just not the way our society works. Generally because there are unscrupulous business people and unscrupulous people in every area of life, that often we have to have restrictions on...

Metz: ...on *unscrupulous* behaviour, of course! But opening a store on a Sunday isn't "unscrupulous" behaviour. If it were, then it would be unscrupulous on Monday to Saturday!

Hutchison: And do you think that forcing people to work on Sundays is unscrupulous?

Metz: No one is (being) "forced" to work on a Sunday. (But) think of your argument: if "force" is wrong, how can you justify... *forcing* somebody to close (their retail business)? If *force* is wrong, then it doesn't matter whether you're "forcing" someone to open or "forcing" them to close.

What you really have to do is *define* the word, "force".

No one is being "forced" to work on a Sunday. Nothing (amuses) me more than hearing somebody say "I don't want to work on Sundays, but I think I have a *right* to a job *whose very nature* it is to be open on a Sunday." That's like some guy saying, "I'm terribly afraid of heights, but by gosh I'm going to run to government so I can get a job in high-rise construction --- but I (refuse) to work above the second floor!" That's the logic that's at work.

Hutchison: Okay Bob. Thanks for your call. Bye bye.

Obviously there are some people, Joan, and we've heard a couple of them this morning who just feel that the government has no business interfering, that they just shouldn't be making these kinds of laws at all.

Smith: Well, there are people that feel that way. There's a lot of pressure for less government. On the other hand, there (are) people (who) want more and more protection.

We realize, for instance, getting a little bit off topic, that the environment needs protecting, and so we're getting more and more laws around traffic because of the numbers of cars on the road and the dangers of this sort of thing.

Basically, democracy is in place, and healthy. If people elect a lot of people from the **Freedom Party**, they'll get less regulations. But so far we're not overpowered by people voting for the **Freedom Party**.

JAILED FOR JUSTICE

On Tuesday, June 7, 1988, **Freedom Party** Action Director Marc Emery became the first person to serve a jail sentence under Ontario's *Retail Business Holidays Act* (RBHA), an act that prohibits retail stores from opening on Sundays, and which controls the manner of operation of those retail businesses which are exempted from forced closings.

As owner and operator of one of the most unique used-book stores anywhere, *City Lights Bookshop*, Emery has become widely recognized as a leading opponent of Sunday shopping laws --- not because he defied them, but because he was willing to risk going to jail to defend his right to operate his store as he best saw fit. It is a tragic irony indeed that he was forced to serve his sentence in the Elgin-Middlesex Detention Centre alongside others who were being held for crimes like car theft, property damage, assault, break and enter, etc. --- people who were in jail for doing to others the very thing that the Ontario government was doing to Emery --- violating someone's private property rights.

But Emery's road to jail was a rocky and uncertain one, punctuated with frustrations, failures and victories along the way. Most importantly, his experience offers all of us a concrete example of how arbitrary laws that violate a person's dignity and property reflect upon our justice system and those who administer it --- and of the power of a principled and uncompromised stance against this glaring injustice.

It all began on Sunday December 7, 1986 when Emery, like hundreds of other retailers around Ontario, opened his store in direct defiance of the RBHA, under the expectation that the Supreme Court of Canada was about to strike it down as being a violation of freedom of religion. As it happened, the law was found to be a violation of freedom of religion --- but that didn't matter. It was "justifiable" under Canada's "democratic" Constitution.

Unlike most retailers who justified their flouting of the law on shallow pragmatic grounds (i.e., "there's money to be made by being open Sundays"; "The customer wants Sunday shopping"; "either everybody should be closed or we should all be allowed to open", etc.), Emery made it clear that he was opening his store on *principle*. It was *his* store, and nobody else had any right to it.

"The reason I decided to challenge this bad law was because I was tired of listening to retailers justify their actions on exclusively pragmatic grounds, namely, that there was money to be made by opening Sundays," said Emery. "The public was beginning to get the idea that that was the only basis for Sunday openings and this became counterproductive to the whole issue."

"As long as the debate centered on *money*, and not on the *principle* at stake, the public and retailers alike were advancing the destruction of their own individual freedoms," said Emery. "No one was seeing the connection between a retailer being allowed the private control and ownership of his business --- or the homeowner being allowed the same right to his house, car, TV set --- whatever. That's what private property rights are all about!"

Perhaps police were too busy laying charges against retailers who had the means to pay the kind of fines the government was really after, but even despite Emery's advertised "Lawbreaker Specials" sandwich board in front of his store, no one came to lay any charges against him. So the following week (December 14, 1986), Emery made a point of having one of his press releases announcing his intentions to open illegally delivered directly to police headquarters in London.

It worked. Police showed up at his store to lay charges. Emery, however, was not in his store at the time. He was out campaigning with **Freedom Party** members and

London Free Press, March 8, 1988

Emery cleared on Sunday opening counts

By Chip Martin
London Free Press

Marc Emery won his latest court fight against Sunday opening charges on Monday without ever opening his mouth. The London retailer said that disappointed him somewhat.

A provincial judge ruled the prosecution failed to prove in evidence that Emery, 30, was the owner of City Lights Bookstore on Dec. 14 and 21, 1986.

The charge under Ontario's Retail Business Holidays Act said Emery "carried on" business on those days --- both Sundays --- in contravention of the act. He pleaded not guilty.

The outspoken operator of the store at 358 Richmond St. came to court, without a lawyer, prepared to fight the counts and marshalled his arguments in a neat file folder.

He didn't get a chance to speak. "I was going to condemn the law," he said later.

Judge Douglas Walker said he didn't need to hear from Emery because the crown had failed to show Emery was connected to the business.

He said police witnesses had failed to prove Emery was in charge of the business or that he owned it. Evidence was that books were being sold the first day and given away free the second day.

Emery, sporting a button with the message "I love Sunday shopping," smiled

broadly when Walker dismissed the charges. The button was created by the Freedom party, which seeks to reduce government control in society. Emery ran for the party in the last provincial election.

Later, he said he had planned to note that the Ontario legislature amended its Sunday opening law several months after he was charged to permit booksellers to operate on Sundays.

Emery said he now operates every Sunday and still hasn't any plans to pay a \$500 fine imposed on him in February for being open one Sunday last July. At that time he vowed he'd go to jail rather than pay the fine.

The deadline for paying the fine is next Monday.

MARC EMERY: planned to condemn closing law



supporters who were stationed at illegally-opened grocery stores handing out pamphlets defending freedom of choice in Sunday shopping. In his absence, police laid charges against both Emery and his store clerk Lili Cummins for violating the RBHA. (Charges were later dropped against Ms. Cummins, despite her willingness to work on that Sunday.)

For Emery, this was the break he was looking for. Taking advantage of his high local profile, he immediately became a leading business spokesman on the issue, giving him the opportunity to address the issue on a moral and philosophic basis.

Four days later (December 18, 1986) came the tragic Supreme Court decision: the RBHA's violation of freedom of religion in Ontario was "justifiable" under Canada's "democratic" Constitution. There was still one Sunday left to open before Christmas (December 21), but few retailers, in light of the Supreme Court decision, displayed the courage necessary to continue the battle. With the support of the Supreme Court behind them, authorities were in a position to hand out some pretty stiff fines --- as high as \$10,000 per offence if they so decided.

(continued below)

"I've done nothing wrong; it's the Ontario government that's in the wrong."

-Marc Emery, June 1, 1988

At this point, even Emery felt it wise to proceed with caution. But having already publicly vowed to open his store again on the next Sunday, how could he do it without risking dire consequences --- and still follow through on his commitment?

Simple. Just play Santa Claus.

On Sunday, December 21, 1986, Emery opened his store to the public, but this time he would not permit any sales to take place. Instead, he would *give away books free!* Having checked with the police in advance, he was told this would be allright. After all, the law clearly stated that goods must be offered for sale.

When he opened his store on the last Sunday before Christmas, Emery gave away over \$1,500 worth of books, (at used-book prices, that's a lot of books), limited to two books per person. **Freedom Party's** Vice-president Lloyd Walker set up and manned an information booth in the store, and a collection box was set up to accept political donations to the cause.

But the police reneged on their word. Just as Emery was closing his store for the day, he was called by police and informed that even though no sales were conducted in his store that day, *charges would still be laid*. This was an unprecedented event and resulted in giving Emery a media profile that he could not possibly have anticipated.

Before he knew what hit him, his case was featured on the front-pages of newspapers right across the country. From Halifax to Vancouver, Canadians were hearing about one man's fight against an unjust law.

With his charges now pending before the courts, it was no longer necessary for Emery to open in defiance of the law. After each inevitable conviction, Emery reasoned, he could break the law once more, all that was necessary to keep his case before the courts --- and the issue before the public. Little did he realize that the wheels of *injustice* seem to turn every bit as slowly as the wheels of justice.

BRIEFLY

Marc Emery released from jail

London bookstore owner Marc Emery was released from jail Friday after spending three days in Elgin-Middlesex Detention Centre for refusing to pay a fine.

Emery was convicted of operating his City Lights Bookstore at 356 Richmond St. on July 12 --- a Sunday. He said he would go to jail rather than pay the \$500 fine for carrying on business on a Sunday. He was arrested Tuesday.

Had the fine not been paid --- from money donated by store customers --- Emery would have served a longer sentence.

He called his time in jail "a very sobering experience and a look at a harsh lifestyle." But, he said, that will not stop him from breaking the Sunday shopping law again.

His actions, he has said, are a deliberate attempt to generate publicity against laws requiring businesses to close on Sundays.

By March 1987, Emery still had not had his day in court, but provincial politicians once more amended the RBHA to allow for the legal opening of smaller bookstores on a Sunday. Which included Emery's store. Emery took advantage of the government-granted privilege and since March 1987 has been opening his store every Sunday --- legally.

By August 1987, Emery still did not have his day in court, but remained disturbed by the idea that the RBHA could dictate how many people he was allowed to employ in his store on a Sunday. So once again, in direct defiance of that law, Emery made a point of letting the media and police know that he would have "too many" people serve



JAILED FOR JUSTICE

his customers. In addition to his three Sunday employees (the "legal" limit at the time), Emery himself would be on hand to serve customers that day.

He was charged, and even though he still had not come to court to face his original 1986 charges, in February 1988 went to court to face the August 1987 charge of having "too many people" serve his customers on a Sunday. Emery did not employ the services of a lawyer, fully aware that legal fees were far more prohibitive than any fines he faced.

The verdict? Guilty.

When the judge asked Emery what fine he considered "appropriate" (A judge will ask what the prosecution is seeking; then ask what the defence thinks is reasonable.), Emery refused to respond on the grounds that negotiating his fine would amount to sanctioning his own guilty verdict. In response, the judge imposed the maximum fine sought by the prosecution: \$500.

This created an interesting legal paradox: had Emery not entered his own place of business that Sunday, no law would have been broken. In other words, Emery served his jail sentence simply for being caught on his own property.

Emery vowed that he would not pay the fine, announcing to the media that he could not do so with a clear conscience. He would allow the fine's due date to pass, and upon issuance of his arrest warrant, turn himself in to police. In the meantime, he set up a "Pennies for Principles" collection jar in his store, through which customers contributed \$380 towards the cost of his fine.

Three weeks before his arrest warrant was issued, a remarkable event occurred: Emery finally was to have his day in court on the *original* 1986 charge of opening his store illegally and giving books away free. The crown had already delayed proceedings four times, but on this, the fifth time, the crown finally presented its case.

As on the other charge, Emery represented himself without the assistance of a lawyer. He had fully prepared an argument denouncing a law that would dare to punish individuals for the peaceful use of their own property. After the crown had presented its case, Emery rose to give his defence but was immediately cut short by the judge who adjourned the court for a ten minute recess.

When the judge and prosecuting attorney returned, Emery was not permitted to speak. Upon "reflection", according to the judge, the crown had not conclusively determined that Emery was the owner of his store, *City Lights Bookshop*. Emery was declared *not guilty* before he even had a chance to utter a word in his defence!

Most remarkable was the fact that "ownership" was not a criteria for being charged under the RBHA. One does not have to be an owner of an establishment to be charged under the law; managers, employees, and

owners are *all* subject to the law. Not only that, but it was a well-known fact that Emery was owner of *City Lights Bookshop*, and that he had continually referred to it as "my store" throughout the entire proceedings --- and in his press releases issued to police.

Even worse, since Emery had already been convicted of the other charge of employing "too many people" in his store, how could such an argument possibly be applied? Since the crown did not determine such ownership as criteria for his previous conviction, why was it not overturned?

Like all laws that are arbitrary and not based on sound principles, the interpretation and enforcement of such laws is equally arbitrary.

Despite his victory however, Emery's problems were still not over.

Upon learning of the issuance of his arrest warrant, Emery planned to turn himself in to London police on June 2, 1988 and issued press releases announcing the fact. But much to his embarrassment, police wouldn't arrest him --- the proper paperwork had not been filled out.

"I couldn't foresee this kind of bureaucracy," Emery told the media. "When I called yesterday, I was told the warrant was on the computer, in effect immediately."

Emery's setback however, was short lived. By June 7, the necessary paperwork was completed and police arrived at his store to arrest him. He spent four days and three nights in the Elgin-Middlesex Detention Centre at which point he voluntarily paid the balance of his fine owing (as was his original intention), which had now been reduced to \$373, approximately the amount contributed to his cause by his customers.

For Emery, the entire experience represented proof of what he had been trying to illustrate about the nature of Ontario's Sunday shopping laws: that the government would go to any extreme length to impose its authority over a private individual's right to his own private property --- contrary to the repeated claims of those who insisted that no one would ever go to jail for a Sunday shopping violation.

Despite Emery's best efforts at trying to relay this message to the public, two myths were still being perpetuated by those who refused to understand the significance of his jail sentence: (1) that Emery "wanted" to go to jail, (2) that Emery served his sentence not for disobeying the RBHA, but for "refusing to pay a fine."

So let's make the point perfectly clear; let there be no misunderstanding: Emery went to jail not because he "wanted" to, nor because of any refusal to pay a fine. *He was arrested and jailed for standing up for his right to his own property.*

To suggest otherwise is to evade the truth --- and to evade justice itself.

FREEDOM PARTY IN THE NEWS...

Also-rans driven by idealism

London Free Press, November 4, 1988

In Greek mythology, a man named Sisyphus insulted one of the gods and was sentenced to an eternity of pushing a boulder up a mountain — but he was always denied the satisfaction of reaching the top.

Day after day he pushed that rock, and day after day it rolled back to the bottom. He knew he could never reach the summit. But still he clung to the hope that some day...

By Debora Van Brenk

London Free Press, 1988

They're the perennial also-rans. They're the people whose names you see on the ballot every election, the ones whose names you usually forget between elections.

They're the ones who have never enjoyed the title alderman or trustee or member of Parliament.

Yet, like Sisyphus, they keep on hoping.

"I know I can't get elected no matter what I do. Not yet," says Londoner Marc Emery, who has run unsuccessfully five times — once federally, twice provincially and twice municipally. "But just because I acknowledge I'm not going to be elected, it doesn't mean I won't work to be elected."

For personal reasons, the 30-year-old bookstore owner is taking a break from this year's elections. But he promises to be back.

"I'm fully convinced that I'll be running when I'm 60 and I'm not going to be any more popular... I've got an opinion on everything," he says amiably. "The smart way to get elected is to say you sympathize with both sides of the issue and then side with neither of them."

Sitting on the fence, however, is not Emery's style.

He estimates he has spent at least \$150,000 on what he calls his "crusades": petitions and other information against aldermanic wage increases; petitions against London playing host to the 1991 Pan-American Games; and a campaign in support of Sunday shopping.

"The only reason I do it is because I know it to be the right thing. I have to run to give myself an alternative. I have to run to give myself a chance to hold up my ideals."

Adds Emery: "When things are easy you don't learn anything. Success is a lot easier to take but failure is a lot more educational."

London Free Press, June 11, 1988

FOR A FACT

THE DAY MARC EMERY RULES THE WORLD

Plus, fence viewing sure outclasses fence sitting

HERMAN GOODDEN

Q. Just out of morbid curiosity, if Marc Emery ruled the world (or London, at least), what three things would he immediately change?



A. Marc would change four things. He would:

- ◆ Pass a law rendering all other laws that interfere with peaceful, consenting honest activity null and void;

- ◆ Eliminate all government monopolies such as the post office and schools, allowing any private individual or group to compete in these services;

- ◆ Require government to make taxes a payment for services rendered only — like any other service industry;

- ◆ Replace Oh Canada with Land Of Hope And Glory, a much more stirring piece of music.

Above: A tongue-in-cheek political appraisal of FP Action Director Marc Emery. At Right: Part of an interview between FP leader Robert Metz and Salem Alaton, the Globe and Mail's New York correspondent, found its way to a full-page article on censorship and drugs.

A20 THE GLOBE AND MAIL,

TUESDAY, NOVEMBER 1, 1988

Canada Customs ships drug magazine back south

No time for High Times

That sentiment is echoed by the Robert Metz, leader of the Freedom Party of Ontario. Metz, who believes that drug-related crime is a consequence of drug laws, says he is not surprised that almost no one has criticized or even discussed Bill C-264 in Canada.

"This is not peculiar to drug use," says Metz, speaking from London, Ont. "This is peculiar to any activity where by saying you have the right to do something, you are usually thought to be condoning doing it."

Providing illumination on issues of the day

The purpose of the Opinion and Perspective pages in The Free Press, as has been stated previously, is to present a diversity of views and opinions.

Columns by such writers as Leonard Shifrin, George Will, John Best, Keith Spicer, Don McGillivray, John Ferguson, among others, give readers varying glimpses at the world. From time to time editorial writers Gary May, Rory Leishman and Bill Jory write personal columns. On Wednesdays the ombudsman shares the Perspective page with Helen Connell.

Editorial page editor Norm Ibsen has the responsibility of choosing the material. The trick is to try to maintain some semblance of balance. Can you please all the people all of the time? Not really. Some of the time? Not really.

Londoner Marc Emery, action director of the Freedom Party of Ontario, is one who is less than satisfied with the "balance", and he said so in a letter to the ombudsman.

"Every Monday, The London Free Press features a syndicated column by Leonard Shifrin," Emery wrote, "and every Monday for the past 10 or 12 years, Mr. Shifrin has, without exception, demanded increased government spending to provide for his Disneyland of social programs, from universal day care to larger welfare payments.

"At least twice monthly, and perhaps more often, Helen Connell writes a column from a similar vantage point; that is, more government intervention in any area of concern to your typical Marxist feminist, including more censorship, more taxpayer largesse for various feminist causes, etc.

"I do not argue that The Free Press has the right to feature these screeds advocating the further pillage of our rights and our money, but what does disturb me is that The Free Press has no consistent columnist writing from a point of view advocating free enterprise, a free market and individual freedom," Emery said.

He added:

"Certainly, a newspaper of the kind The Free Press aspires to be; that is, a community leader, should present intelligent advocacies of both sides of all major issues. I certainly see plenty of advocacy for the government control side of things, but not a free-market point of view on many issues."

Emery suggested a number of "free-market thinkers" such as Walter Block, of the Fraser Institute of Vancouver; Milton Friedman, of the University of Chicago, John Crispo of the University of Toronto, and columnist Barbara Amiel.

Shifrin writes out of Ottawa on social issues on a freelance basis, and is not on Free Press staff. Helen Connell is on staff and writes a column that she describes as "simply one woman's perspective on social issues — no more, no less."

Ombudsman

By Jack Briglia
Your advocate
at The London
Free Press



Connell has received her share of brickbats since she started writing the column, and there have been other pleas from some readers for "a voice from the other side."

Ibsen feels the more diversity he could offer, the better it would be for his pages and for the readers.

While Ibsen says he would like comment with a different perspective from the advocacy columns carried, he isn't convinced Barbara Amiel is the answer to "counteract" Connell. In this case he would prefer to find a suitable local columnist.

"Basically, I agree with what Emery is saying about the need for different voices, and I am on the lookout for them," he said.

The motto for the Scripps-Howard newspapers in the United States is: "Give the people the light and they will find their own way." The more light that can be shed on an issue, the easier it will be for the readers to come to some conclusion.

Balancing the Coverage:

In response to FP action director Marc Emery's complaint of biased editorial coverage in the pages of the *London Free Press*, the paper's ombudsman reacted in a manner that, well, surprised us. (See article above.)

Not only did the editorial staff at the *Free Press* acknowledge the legitimacy of his observation, they even took his advice on recommended editorial writers, like the *Fraser Institute's* senior economist, Walter Block, whose first *Free Press* column appeared within two weeks following their acknowledgement.

Two editorials (on privatizing education and on pay equity laws) by FP manager of special projects, Murray Hopper, have also been published by the paper and are reproduced on the two following pages. Some readers may already be familiar with the editorial on education; it also appeared as the cover essay in *Consent* No. 5.

Beware insidious poisons

By Walter Block MAR 8 1988

The writer is senior economist with the Vancouver-based Fraser Institute

The basic premise of all modern medical practice is the Latin expression "Primum non nocere." It means "First do no harm."

This is an astoundingly important maxim, and it is indelibly etched onto the thought processes of all medical students. It urges doctors and all health professionals to be prudent and conservative with the patients in their care. Physicians must of course take risks. And being only human, they must of necessity fail from time to time in their efforts. But the principle of "Primum non nocere" still stands like a moral beacon, imposing a level of behavior on doctors that would otherwise simply not be there.

The same, unhappily, cannot be said for politicians, civil servants, judges, bureaucrats and regulators. They, too, are often capable of achieving great benefits for the public. After all, without government, life would be "nasty, brutish and short," in the words of Thomas Hobbes. There would be a war of all against all, and the weak, and even many of the strong, would perish.

But the state can also impose great harm on society. There are hundreds of instances where government acts in diametric opposition to the basic laws of economics — or perhaps even worse, as if they did not exist. For example, it is a basic staple of economic analysis that the setting of price ceilings leads to a shortfall in supply, and to excess demand. This insight has even percolated down into the introductory textbooks on the subject, where rent control is often used to exemplify the evil.

The point is, when rents of residential dwelling units are precluded from reaching their market levels, business firms will tend to divert their investments elsewhere: to commercial or industrial real estate, to home ownership units, to shopping centres, or to fields even further removed. As a result, shortages, low vacancy rates and even homelessness occur, coupled with excess store and office capacity, where rent controls do not apply.

Sometimes a rent control provision exempts new construction, but this posture too is fraught with difficulties. First of all, already existing buildings (which comprise the overwhelming majority of units at any given time) deteriorate as the landlord's incentives to make repairs diminishes. This process can take decades to ruin a city's housing stock (for example, the South Bronx) but once it is put into motion it is exceedingly difficult to stop.

Secondly, if rent control is such a

London Free Press, March 8, 1988

of controls and wage laws

good idea, how can its proponents advocate its limitation? If they really believed in this legislation, they would urge expansion, not contraction.

And thirdly, investors are usually too canny to be taken in by a city's protestations that controls will not apply to new stock. They have been burned in too many places, on too many different occasions, for this provision to appear credible.

Notwithstanding these considerations, some provinces in Canada (including Ontario) still maintain antiquated systems of rent controls.

Another violation of the "Primum non nocere" rule is minimum wage legislation. Here, a price floor, not a ceiling, is set. Several provinces have set \$4 per hour as the minimum allowable pay scale; others have gone higher.

At first blush this would appear to be a beneficial legislative enactment. Many people think it will actually raise the wages of ill-paid workers. However, as elementary price theory suggests, the effects are deleterious.

For the law does not mandate that anyone must be hired at a wage of \$4 per hour. On the contrary, it only requires that an employer will be subject to fines and/or a jail sentence if he pays an employee less than this hourly rate.

Consider the plight of a worker whose productivity level is \$3 per hour. It is extremely unlikely that such a person will be hired, or be able to maintain his job slot — for the employer will lose \$1 for every hour he is on the shop floor. Rather than raise this person to the \$4 level, the minimum wage law will likely preclude him from employment in the first place.

If this is hard to see, imagine the effects of a minimum wage law requiring an hourly payment of \$40, not \$4. (This might be "justified" on the ground that if by mere dint of legislative pen, salaries can be pushed up to \$40, why not continue to the process to \$40, or even beyond?) It is clear, however, that any province enacting such a law would soon suffer almost total and complete unemployment. Virtually all employers would leave and the ones who remained would be forced into bankruptcy.

But this is no less true for lesser skilled workers. As elementary economics makes clear, setting a price above market value will only succeed in creating a surplus. This is called unemployment, and it is largely for this reason that teenage joblessness is twice as high as the adult average.

Were economic planners to be bound by the rule of "Primum non nocere," our society would not now be burdened with rent controls and minimum wage laws.

London Free Press, February 13, 1989

EQUAL OPPORTUNITY

Pay equity rules just don't coincide with market forces

Wage gap can be almost entirely explained as the result of motherhood.

By Murray Hopper FEB 13 1989

The writer, a Londoner, is a founding member of the Freedom Party of Ontario

The Pay Equity Act proclaimed a year ago would have women's pay determined by the Ontario Pay Equity Commission rather than by market forces of supply and demand.

Unfortunately, despite good intentions, the legislation will fail, as always happens whenever political motivations and unproven assumptions replace economic truths and the rigors of the marketplace.

WAGE GAP: Indeed, the act's basic premise, that woman's work is undervalued, is false. There are valid reasons for the much-publicized but poorly-understood wage gap, none of which involves short-changing women. In fact, the gap can be almost entirely explained in one word: motherhood.

Consider the exactly opposite effect that marriage has on income: the husband's rises, the wife's falls. As children arrive, the husband, faced with increasing responsibilities, must work harder, seek overtime, promotions etc.; the wife on the other hand, because of family duties, may

find no time for other work.

If any further proof of this argument is needed, consider the result of statistical comparisons of the incomes of never-married women and never-married men: the former make an astonishing 99.2 per cent of the incomes of their male counterparts (according to a 1979 government report: *An Analysis of Earnings in Canada*).

Listen to the story of one American firm where an active anti-discrimination stance was company policy. XYZ Corporation (a pseudonym for a real Fortune 500 company) employed about 6,000 men and women, of whom 5,500 were clerks and 500 were supervisors.

Given the exclusion of gender bias in promotions, company executives were surprised when a group of women employees sued the company, claiming that men were favored over women for promotion. On checking, the executives found, to their amazement, that a definite imbalance favoring men did indeed exist.

EXPLAINS DISCREPANCY: To find out why, they hired Hoffman Research Associates, who interviewed 850 clerks and supervisors (both male and female) selected at random. After analysing the results, the researchers announced that the explanation for the discrepancy lay in the differences in promotion-seeking behavior between men and women.

For example, when both sexes were asked if they were interested in promotion, men were almost twice as likely as

women to say yes. Men were also twice as likely to request promotion. Oddly, only three per cent of the men and a minuscule one per cent of women thought that discrimination was a factor in non-promotion. Another interesting finding: marriage appeared to increase promotion-seeking behavior among highly-motivated men and decrease it among highly-motivated women.

Clearly, the imbalance came about, not from discrimination, but from differences in the social, cultural and family choices made by individual men and women. Such choices are private matters; they are not the business of any employer.

LAW REDUNDANT: Nor are they the business of any government. And yet these personal choices are at the very heart of the question which pay equity legislation purports to address. But the legislation is redundant; it offers a solution for which there is no problem. Given that fact, all the efforts which companies may put into developing and posting pay equity plans become just so much pointless and costly busy work.

The thought that working women might freely choose to put traditional family values or other personal preferences ahead of their jobs drives the radical feminists into a frenzy. These ladies of the left are committed to the view that all women are, but helpless pawns in the games of men, lost forever unless the big guns of the state are there to blow away enemies. The day

that members of any government-funded feminist pressure-group admit that pay equity legislation is folly will be the day that Conrad Black is keynote speaker at an NDP convention.

The pay equity commission is a perfect complement to this ill-advised legislation. It is completely one-sided in composition, being a collection of former Ontario government bureaucrats, union directors, university professors and the like. Notably absent are those whose presence might introduce balance: representatives of industry or economists, etc.

If this commission had been packed the other way round, with supporters of business, the howls of outrage would still be resounding across the province.

Like all statist bureaucracies, the commission, freed from all market disciplines, lacks the means to value anything. This is why, when government activities are privatized, savings of one-third to one-half are the norm.

Nor are such attempts at valuation necessary. To use the pay equity commission's own example, if the secretary wants the pay of the gardener, let her become a gardener; there's absolutely nothing stopping her.

VIOLATES RIGHTS: The commission, so concerned with justice for women, seems unaware of the many ways in which the implementation of their mandate violates individual rights.

The fixing of wage rates deprives both

labor and management of their right of free contract; the power to enter business premises without a warrant and take pay records violates both the worker's right to keep such personal information secret, and the owner's right to immunity from arbitrary search and seizure; guaranteeing anonymity to a complainant denies the right of an accused to face his accuser.

But make no mistake about it, Commissioner Buttinski and his apparatchiks will proceed — they have the law on their side and without doubt will enforce it, earnestly and without foreseeing the consequences of their actions.

CONSEQUENCES PREDICTABLE: Such consequences are predictable: fewer women in the work force. When employers are saddled with additional costs without offsetting benefits they will take this defensive measure: they will simply stop hiring women.

Process costs, plus additional costs of non-compliance (court challenges, relocation) will place a heavy burden on employers, employees and consumers alike. Only pay equity bureaucrats are immune, in their government cocoons, from any punishment for the undesirable consequences of their actions.

At this very moment, feminist groups are agitating for abolition of the clause in the act which exempts employers with up to nine employees. Look out, mom and pop, here come the pay police.

Marketplace offers better education system

By Murray Hopper

The writer, a Londoner, is a founding member of the Freedom Party of Ontario

A free market provides a way of peacefully exchanging anything of value: goods, services, ideas, etc. The political requirement is democracy; the economic requirement is capitalism.

The marketplace transaction epitomizes freedom of choice: unless both the buyer and seller perceive a benefit, no trade will take place. There is no mystery here; almost daily we walk into a store, find what we want and buy it; if we cannot find what we want, we go elsewhere.

Note this: there is no coercion. The alternative to the above (and its antithesis) is the enforced transaction, where we are compelled to sell goods at less than their true worth, or buy goods we do not want at any price. Fortunately, it is against the law for our fellow citizens to attempt to deal with us in such a way. Unfortunately, governments are under no such restraint.

Our educational systems today are based on just such government coercion. The fact that the student body is a captive audience frees educators from any urgent need to satisfy the wishes of their clientele. Pupils cannot vote with their

feet; parents cannot vote with their tax dollars.

The recently released Radwanski report (Ontario Study of the Relevance of Education, and the Issue of Dropouts) and a study by the Business Task Force on Literacy are a litany of failure: the dropout rate is a "shame"; the system particularly shortchanges children of working-class families; an overhaul is needed: illiteracy is costing us \$14 billion; and on and on. Curiously, in all the welter of claims, counterclaims, recommendations and criteria no mention is made of the one action essential to true reform, namely: an end to government monopoly.

As matters stand now, only well-to-do Canadians have any real choice in the matter of educating their children, and then only by paying twice: once for the public school system they do not want, and again for the alternative school that they prefer. The family of modest means has no such option: it takes what the state hands out.

In our day-to-day lives, the marketplace serves us well; it delivers everything from aardvarks to zebras, amethysts to zircons, and autoharps to zithers. Why not call on proven market mechanisms to modify the present monolithic public system?

Consider, for example, the education

"voucher" or "tax-credit," as it is known.

For generations now, Vermonters have been benefiting from a system whereby local governments use tax dollars to pay tuition at local private academies rather than providing education directly. Today 95 of Vermont's 246 towns have no public high school. In such cases, the school district must pay to any approved high school, in or out of state, an amount equal to average annual high school tuition (\$2,675 for 1983-84).

Consider these virtues of the voucher system: it offers real choice; it introduces competition; it eliminates any separate school problem; it encourages diversity.

Other steps forward might lead to further variety in educational structures — such as teacher-owned co-ops, parent-run co-ops, educational corporations, trade union schools, single proprietorships, corporate grants and scholarships, restoration of the apprenticeship system.

In the United States, entrepreneurial challenges to state educational bureaucracies abound. Alternatives are now being offered in the form of franchised education outlets. Sylvan Learning Centre, for example, has established programs in cities all over the U.S., along with its competitors, such as Huntington Learning Centres and American Learning Corp. These firms constitute a completely new presence in the educational

market. Profit-oriented and innovative, the companies advertise that they can do in a few weeks what public schools take months to do. They make good on their claims too, as their balance sheets prove.

The handwriting is on the wall for all public systems. As incomes and expectations rise over the years, and more and more parents and students choose to opt out of government systems, there will come a time when justice demands an end to coercion in the matter of education and a phasing out or a severe modification of traditional approaches.

If some are uncomfortable with the application of the profit motive to education, it may be because they do not understand the nature of that great generator. Profit goes only to those who have successfully complied with the capitalist maxim: find a need and fill it. The search for profit demands intelligence, hard work, persistence, and most of the other virtues that we admire in mankind. Profit eludes mediocrity or feeble effort.

You cannot achieve profit by raising prices; your competitors will clobber you. You cannot cut quality or service; your customers will desert you. The only way you can achieve profit is to cut costs. The one who is best at this is king of the marketplace: He is delivering the very highest quality at the lowest possible price. This is how "value" is defined.

Consider how smoothly and efficiently

the common hamburger is made available in our fair city. If you do not care to succumb to a "Big Mac attack," there's Burger King, Harvey's, Wendy's, and a host of other multinationals anxious for your business. If none of these appeal, there are a hundred restaurants, each with its own version of that particular culinary delight; and always, as a last resort — the back yard barbecue.

The reason for this happy state of affairs? Just this: no direct government intervention.

If there are any who find this comparison inappropriate, let them consider this: the lowly hamburger fills that void in the middle in exactly the same way that education seeks to fill that other void a couple of feet higher up. The same method of delivery works for both the sublime and the commonplace, because common principles apply in each case.

There is such a thing as a perfect market transaction in education. A couple of years ago, I had the pleasure of teaching one of my granddaughters to read. After Sunday dinners, we would play a little game involving the most common sound of each letter of the alphabet and the left-to-right linkage of these sounds. A few weeks of this and she was able to read simple sentences such as this one: "A cat bit a rat." She was not yet six. The perfection arises from this: the con game was love.

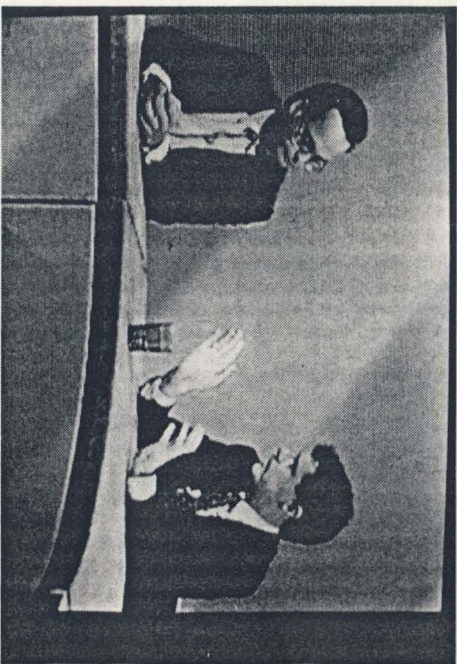
FP Action Director Marc Emery for freedom of choice in Sunday Shopping: Below: debating with Jack Burghardt, Deputy Mayor, City of London, and Mike Bradley, Mayor of Samia.

[CFPL TV London [Channel 10], Inquiry, January 15, 1989]



Jack Burghardt: "You know what could happen Mr. Emery, is the fact that we here in London could close everything up --- your bookstore as well. You should perhaps feel pretty thankful right now that you're allowed to stay open, because we could clean up the whole thing."

Marc Emery: "This is amazing! I'm asked to be grateful so I can exercise my own property rights peacefully and honestly. I think this is the ultimate corruption we see in our government today. Politicians think they're handing me a gift by allowing me to exercise the peaceful use of my property; my employees want to be there, my customers want to be there, I want to be there; everybody's happy but Mr. Burghardt."



Mike Bradley: "Mr. Emery doesn't care about the people out there who are at the low end of the spectrum, who are suffering, who are suffering as retail workers, who are surviving on minimum wage. You don't seem to care about those people. We happen to because we have to deal with those people. We have to work with those people and represent those people. You do not represent the poor people who have to work for minimum wage, and they're the people who are going to suffer across this province in the next couple of years."

Marc Emery: "I'm the person who pays these people. Without me, they don't have a job. Without you, they could still be employed. If you disappeared tomorrow, no jobs are going to dry up. With me gone, they dry up. And if I don't have the ability to meet the consumer on my terms, those jobs don't exist. And I resent you saying that somehow you help people! You don't!"

Below: Emery vs. Ontario Solicitor General Joan Smith, St. Thomas mayor Janet Golding, Anglican Diocese of Huron Arch-Bishop Morley Pinkney [CFPL-TV London, Inquiry, May 1, 1988]



Emery: "The pressure [to open Sundays] only comes from the consumer. It's the consumer who dictates whether we open 24 hours a day, 10 hours a day, 7 days a week, 6 days a week. Without the consumer, we wouldn't be in business and without the consumer we wouldn't have any way of determining our hours.

"So the pressure comes from the marketplace and that's what we're there to serve.

"Mayor Golding pointed out that her surveys show that the majority of business people are against opening on Sunday. To me, this is irrelevant. If I'm the only person in all of Ontario who wants to open, that should be my decision and my decision alone.

"After all, these are my customers --- not Mayor Golding's --- and it's my store. I certainly did not start my business to be told what to do by Joan Smith or Mayor Golding or the church. I open my store to sell books to the people who want them."



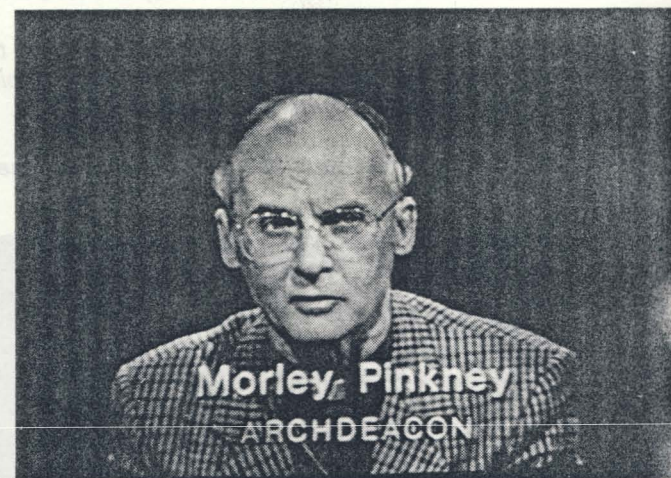
Janet Golding: "The local option is no option. We're absolutely going to be forced into opening because the retail sector will have to survive. In my opinion the border cities will go first.

"The municipalities have been --- in the city of St. Thomas in particular over the last three years --- have enforced and laid 19 charges against one of our auto dealers."



Joan Smith: "We were very concerned about the workers involved and will bring in new legislation to protect retail workers who work on Sunday. The employer will have to prove that he has made reasonable effort. The employee can say it is not reasonable. It is the right of the employee to say that he does not think the employer has made reasonable effort to allow him to stay off on Sunday. Until such time as the employer has proved that he has made reasonable effort, the employee doesn't need to work. So the power is with the employee.

"This isn't just the new employees who will come in because of new openings, but all Sunday retail employees. So it's a benefit not only to the new ones but to all the ones presently working on Sunday."



Morley Pinkney: "We're afraid that commercial pressures would be brought to bear within a municipality to be open because other municipalities are open, or because certain businesses within a given municipality are open, we're afraid that that would really break down society and force people to have to work.

"I think that the idea that Mr. Emery has of freedom is a precious one; we have to maximize freedom, but I think in maximizing it there have to be certain common laws in society that we're all bound by to lose a certain amount of freedom in order to maximize freedom. As soon as you open up on Sundays at all, and there's pressure for a full opening up, then people are under obligation to work."



LIVE CALL
LONDON



ROBERT METZ
PRESIDENT FREEDOM PARTY

Robert Metz: "This is a disaster in terms of making a law even more confusing than it already was. The Peterson government has taught us a lesson of how to bring in Sunday shopping without changing a bad law in the first place.

"We have to be aware that the true issues behind Sunday shopping are much more critical and important than the issue of whether or not any given number of people do or do not want to shop, open their stores, or work on Sunday. At the root of this whole problem we have the fundamental issue of private property rights.

"Do store owners or do they not own their own stores? These are the people who put their investment into it; these are the people who are responsible for the return on their stores. Do they own their stores on Sunday or don't they?

There are issues like freedom of religion which the Supreme Court of Canada already said Sunday shopping laws violate our basic fundamental freedom of religion.

"Are we going to continue to perpetuate these violations?"



LIVE CALL
LONDON



TOM GOSNELL
LONDON MAYOR

Tom Gosnell: "If the surrounding municipalities in southern Ontario open for Sunday shopping, London would have to open to protect its commercial and retail base. We simply could not afford the jobs and tax loss and opportunities that would be driven out of our area if we refused to compete with surrounding townships."

At Left: FP President and leader **Robert Metz** vs. Mayor of London **Tom Gosnell** on the subject of the new municipal option for Sunday shopping [CFPL-TV London, FYI First Edition, Summer 1988]

Below & Immediate Right: "The Long Hard Climb": Emery and Metz on the subject of creating a new political choice in the marketplace: **Freedom Party**. [Behind the News, CFPL-TV London, November 3, 1988]



Marc Emery
ACTION DIRECTOR

Marc Emery: "We don't like to be beggars, like political parties are assumed to be. We like to be producers, a goods provider. Somebody who's going to give you some value for what it is we're asking you to give us.

"Everything that has to survive has got to be treated like a business. Even in politics, you've got to provide your market, the public, with something they can use, something they want, something they will come back for.

"People are interested in whatever they can get out of the system with the least effort. And the government is more than happy to give them that, rather tragically. But a lot of people resist the responsibility of their own decisions. They'd rather say 'Oh if I screw up, somebody else gets to hold the bag. But if I do well, then I want to keep it all.'

"People hate paying taxes, but they don't want to stop the government spending that they see themselves benefitting from. Yet they're identical. They're the same thing. You can't lower taxes without cutting government spending. Everybody wants lower taxes, but nobody wants to cut back at feeding at the trough --- the gravy train of government spending. These two are related. We can't live like this for long without something being destroyed. And likely it's our own future that's being destroyed --- all the choices going away, all the money going away.

"But it's a long haul. The public has been weaned like drug addicts on government spending, and government programs, and promises."



Below: FP leader Robert Metz is interviewed by Diane Vernile on Sunday shopping [Ontario Reports, CKCO-TV Kitchener [Channel 13], December 18, 1988]



Metz:

Robert Metz: "Freedom in a political context means only that you're free from the coercive force of government to predetermine your choices. It doesn't mean you're free from your obligations to your landlord, or free from your obligations to your family, or to your job or to any of those things. Those are obligations that each of us in the course of our lives assume either directly or indirectly on a voluntary basis. That's the whole point of freedom. Freedom in itself, if it's properly defined, limits the action of an individual within a free society.

"In other words, I can't be free unless you are free, unless each individual is free. Otherwise freedom has no meaning."

"The argument that one is forced to work on any particular day of the week is preposterous. What we're dealing with here is an obligation that a particular employee may happen to make to an employer. If he doesn't like the obligation, he has the freedom in this country to go to another employer. That is what freedom of choice is about.

"Believe me, there are a lot of people quite willing and able and ready to work on Sundays. What we're saying by our laws is that these people don't have the right to do that and that other people who don't want to work on Sundays should nevertheless have the right to hold that job up. And it certainly isn't a just or proper way of dealing with an issue."

"Laws of this nature really breed a disrespect for other types of laws. When a store owner knows that he can be treated the same as a criminal simply for peacefully operating his store on a Sunday, then there isn't a distinction anymore between being a criminal and being an honest businessman.

"It's time that these kinds of laws were dropped, that we start recognizing our rights, that we start looking at politicians to defend our rights instead of defending someone's particular interest, which is what we're really seeing at play here. Let everyone choose on their own and be responsible for their own choices.

"Municipalities should not be deciding this issue. The only way to go is to let the individual decide. We're the people who pay these politicians. They're not there to make our decisions for us. They're there to protect our right to make our decisions for ourselves. I think this is a distinction we've really lost in this country over the last ten or twenty years. In a free country, any individual, even a minority --- as long as he's peaceful about his actions --- should have the right to do whatever he wants.



The
issue
is

*Consent is a journal of
ideas and opinions
on
individual freedom.*

#6



Consent

In keeping with our renewed emphasis on education, 1988 saw the launching of **Freedom Party's** second recurring publication, **Consent**, a journal of ideas and opinions on individual freedom.

As the publication of a political party dedicated to individual rights and freedoms, **Consent's** purpose is twofold: (1) It allows for an *indepth* examination of issues; (2) It allows us to discuss issues or subjects not normally within **Freedom Party's** narrowly-defined political jurisdiction. Because *freedom is a universal issue*.

Currently published six times a year and written largely by **Freedom Party** executive, members, supporters, and associates, **Consent's** first year of publication has produced an impressive array of essays, commentaries, and opinions on subjects ranging from the serious issue of apartheid in South Africa to our humorous looks at the words which shape politics. Selected cartoon and comic strip re-prints occasionally decorate its pages.

Consent is mailed to all **Freedom Party** members and supporters who have contributed an annual minimum of \$25 (tax-creditable!) to **Freedom Party**. It is also being mailed to subscribers outside Ontario, including a growing number of readers in the United States.

Our commendations must be extended to managing editor *Robert Vaughan*. Were it not for his efforts and persistence, **Consent** would likely still be an idea on a drawing board.

We are always on the lookout for submissions and articles from our members and supporters. Sorry, we are not as yet in a position to offer remuneration for articles published; like all our funding, we depend entirely upon voluntary contributions.

Following is a list of articles and essays which appeared in the pages of **CONSENT's** first year.

Consent No. 1: The Issue is Consent - by Robert Metz; *Who Speaks For Business?* - by Marc Emery; *Taxes* - by William Frampton; *Protectionism* - by David Pengelly; *Can Democracy Save South Africa?* - by Ian Gillespie and Marc Emery; *David Davis and Bill Peterson - Leaders of the Same Party* - by Robert Metz; *Unions versus Freedom of Choice* - by Lloyd Walker.

Consent No. 2: Aborting Our Freedoms - The Goal of the Family Coalition Party - by Marc Emery; *The Right? to Strike* - by Lloyd Walker; *Taxing Charity* - by David Pengelly.

Consent No. 3: No Referendums Please - by Marc Emery; *Equal But Not Fair - Ontario's Family Law Act* - by Frank Schaedlich; *Sex-Crazed Pension Legislation* - by Bruce A. Miller.

Consent No. 4: Free Trade - Ensuring A Strong Canadian Culture - by Dr. Walter Block; *Sunday Shopping and Christian Ethics* - by William Frampton; *Films for the Rational Filmgoer* - by Marc Emery; *Limits Mean Poor Service* - *Free Market Taxi Service* - by Lloyd Walker.

Consent No. 5: Education in the Marketplace - by Murray Hopper; *Can We Survive Democracy? Pt. 1: The Curse of Majority Rule* - by Marc Emery and Robert Metz; *Political Borders - An Economic Myth* - by Greg Jones.

Consent No. 6: Can We Survive Democracy? PT. 2: Freedom Betrayed - The Inevitable Course of Majority Rule - by Marc Emery and Robert Metz; *Who Owns the Surplus in Pension Plans?* - by Bruce A. Miller; *Free Trade or Not Free Trade - That Is The Question!* - by Robert Metz

REPRINTS of any or all the above issues are available upon request: \$20 for all six issues; \$10 for any three; \$3.50 per copy. Subscription Rate: \$25 per year (tax-creditable to **Freedom Party** members and supporters).

FREEDOM FORUM

Until recently, we never really received enough written letters to justify a letters column, but we've been saving them all the same.

The letters below have been received by *Freedom Party* over the past year or so; appropriate dates accompany each letter. From here on in, we'll be keeping them up to date.

I was very happy to have received your 1989 Calendar of Individual Freedom. I enjoy learning a little history each day. I do, however, have one complaint.

On the date of January 22, you have written as a good event [written in green], the following: "U.S. Supreme Court rules states cannot prevent woman from seeking abortion, overturning restrictive laws in 44 states [1973]."

I do not view this to be a high point in the history of human freedom. Perhaps the ruling allows greater freedom to those women who would have abortions, but it has overwhelmingly restricted the freedom of over 15 million human beings. Certainly nine months of restriction have no comparison to a lifetime of worth.

When I order my 1990 Calendar of Individual Freedom, I hope to see this deficiency corrected.

December, 1988

Mark Willer
BROOKFIELD* Wisconsin

EDITOR: *Sorry to disappoint you. We fully realize that abortion is a difficult and unpleasant matter for many; if the truth be known, we tend to sympathize with those who object to the practice. But sympathy is no sound basis for solving the abortion dilemma. Knowledge, education, and self-responsibility are the ultimate keys to reducing abortions, a worthy objective to be sure. But in the presence of government controls and restrictions, these preconditions are simply unattainable. The significance of the U.S. Supreme Court decision has little to do with abortion itself; it has to do with the legal acknowledgement that a woman has the primary right to her own body.*

I thank you for the honour of being included in your calendar. I think this is a magnificent idea, and will probably do more for the cause of spreading the ideas of liberty than a dozen sober tomes on the subject.

December, 1988

Walter Block
Senior Economist
THE FRASER INSTITUTE
VANCOUVER, British Columbia

I am greatly honored that you should include me in your calendar and indeed lead off with me.

The calendar is certainly an impressive achievement. I am staggered by the amount of research you have put into it to identify all the red and green comments.

February, 1989

Milton Friedman
Senior Research Fellow
HOOVER INSTITUTION
STANFORD, California

Please explain to me how Mr. Frampton believes he is able to effectively argue for Sunday shopping from a Christian point of view (Consent No. 4). He uses quotes from the Bible in the same out-of-context style as his opponents do on this issue to argue the reverse. His pragmatist argument is not effective at all and leaves me with an uneasy feeling about the Freedom Party allowing this to be published and wondering what underlying principles are at the foundation of the Party.

Some of my confidence in the Party was immediately restored while reading the article following Mr. Frampton's on Rational Movies written by Marc Emery. Please do not let the Freedom Party slip into the Libertarian ways of preaching freedom for the sake of freedom. There is a reason why freedom is essential to our lives and this is the first time I've noticed a lack of consistency in an article published by the Freedom Party.

Keep up the good work. Last year's calendar was very good and I am looking forward to the 1989 version with great anticipation.

November, 1988

Paul Horachek
HAMILTON, Ontario

EDITOR: *You are quite correct when you say that pragmatic out-of-context arguments are ineffective and counterproductive to the issues behind Sunday shopping. But pointing out the inherent hypocrisy behind many such arguments is often worth the effort, and is certainly not intended as being a basis for Freedom Party's philosophy or platform. Rest assured that all of Freedom Party's political positions are based on sound, rational, objective principles --- and we always keep ourselves open to the constructive criticism of others. As to Sunday shopping itself, we trust that our literature and public advocacy of freedom of choice in Sunday shopping should provide more than enough evidence of our principled stand on the issue. [See "Yes to Freedom of Choice" ad reproduction, elsewhere in this issue.] Let us know what you think.*

I am writing to call to your attention an error in the 1989 Freedom Party Calendar. An entry for Thursday, February 23 refers to "Carl Mayer, founder of Austrian School of Economics." The correct reference should of course be to Carl Menger.

Congratulations on an otherwise fine piece of work.

February, 1989

Peter G. Klein
BERKELEY, California

EDITOR: *We discovered the error ourselves, the day after our calendar rolled off the presses. Congratulations on being the first to write us about it.*



I would like to take you to task for [your second issue of *Consent*]. The Family Coalition Party [FCP] is not the place to spend your time. It is unlikely to go anywhere. There is more than ample material to attack the PCs, Liberals, and NDP. I think that we want to hear more about how you would govern, and not so much about how a group like the FCP would or would not.

As I remarked to [FP Action Director] Marc Emery a few weeks ago on the phone, I was not very impressed with the total program that Freedom Party had in mind. It looked like anarchy to me. I think that we have to hear a lot more about Freedom Party in areas other than BIAs and Sunday shopping. There is much more than this going on out there. What would you do about health care?

I see that your candidate is for [the right to] abortions, but not letting OHIP pay for them. I think that is about where Van Der Zalm stands, and I'm afraid that I couldn't vote for him. I don't like abortions either, but better that, than what happens to so many babies that come into the world not wanted. And, if we collectively pay for medical services in true insurance [which has a lot of advantages], then should not services such as abortions be part of that service?

There is much to be considered and said about Freedom Party. Don't waste your money and time on mostly irrelevant issues such as the FCP.

March, 1988

David E. Bawden
WILLOWDALE, Ontario

We only wish that the Family Coalition Party was irrelevant. The article to which you've referred, "Aborting our Freedoms - The Goal of the FCP" was written by FP Action Director Marc Emery immediately following Ontario's 1987 provincial election. As a candidate in the riding of Middlesex, he was astounded by the amount of influence exerted by the FCP and by its unusually-high vote returns. Unusual, that is, for a political party still in its infancy.

As a political phenomenon, the FCP represents a fragmenting of the right --- a factor that has weighed heavily in the policy decisions of the major three parties, particularly the Progressive Conservatives. Whether most of us like to believe it or not --- or whether we understand it or not --- it is our intellectual and philosophic environment that will determine the course of our political future. The FCP offers us an opportunity to investigate this environment from a unique perspective and thus allows us to better understand the types of things that motivate the major parties. It goes a lot deeper than simple "votes". Understanding and knowledge are valuable weapons in the political world of ideas; that's why we produce *Consent*. [See related article, elsewhere in this issue.]

The suggestion that Freedom Party's platform looks like "anarchy" is completely unfounded. Our platform repeatedly states: "Freedom Party believes that the purpose of government is to protect your freedom of choice, not to restrict it." Most "anarchists" we know

would argue that there is no purpose to government, so the onus is on those who label us in this manner to provide concrete evidence of their claim. In the absence of any specifics, we can't really deal with such accusations. If there's a specific issue in question, we can always prove that we're not "anarchists".

What would we do about healthcare? Privatize. End universality in government health care programs. Create competition in health care services. Create competition in health insurance. Allow doctors the freedom to be independent --- professionally and financially. Just for starters. [For more information on this subject, we refer you to our issue papers "OHIP - Separating the Facts from the Myths and Opinions" and "Healthcare: The Hawkesbury Solution". As it happens, an upcoming article featured in *Consent* will also be dealing with this subject.]

As to the issue of abortion, the principle behind our position is much more involved than simply "not letting OHIP pay for them." [See our issue paper: "The Moral Dilemma: Freedom of Choice in Abortion".]

As you suggest, there is no reason whatsoever why a "true insurance" plan shouldn't be allowed to pay for such a service --- if that is part of the plan. But OHIP is far from being a "true" insurance plan. In fact, as an insurance plan, OHIP is a big lie. Its "contributors" are forced to contribute; it is not voluntary. Competitive insurance plans have been outlawed by government. OHIP premiums supply less than 12% of our medical costs [the balance being paid through taxes] and the whole system is morally, ethically, and financially bankrupt. Worse, the services that OHIP supposedly provides, our health care benefits, have been seriously compromised to the point where emergency patients are dying on waiting lists. So what would we do about health insurance? The same things we would with health care itself. Privatize. End universality. Create competition.

We sense an understandable degree of frustration in your comment that "we have to hear a lot more about Freedom Party in areas other than BIAs and Sunday shopping." We agree --- but where did you get the impression those are our only two issues?

Two newsletters ago, we devoted our entire issue of *Freedom Flyer* to "The Labour Issue" and chronicled several labour campaigns in which Freedom Party was completely successful in attaining its objectives. We've expanded our participation in provincial elections, where we publicly deal with every political issue under the sun. If any Freedom Party member or supporter wants evidence of our past involvement in issues ranging from censorship to taxation, just ask.

It is through all the issues we get involved with that we can launch our attacks against the PCs, Liberals, and New Democrats. Yes, we'd like to do a lot more. And contrary to the assumptions of some, we're not limited by our principles or platform; we exist because of them. Our only limitation in actively and effectively dealing with issues of a broader scope and greater magnitude is the level of financial and volunteer support we get. If, as you say, "there is much to be considered and said about Freedom Party", it should be clear what you [and many of our other members and supporters] have to do to make this possible.

(continued on next page)

Sorry, but the first thing you guys need is: [a] a better lay-out artist or a good printshop, [b] a better copy-writer for your pamphlets and letters. It all looks very amateurish.

December 1988

W.F. Van Duyn
BRAMALEA, Ontario

EDITOR: It is. We don't usually use a "print shop" [all our pamphlets and newsletters are printed right in our offices] and our "lay-out artists" are party volunteers, including members of our provincial executive. Yet despite these handicaps, our literature and pamphlets have always been complimented for their "professional" appearance. We're always open to improvement, however. If you have any suggestions, please pass them on to us.

Last year I contributed [money] to Freedom Party on the understanding that it would be 75% tax-creditable. However, when doing my taxes [the "simplified" form] I discovered that I could not get a property tax credit [for renting] as well as the political tax credit.

I studied the form's instructions carefully, and as far as I could tell, my interpretation was correct --- an individual cannot claim a political tax credit if they are receiving the property tax credit.

While you stress in your literature the tax credit for donations, perhaps you could clarify for me and others the correct tax implications for renters supporting you.

September, 1988

Jay T. Murray
LONDON, Ontario

EDITOR: Your inability to claim both property and political tax credits has nothing to do with your status as a renter; it has to do with the amount of provincial income tax that has been deducted from your earnings during the year in question.

If, for example, your combined provincial tax credits are equal to or exceed the actual amount of provincial [not federal!] taxes you have paid [or owe], you will have 100% of your provincial taxes returned to you. Because it is a tax credit, and not a tax subsidy, you can't collect more than the 100% you've already paid.

However, it would make us feel a lot better if you were contributing to Freedom Party for reasons over and above the ability to get a tax credit. Don't let your support be limited by the amount you can claim as a tax credit. It's a lot more comforting to know that people are supporting Freedom party because they value their freedom. Tax credits make for great incentives, but the real value of your contribution lies in where it has been invested.

I was 100% joyed by my Freedom Party calendar! So on with what small constructive suggestions I can make:

Of course, we all wish you could have afforded to place a picture of a pencil in the free space next to "Look at this pencil..." [Milton Friedman, January 1989]

As I read the paragraph next to each libertarian's picture, I wished I could know whether words were in

direct quotation, or were paraphrases, or were just general summations of each one's ideas.

I'll be reading each day's notations as each day comes along. In liberty, best wishes.

November, 1988

Doug M. Fowle
REDONDO BEACH, California

EDITOR: All quotes in our 1989 Calendar of Individual Freedom were direct, although the quoted authors themselves may have been paraphrasing the works of others. [See letter by H.E. Harvey.]

As an active supporter of the Clarkson Village Business Improvement Area [BIA], I take exception to many of the accusations contained in your letter and brochure, dropped off at my store. While your concerns may apply to some BIAs in Ontario, if you had done your homework, you would have discovered the following facts concerning Clarkson Village:

[1] Our budget of \$25,000 is one of the lowest in Ontario and unlike your examples, has not changed in three years. In fact, as more new businesses have opened here, the net BIA tax to our businesses has actually declined.

[2] Our budget was debated and voted for at our general meeting earlier this year. While three people abstained from voting, everyone else at the meeting voted in favour of our budget. Surely you would agree that business people discussing and voting to collect monies amongst themselves, is the essence of democracy!

[3] Unlike any of your "examples", Clarkson Village has no administrative staff or office. All work done for the business community is done on a volunteer basis, by people who are genuinely interested in improving their business area. [Curiously, even your "Freedom Party" has an office and an administrative director!]

[4] Finally, our BIA executive was elected by area business people, and will serve voluntarily for three years. They were not appointed by the city, as you suggest. Our most vocal critic also serves as Vice-president of our BIA and she continually challenges us to make the best possible decisions. So indeed we welcome constructive criticism from our members, simply because we have a common interest in attracting shoppers to Clarkson Village.

For these and other reasons, I feel your comments are misinformed in regards to Clarkson Village. Rather than making gross generalizations based on your personal experiences in London, I would appreciate it if you would leave my fellow merchants and I to promote and improve our community as we see fit.

I respectfully suggest that if you put as much effort and creativity into your own business and your community as you have with Freedom Party, both would be more prosperous and happy.

March, 1987

James Biss
Proprietor, All Gems
MISSISSAUGA, Ontario

EDITOR: If BIAs are so great, why aren't they voluntary?



Re: "Education in the Marketplace" (Consent No. 5)

It's not only unfortunate but disastrous for the nation, that the scores of billions of dollars which have been spent in the past 40 years on so-called "advanced" teaching methods, have produced two generations of people, the large majority of whom cannot read, cannot write, cannot spell, cannot speak properly, can't do simple mathematics and so on. It's inexcusable that taxpayers should now be called on for further millions to try to solve illiteracy problems in a large segment of the population which went through this system.

Like you, I believe that the only thing that will stop this nonsense is a good dose of old-fashioned competition, in the form of an educational "voucher system". Unfortunately, I see no evidence in the present-day socialist welfare state of Canada, that either our vote-seeking politicians or our long-mollycoddled unionized teachers will allow this to happen.

December, 1988

Dr. William E. Goodman
TORONTO* Ontario

I was very much pleased by my copy of the Freedom Party Calendar for 1989. However, I believe that the late Leonard Read, former head of the Foundation for Economic Education, originated the idea of the inability of one person to make a lead pencil. Not having the essay before me, I am unable to say whether that in your publication there is a direct quote from Read or whether, possibly, it might be a paraphrasing of the idea by Dr. Friedman.

November, 1988

Harold E. Harvey, M.D.
BECKLEY* West Virginia

Thank you for the gift copy of your magnificent calendar. It will hang proudly in the office of the Advocates.

October, 1988

Marshall Fritz
ADVOCATES FOR SELF-GOVERNMENT INC.
FRESNO, California

Your calendar singing the joys and laments of freedom and the individual is generally nice --- there's some stuff in it that I am glad to know. But gee, why print "good" things in green and "bad" things in red? Do you suppose that without your paternalistic guidance, Canadians would be unable to determine for themselves what is good for them?

Yours for the aboliton of hypocrisy everywhere.

January, 1989

Hugh MacAulay
MEDICINE HAT, Alberta

I just received your Freedom Party Calendar and it's a great blow for libertarianism. I would also like to nominate a candidate for consideration on future publications: Gene Burns, currently a talkmaster on 680 AM, WRKO Radio, Boston MA. Gene was at one time a candidate for president with the Libertarian Party and is now a beacon for liberty in the North Eastern USA.

November, 1988

K. Applegate
NORTH FALMOUTH* MA

Congratulations on a great calendar. Since you ask for suggestions, I have two:

On September 24 [U.S. edition], you have the Supreme Court in green. I disagree. If the U.S. Supreme Court were protecting our rights, where are they? In a Washington DC safety deposit box? My reference on this is "Sweet Land of Liberty?" by Mark Henry Holzer --- and personal experience.

October 25 has U.S. troops in Grenada in green. Very few U.S. libertarians I know would agree with that interventionism; I suggest you leave it out.

As I read the Jesus quote at the beginning of July, it had a familiar ring to me --- because I edited it. I doubt you will find a Bible quotation with that exact wording. In looking at your acknowledgements, I noticed Burris' "A Liberty Primer", and recall the quote's there on page 109. He got it from "Imagine Freedom" [along with a couple of others I noticed in the calendar]. I'm thrilled by that kind of ripple effect, as happened in Playboy a couple of years ago under similar circumstances.

Keep up the great work!

January, 1989

Stormy Mon, Librarian
LIBERTARIAN LIBRARY
DENVER, Colorado

EDITOR: *Your rights aren't disappearing because of the existence of the Supreme Court; separating the judiciary from the legislature is a sound principle. Problem is, it still hasn't happened. Your rights are disappearing because in the United States, just as in Canada, the principles that keep a nation free are systematically being eroded by the majority-rule process, and by an electorate that is fundamentally ignorant of economic principles and the nature of government. Separating politics from justice, economics, and religion is a goal that has as yet to be truly accomplished in any nation around the world, and we look forward to the day when that happens.*

As to the matter of "interventionism", we suppose that depends on your definition of that word. Does the justifiable principle of operating a defensive military necessitate waiting for an invasion to land on home soil before taking action? We hope not. The moral justification for any military action involves both means and ends, though we admit both are subject to considerable debate.

Thanks for your suggestions --- and for your quote!

WRITE TO US!

Let us know what you think about Freedom Party, its philosophy, its record of action. If you have any questions, comments, criticisms or praises for any of our ideas or campaigns write: **FREEDOM PARTY OF ONTARIO, P.O. Box 2214, Stn. 'A', LONDON, Ontario N6A 4E3.** Letters are subject to editing and must be signed by the writer and include address and telephone number.