

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

#6



Consent

CAN WE SURVIVE DEMOCRACY?

Part II - Freedom Betrayed The Inevitable Course of Majority-Rule

— By Robert Metz and Marc Emery

(Mr. Metz and Mr. Emery are founding executive members of the Freedom Party.)

If we were to re-define "democracy" as "a road to inevitable total state control", we know that most of you would probably cringe at the suggestion.

For most people, the benefits associated with living in a "democracy" relate to things like their freedom to speak without intimidation from the state or other people, or their freedom to start their own business without fearing state control or expropriation, or their right to a free press, or their right to freedom of worship, etc. Most importantly, most people associate a "democracy" with the right to elect their representative in government, under the assumption that a "democratically-elected" government will properly protect their rights and interests.

We only wish it were so, but nothing could be further from the truth. In fact, all of the so-called "democratic" benefits we've just listed are the very benefits which are currently under attack by our democratic process --- not being protected by it!

Every day of their lives, Canadians routinely face democratic restrictions on their individual freedom of choice and yet will continue to sing heartily: "O Canada, we stand on guard for thee."

And while they're standing at the front door on guard for their "democracy", the freedoms they associate with that "democracy" are swiftly and silently being swept out the back door, leading them to a "democracy" of eventual, complete government control.

There is great 20th century historical evidence to illustrate how this can happen. In 1919, after the first world war, Europe had twenty-four (24) "democracies": Great Britain, France, Germany, Spain, Portugal, Belgium, Netherlands, Austria, Poland, Czechoslovakia, Rumania, Bulgaria, Yugoslavia, Albania, Greece, Lithuania, Latvia, Estonia, Norway, Sweden, Finland, Italy, Denmark, and Hungary.

By 1938, only nineteen years later, sixteen (16) of those twenty-four "democracies" had evolved into totalitarian dictatorships. Only Great Britain, Belgium, Holland, Norway, Sweden, Denmark and Switzerland managed to maintain anything that would resemble a democracy we could recognize, while France continually wavered between fascism and complete government paralysis.

In Africa, virtually every "democracy" established after colonial departure has become a Marxist-, Fascist-, or tribal-style dictatorship. Most nations in Latin America and Asia that established "democracies" have suffered the same fate.

From these dictatorships which were once "democracies" come a flood of refugees seeking escape from the social conditions of living in their countries of origin. These refugees are not attracted by "democracies"; they are attracted by those nations which offer the greatest degree of individual freedom (which may happen to be democracies), and consequently, increased opportunity and relative political and social stability.

To those who consent, no injustice is done

Many of the refugees who have come to Canada over the past forty years have actually come from "democracies". Often, there were many other democracies much closer to them, but fewer with any established tradition of individual freedom. Tragically for freedom, in most countries where it exists, it exists as a consequence of common law tradition only, not as a matter of established right. But fortunately for the citizens of such countries, the democratic process has not yet managed to destroy their individual right to freedom of thought and action; unfortunately, that's only a matter of time.

Freedom of religion no longer exists in Ontario.

In Canada, none of our "fundamental" rights and freedoms listed in the Constitution are guaranteed us. In fact, the Canadian Charter of Rights and Freedoms has been explicitly created to project an illusion of protecting individual freedom, while actually ensuring that individual freedom is the one thing it will not protect.

What is guaranteed in our Constitution is the right of government to limit individual freedom as it sees fit: "The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." (Section 1, Canadian Charter of Rights and Freedoms)

And although Section 15 (1) of the Constitution claims that "every individual is equal before and under the law", Subsection (2) immediately negates this protection by declaring that "Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

This is a state license to conduct what can only be appropriately termed as "democratic theft" --- the legalized process of taking something from one individual against his will and giving it to another.

It would be a mistake to conclude that majority-rule democracy will only lead to a prohibition of action. Prohibition and control of thought are just as inevitable.

Because democratic theft cannot simply limit itself to the redistribution of our products and services to those who played no role in their production, it must extend to the instrument ultimately responsible for the creation of those products and services: the human mind.

Thus, extensive state censorship and control of all forms of culture and media becomes necessary. All, of course, to advance the interests of certain groups against the individual freedoms (thoughts and peaceful actions) of all individuals in Canada. Censorship is enforced through regulations requiring Canadian content in radio and television, through forced metrification, through forced bilingualism, through prohibitions on English in Quebec, through regulations and decrees outlawing obscenity, blasphemy, "hate" literature, through controls on liquor and tobacco advertising, sexual depictions or descriptions, to name but a few.

Majority-rule democracy can ultimately lead to outright violence.

Of course, there are many advocates of censorship, all represented by the varied special privilege groups who have a vested interest in suppressing ideas they consider negative to their political or social cause. For them, the democratic process eagerly awaits their lobbying and the political power that will result when government begins to impose their collective will upon those who would dare to disagree with them.

Every arbitrarily-restricted personal or economic freedom in Canada has been declared to be "democratically justifiable"

as being for the "good of society", even when it has openly been admitted that the restrictions come at the expense of individual freedoms and rights.

That's what happened in 1986, when the Supreme Court of Canada ruled that Ontario's Sunday closing laws were a "democratically justifiable infringement" on an Ontarian's freedom of religion. There can be no plainer declaration that, as a fundamental, freedom of religion no longer exists in Ontario; it comes second to the "democratic will".

As we discovered through our own experience with charges relating to conducting a retail business on Sunday, one has to spend an incredible amount of money simply to determine if one has any individual freedom worth fighting for. Even worse, the state gets to spend money confiscated from the very victims it prosecutes all the way to the Supreme Court, whose self-proclaimed interest is not in serving individual justice, but in serving majority rule democracy.

This, in a free society, is a moral, ethical, and legal obscenity.

It would have personally cost Marc Emery, co-author of this essay, about \$60-70,000 to go all the way to the Supreme Court simply to find out if he could exercise his fundamental freedoms by opening his bookstore on a Sunday --- had the forces of majority rule democracy not created yet another exception to a Sunday closing law that clearly no longer bears equally upon all. (Remember our individual right to be "equal before and

under the law"? It's in our Constitution, but now bookstore owners have been declared "more equal" than other retailers.)

There is nothing we could call individual freedom in a nation that requires a man to spend the product of five years of his livelihood (after taxes!) just to find out if he has the right to exercise his "fundamental freedoms" in merely one instance! But this is the price we are all forced to pay to live in a majority-rule democracy.

People must reject democracy as a means to achieve their own personal ends.

Majority-rule democracy is a degenerative process that can only lead us to a situation where those who seize or manipulate the political system to their advantage will control us, regardless of whether they happen to represent "majorities" or "minorities". Majority-rule democracy can lead to Communism, Nazism, tribalism, holy fascism, whatever -- but one thing is certain, and we challenge any reader to provide evidence to the contrary: it can never lead to any guarantee of individual freedom or fundamental rights.

Majority-rule democracy is always at conflict with itself, trying to satisfy competing interests through some democratic process, while hopelessly attempting to avoid the inevitable concentration of government power that will result. Potentially, the political schizophrenia caused by majority-rule democracy can ultimately lead to outright violence, since citizens cannot obtain the benefits of individual freedom which would allow them to privately pursue what they want in a free market. Nor can they get what they want through the democratic process because they always happen to find themselves on the side of some "minority" group or interest.

Thus, as has been the case in so many democracies, various groups start destabilizing the democracy (or civil war breaks out) and a military solution becomes necessary to "stabilize" the social system,



often resulting in mass executions of all those who pose some threat to that "stability" --- in other words, any element of individualism.

The consequence of this political process is as inevitable in Canada as anywhere else, unless enough people reject democracy as a means to achieve their own personal ends, and reaffirm their democracy as a social system based on individual rights and freedoms.

In a free democracy, all individuals have the freedom to earn what they want, peacefully, in the marketplace. A free democracy does not impose any obligations on individuals other than to live up to their own voluntarily accepted commitments and to respect the individual freedom of others. A truly free democracy would legally prohibit all coercion from human relationships --- including any coercion by government.

No government claiming to govern with the consent of the governed may possibly exercise any "rights" its individual citizens cannot possess and exercise.

For example, in a free society no individual or group should have the right to steal, harm, or defraud another of his wealth or property --- nor should any government. In a free democracy, no individual should have the right to stop anyone else from reading, printing, or viewing materials of their choice --- nor should any government. In a free democracy, no individual should have the

right to take the life of another, except in legitimate self-defence --- nor should any government.

Today, every democracy in the Western world routinely and consistently violates these standards and principles of social conduct. Once we ascribe powers and privileges to government that its individual citizens do not or cannot have, then the transfer of rights from citizens to government is inevitable, varying from democracy to democracy only in the length of time it takes to complete the transfer.

In a free democracy, individual freedom would be protected, not threatened, by a defined, limited and subservient government whose primary role would be to provide national and civil defence and to prevent some individuals and groups in society from imposing their preferences and choices on others against their will.

Because we, as authors of this essay, believe in individual freedom, we cannot bring ourselves to support any philosophy of majority-rule democracy. And now, having been made aware of the risks of the majority-rule process, where do you stand?

You only have two choices: Individual freedom or majority-rule dictatorship; there is no middle ground, other than the temporary ground on which our country currently rests.

UPCOMING:

CAN WE SURVIVE DEMOCRACY?

Part III: Theory vs Practice

WHO OWNS THE SURPLUS IN PENSION PLANS?

--- By Bruce A. Miller

(Mr. Miller has worked as a pension consultant for one of Canada's major consulting firms for the past 21 years.)

The Ontario government, through its various task forces and commissions has raised this question, and made it appear as if there were some doubt about the answer. In fact, in all pension plans except for a very few, the answer is crystal clear. It belongs to the employees in perhaps 2% of plans, and to the employers in all the others.

Why do I say that, in most plans, the employer owns the surplus? There is one

very simple reason: the employer has not agreed to give it to the employees.

You do not acquire a piece of property just because you want it, or need it. You either buy it or have it given to you. The employer has contracted to pay a certain pension if the employee lives up to his end of the bargain by continuing to work for a certain period of time. If both parties to the contract fulfill their obligations, why should anything else be required?

Democracy is the recurrent suspicion that more than half of the people are right more than half of the time. --- Elwyn Brooks White

Suppose you made an agreement with your son that you would give him a bicycle if he kept the grass cut for the next year, and you put \$200 aside in the bank to pay for it. When it came time to buy the bicycle, you found it was on sale for \$150. Should you be obligated to pay your son the surplus of \$50? Of course not! That was never part of the deal.

So it is with pension plans. The only exceptions are a very few plans where the employer has specifically agreed, in the plan, to pay any surplus to his employees.

Why then has the government raised the question? I think it is a red herring which, unfortunately, most people have swallowed. Among those who have studied the subject, the question is generally deemed silly.

It is my belief that it is important to the government that an element of doubt be injected into the situation so it could gain control over the surplus (in the name of "protecting employees") and use this control to promote its own political programmes.

This is the perfect crime, if you can pull it off.

Buying votes with someone else's money is nothing new, but apparently the majority of people do not recognize the crime this time, perhaps because it is taking place in an unfamiliar area.

Why does surplus arise anyway? Companies are required by law to pre-fund pensions. Each plan has an actuary who estimates, based on future anticipated interest rates, mortality rates, salary increases, etc., how much money must be set aside to pay the pensions. Most companies do not like nasty surprises so they have instructed the actuary to fund

at a higher rate than a realistic level. Furthermore, the Pension Commission of Ontario requires the use of conservative assumptions. Thus, as actual experience unfolds, it usually happens that too much money has been set aside. However, it is important to note that if experience turns sour so that there is too little money, the employer is required to pay the deficit.

Has the government actually made any moves to take the right to surplus away from employers? This is a very important question, as we have seen in the foregoing discussion that surplus is the private property of the employer, and the right to own and deal with private property is absolutely fundamental to a civilized society. Sadly, the answer to the question is yes.

The Ontario government has done two things:

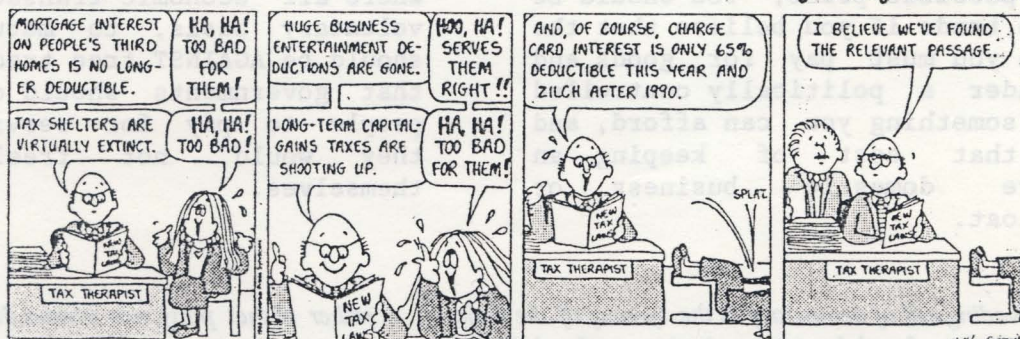
1. It has placed a moratorium on the withdrawal of surplus, even from plans which are being wound up.
2. It appointed the Friedland Task Force to examine how to index pensions --- not to determine if they should be indexed, but how to index them. The Task Force recommended that surplus be allowed to be refunded to employers only if the employer agreed to index pensions already accrued.

Thus, the government has taken away the right of the owner to deal freely with his surplus, and intends to destroy even more rights. Once the right to deal with private property is lost, can the right to own property be far behind?

It seems incredible that we should have come to this point, after all these many centuries of fighting for property rights, but here we are. Once more --- to the ramparts!

cathy®

by Cathy Guisewite



Free Trade or Not Free Trade That is The Question

— By Robert Metz

(Mr. Metz is President of the Freedom Party of Ontario.)

Free trade, or not free trade, that is the question:

Whether 'tis nobler in the mind to suffer

The joy and pride while creating outrageous fortunes,
Or to take arms against a sea of "money grubbing" Yanks,

And by opposing end them. To socialize, to trade -

No more; and by socialize to say we end

The risks, and the responsibilities

That freedom is heir to. 'Tis a consummation

Devoutly wished by Mel Hurtig - to be free, to trade -

To be free, perchance to take risks, ay there's the rub;

For in being nationalists what risks we take

In isolating ourselves must give us pause - there's the respect

That makes calamity of free trade.

For who would bear the hard work and time,

Th' responsibility, the proud man's noble efforts,

The pangs of making a decent buck, the government at bay,

The vitality of business, and the wealth that the worthy make,

By virtue of living in a free country? Who would fardels bear,

To grunt and sweat under a proud, free life,

But that the dread of statism,

That soon to be discovered country, from whose bourn

No traveller returns, puzzles the free mind,

And should makes us bear free trade

Than to fly to protectionism that we know will lead to recession?

Thus free trade does make cowards of us all;

And thus the native hue of nationalism

Is sicklied o'er with the pale cast of socialism,

And enterprises of once great acumen and determination

With this wave of "Liberalism" their dreams turn awry

And lose the name of freedom.

(— By Robert Vaughan with apologies to William Shakespeare.)

For those of us who support free trade on principle, it was extremely frustrating to watch the leaders of Canada's three major national parties reduce the issue to a matter of political expedience during 1988's federal election. In the wake of confusion caused by their shallow treatment of an issue that is of profound importance to each and every Canadian, voters were asking themselves "How do I know who to believe? Who's right? Who's wrong? How can I know?"

For the benefit of those who found themselves in this predicament, I offer the following list (admittedly incomplete) of considerations one should weigh in determining where to stand on the issue of free trade; You may be surprised to learn that the answers to these questions depend more on you than on anything politicians or economists can tell you.

For example, you should SUPPORT free trade if you believe that Canadians should have access to the best quality goods for the lowest possible price; You should be AGAINST free trade if you believe that the higher price you must pay for goods and services under a politically controlled economy is something you can afford, and is worth that cost of keeping an uncompetitive domestic business or industry afloat.

You should SUPPORT free trade if you believe that Canadian producers and workers have the initiative, talent, and know-how necessary to make them leaders in whatever field they choose to compete; You should be AGAINST free trade if you think that Canadians don't have what it takes to make it in a progressive, challenging economic environment.

You should SUPPORT free trade if you view the world community as an opportunity for expanded trade, new friendly relationships, or as a way to break down barriers that prevent us from sharing views and discoveries with peoples of other lands; You should be AGAINST free trade if you view the productive talents of others as a threat, or view individuals from other countries as "enemies" from whom you must be "protected".

You should SUPPORT free trade if you believe that human relationships should be based on the principle of mutual consent, where all economic transactions occur on a voluntary basis, to mutual benefit; You should be AGAINST free trade if you believe that governments should continue to force people to pay for services and products they would not freely choose for themselves.

The one pervading evil of democracy is the tyranny of the majority, or rather of that party, not always the majority, that succeeds, by force or fraud, in carrying elections. — Lord Acton

You should SUPPORT free trade if you believe in individual freedom and in the concept of individual responsibility with which it is undeniably connected; You should be AGAINST free trade if you believe that politicians and governments should be making all our choices, and taking all our responsibilities away from us.

You should SUPPORT free trade if you believe that an individual should earn what he or she receives in life; You should be AGAINST free trade if you believe that some people in society should have an enforced right to exist on the regulated and taxes earnings of others.

You should SUPPORT free trade if you believe that democracy is a system of individual freedom, a society in which each individual governs himself according to objective laws which protect an individual's right to make his or her own choices; You should be AGAINST free trade if you view "democracy" as a system of "majority rule", where any majority may vote to do whatever it likes to any minority, without regard for fundamental rights and freedoms.

You should SUPPORT free trade if you believe that a country's true strength lies in the peace and prosperity brought about by creative, productive effort; You should be AGAINST free trade if you

believe that a country's strength is determined by how effectively its government can erect barriers between people, and how much power it has to control the choices of its own citizens.

As a principled supporter of free trade, I found it regrettable that the federal Conservatives chose to defend freer (not free) trade only on pragmatic, economical grounds, as a matter of economic necessity rather than a matter of individual right. The real reasons to support or oppose free trade are moral, ethical, philosophical --- and, as you can see, deeply personal, encompassing both our fears and our expectations. For each of us as individuals freer trade simply means that our economic success or failure will depend a little less on politicians and a little more on the choices each of us makes, as freer citizens.

For my part, I have learned that national peace and prosperity have always been the natural consequences of free trade; confrontation, division, and a general lowering of a nation's standard of living have always been the natural consequences of economic borders and barriers. I have yet to find an exception to this rule.

Any positive step in the direction of freer trade --- with any nation--- should be welcomed by all.

LETTING CANADIANS DECIDE

Free Trade and the People Factor

--- By Lloyd Walker

(Mr. Walker is Vice President of the Freedom Party of Ontario.)

We've been constantly reminded that Canada's 1988 federal election was the one that would "Let Canadians Decide" about free trade. Election aside, who but Canadians could possibly make such a decision?

Sadly, what both sides of the free trade debate most often forget is that countries do not trade with one another, people do. Trade simply represents a transaction between citizens within different countries and it is those citizens, people just like you, who really are the "trading partners."

As responsible adults, there's no objective reason why each and every one of those "trading partners" should not be free to deal with one another without the interference of politicians, bureaucrats or special interests. True free trade would mean not only that individual Canadians would be free to choose the products they purchase without arbitrary interference from others, but that their right to do so would be more protected by law.

The Canada-U.S. trade deal is a far cry from true free trade, but it does reduce barriers currently in place, and that's a step in the right direction.

Democracy arises out of the notion that those who are equal in any respect are equal in all respects; because men are equally free, they claim to be absolutely equal. --- Aristotle

Anti-free trade publicity clearly indicates that there are Canadians who prefer to live an insular life and deal only with Canadian companies. However, other Canadians want the best value for the lowest possible price. Still others would opt for a combination of these two points of view, buying domestically produced goods when a comparable value is offered.

All of these decisions reflect personal choices, and as personal choices there's nothing wrong with any of them. However, to use the law to enforce any one of these particular choices on all Canadians is wrong.

Thankfully not everyone was fooled by the left wing's "Let Canadians Decide" anti-free trade campaign. For them it really means "let one group of Canadians decide for all Canadians." Most significantly, it does not mean "let individual Canadians decide by exercising their individual freedom of choice in the course of every day living".

Wouldn't this be a better country if both sides in the free trade debate had mounted a campaign to "Let Individuals Decide"? Along with acknowledging the reality of free trade, it would have been a campaign everyone should have found well worth supporting.

THE JOKE'S ON US!

A humorous look at the words which shape politics.

Animal Liberationist: One who fights for the rights of rats; one who proves that egalitarianism is for the birds.

Collective Security: A diplomatic arrangement for the maintenance of world peace through world war.

Commitment: In international relations, a statesman's solemn pledge that somebody else will do something.

Conscript: One forced to fight for freedom.

Conservative: One who is against exercise because Jane Fonda is for it.

Free Society: A libertarian utopia of total freedom which will exist eternally in the future, and never in the present.

Law and Order: The political goal of getting criminals off the streets and back into public office where they belong.

Lawyer: Masters of the court-martial art of tongue fu.

Locke, John: A closing or fastening device used to prevent unauthorized entry into private property.

Mafia: A nonexistent group of perfectly respectable businessmen who just might break your legs if you say otherwise.

Middleman: The man caught in the middle when the producer and the consumer are seeking a scapegoat.

Monopoly: An economic monster made in the image of its Creator, the State.

Playboy: A hedonist looking for consenting shedonists.

Security: Freedom from freedom.

Unfair competition: Successful competition.

War on Drugs: A war to make the world safe for alcoholism.

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