

Come in WE'RE
OPEN

IT'S
YOUR
CHOICE
...EVEN
ON A
SUNDAY

Sorry WE'RE
CLOSED

All over Ontario, police have been presenting an unusual "reward" to retailers who have chosen to serve their customers at their customers' convenience: a court summons.

Why? Because their customers prefer to be served on a Sunday!

Unbelievably, for *some* people in the province of Ontario, operating their businesses on a Sunday has become a crime punishable by police intimidation, legal charges, and a potential \$10,000 fine for each "offence."

We never thought we'd see the day when earning one's livelihood through gainful employment would be considered a crime, but that day repeats itself at least once every week.

Freedom Party believes that's wrong: making a living through honest trade should *never* be considered a crime. For that reason, we think that the *Retail Business Holidays Act* should be abolished.

We know that there are those who would disagree with us. They believe that forced closings on Sundays are beneficial for a variety of reasons, and we'd like to take this opportunity to address a few of their major concerns.



Why are retail businesses opening on Sundays?

Not necessarily because *they* want to, but most definitely because *their customers want them to*.

When people enter the retail profession, they should realize that their hours and obligations must reflect the needs of their customers, and not their own personal preferences. In the retail business, the store that best serves the customer wins. And when that happens, the customer wins too.

Won't all retail outlets be forced to open Sundays?

No one is proposing laws to force businesses to open on Sunday, nor would it be appropriate to do so --- for all the same reasons that it is inappropriate to force Sunday closings.

The fact that someone's competition is open Sunday, does not "force" him to open as well. If anything, what's at play here is the retailer's guilty conscience: he knows what his customers want, but is unwilling to offer it on their terms.

Retailers who lose money on Sunday openings will simply stop opening on Sundays.

What about our tradition of having Sunday as a day of rest?

While "resting" on a Sunday may have become a tradition for some, fining and throwing people in jail for *not* resting on Sundays has never been a "tradition" in this country.

It's not entirely correct to say that Sundays have traditionally been a common day of rest. This was (and is) a convenience enjoyed only by *some* segments of the retail industry: Employees of theatres, restaurants, convenience stores, gas stations, gardening centres, etc., are examples of those who have different "traditions."

Other industries have no such tradition at all. Ever since this country was founded, people in all walks of life worked whenever the need arose. Farmers tilled their land, homes were built, housework was done, and new opportunities were created.

The *real* tradition that this country was built on was a willingness to work when needed. No one had to ask for permission to provide for his family, or to expend a little extra effort to get ahead in life.

That's the tradition that we'd like to see preserved.

Won't Sunday openings destroy the family unit?

Of course not. Family units are bound together by much stronger ties than whether or not Sunday shopping is legally allowed. Ironically, lack of income is the single leading cause of marital breakdowns, a problem that, in a small way, can be alleviated by the increased opportunities presented by Sunday openings.

Won't employees be forced to work on Sundays?

Not necessarily. An expanded retail market requires an expanded workforce. Many major retailers have already announced that they will be increasing their part-time staff to cover the extra hours.

Admittedly, there are many people who prefer not to work on Sundays, but the reverse is also true. There's no reason why a little common sense scheduling can't accommodate both.

Can't consumers buy all they need in six days?

For that matter, they could buy everything they need in *one* day, but it would be *very* inconvenient if they were forced to do so. Conversely, giving people the maximum available time to shop would be most convenient.

Goods and services aren't the only things that customers are looking for when they go shopping: they want flexibility and convenience --- and they're more than willing to spend their money at a business that offers them the most for their money.

But is "convenience" justification for changing the law?

No it isn't. But it's not justification for *retaining* the law either. The only legitimate reason for changing the law is because *it clearly violates individual rights*, and throughout history, many laws have rightly been changed for this reason.

Convenience is simply another consequence of exercising choice. Freedom of choice should be enshrined in our laws, not prohibited by them. Those advocating Sunday closing legislation are simply demanding laws that impose what *they* regard as "convenient" on others.

Won't the price of goods go up to cover the extra costs of opening Sundays?

Not if consumers refuse to pay higher prices.

Open or not, retailers still pay taxes, rent, and utilities for every day they occupy their premises. The only *extra* cost incurred by opening on Sundays is increased staffing.

Thus, while operating costs will nominally rise, the *prices* of goods will continue to be controlled on Sundays, just as every other day of the week, by *competition*.

As always, it's the *customer* who decides.

Aren't we just stretching the economic activity of six days over seven?

Not necessarily. Many businesses that rely on impulse buying will see a definite increase in consumption because of an increase in customer traffic; people will buy more, resulting in more employment and opportunity in both retail *and* manufacturing.

In addition, many tourists who are already present in Ontario communities on Sundays, will now be able to patronize local businesses who were previously forced to be closed by law. It is ironic that our governments spend so many of our tax dollars promoting tourism while limiting tourists' opportunities to spend their money when they're here.

As you can see, an extra day of retail openings can actually *increase* economic activity.

Are retailers subject to the *Retail Business Holidays Act* "flouting" the law by opening on Sundays?

On the contrary, they're simply exercising the rights provided by the supreme law of the land. Our *Canadian Charter of Rights and Freedoms* guarantees that "Everyone has the following fundamental freedoms: (Sec.2a) freedom of conscience and religion;" and "(Sec.2d) freedom of association."

Additionally, the right to open on Sundays is further reinforced by the *Legal Rights* and *Equality Rights* sections of the Charter, to wit: "(7) Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice," and "(15)(1) Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination..."

Is the existing law fair?

Certainly not if our *Charter of Rights and Freedoms* has any meaning or substance. Having one law for large retailers, another for smaller retailers, and yet another for churches, etc., is really the same as having no law at all.

Not only is the law unfair and discriminatory, to advocate such a law is morally wrong since it deprives selected individuals of their most fundamental and cherished right: the right to choose.

What can possibly be "fair" about allowing factories, flea markets, convenience stores, and restaurants to open, but not allowing bookstores, supermarkets, or clothing shops to open? Why can you order a meal in a restaurant, but not buy food at a supermarket to make a meal at home? Why can you buy magazines at a convenience store, but not books in a bookshop?

Why are only retailers charged under the law? Why not their customers, to whose demands they are responding? --- or newspaper and media advertisers who knowingly publicize this "crime" before it's even committed?

Is the law "fair"? Not by a long shot.

Should the retailer's property rights be any different from ours?

Certainly not. Sunday closing legislation violates fundamental principles of property rights: retail business and property owners have been told that, every Sunday, they will not be permitted to exercise the right to the peaceful use of their property and that, regardless of how they may feel about it, and without their consent, they must relinquish the normal use of their property or face legal consequences that very few *real* criminals would ever have to face.

How would we all feel if some politician came up to us and demanded that, for one day out of every seven, we would not be allowed to turn our TV sets on, or not be allowed to drive our cars, etc.? Would we just sit back and "obey the law" and allow those with no regard whatever for our rights to make all our decisions for us?

If we wouldn't, then there's no reason why retailers should either.

Are there any other reasons to oppose Sunday closing legislation?

You bet: the hidden costs to each and every one of us. Costs can be measured not only in monetary terms, but also in terms of lost opportunities and the destruction of our freedom to choose.

To begin with, in addition to the obvious legal costs and fines imposed on retailers, there is the drain on police manpower, clogged courts, and the breeding of an environment of disrespect for law and order.

Most importantly, we all lose when our freedom of choice is restricted. A free nation cannot exist for long when we accept laws that destroy the rights of many for the comfort of a few.

What makes *Freedom Party* different from the other political parties?

You may have noticed that up till now we've only dealt with *two* "parties" in the discussion of Sunday closing legislation: the customer and the retailer. That's because **Freedom Party** believes they're the only two parties that have a right to decide what goes on between them.

But there are *three* other parties who want their say on what goes on between the other two: *Liberals*, *Conservatives*, and *New Democrats* alike are all in agreement that it is *they* who should be in the position of making the choice of whether to open on a Sunday or not.

Freedom Party believes that the legitimate business of others is none of its business because:

Freedom Party believes that the *purpose of government* is to *protect* our freedom of choice, *not* to restrict it.

Governments of free nations have no right to impose the values and choices of others on you. Whether you choose to remain home, to work, to shop, or to attend the church of your choice, we think that choice belongs only to *you* --- even on a Sunday!

There's no question that having a day of rest ---particularly a *common* day of rest with our families, friends, and loved ones --- is a desirable thing for many. But to restrict the rights of our fellow citizens to achieve that end is not the proper or tolerant action to take in a free and democratic society.

Why? Because it establishes a dangerous precedent. When we allow the rights of *some* individuals to be restricted --- even for the convenience of a majority! --- it's just a matter of time before even the majority finds its rights being eroded away.

The whole point of living in a free democracy is to have a political environment where people have their individual freedoms protected, *even if a "majority" disagrees with the choices being made by a minority!*

That's what *freedom* is all about!

If you would like to discuss
Sunday Closing Laws
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If you value freedom of choice,
then find out about the
Freedom Party of Ontario

Freedom Party

*...after all, freedom of choice
is what we're all about!*