

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

SPECIAL #1

Consent

Can We Survive...



"Democracy"?

To those who consent, no injustice is done

OPENERS...

OF THE PEOPLE, FOR THE PEOPLE, BY THE PEOPLE -DEMOCRACY RECONSIDERED-

Throughout the pages of our first two years of publication of *Consent*, **Freedom Party's** journal of ideas and opinions on individual freedom, we have published many essays that have deeply reflected upon the fundamental nature of our democratic system. Many of these essays, plus a few new ones, have been reproduced here, in this special issue of *Consent*, provocatively entitled **Can We Survive Democracy?**

If individual freedom is to survive as a viable political and social value, then a critical re-examination and understanding of the political system we institute to preserve that freedom is paramount. It is our hope that **Can We Survive Democracy?** will form the groundwork for that necessary reassessment of our democracy, the principles that drive it, and the inherent dangers and risks associated with any political system that subordinates individual rights to majority rule.

-Robert Metz, editor

CAN WE SURVIVE DEMOCRACY?

Part One: The Curse of Majority Rule

-by Marc Emery and Robert Metz

(Mr. Emery and Mr. Metz are founding members of Freedom Party. The following essay originally appeared in *Consent* #5, September, 1988)

What is "democracy"?

Contrary to popular belief, "democracy" is not necessarily compatible with freedom! In fact, today's "democracies" may soon represent as great a threat to individual freedom as any dictatorship in the past ever has.

In determining the value of the process we call "democracy", it is essential that we first determine what the legitimate role of government is, and most importantly, what the *rights* of individuals are.

So let's begin by making our perspective on this issue clear: the proper purpose of government is to *protect* an individual's freedom of choice, *not* to restrict it.

Individual freedom is more important to the citizens of any nation than any economic or social "benefits" their governments may claim to provide, because without individual freedom, nothing else works and no social or economic benefits are possible.

Individual freedom simply means having the right to choose your own peaceful lifestyle and to be free to take any peaceful actions necessary to personal fulfillment. Live and let live. This type of freedom, which is essential to any civilized society, can only be protected by the legal entrenchment of private property rights which allow individuals to control their own lives, and which prevent them from controlling the lives of others.

Individual freedom and freedom of choice are at the heart of every political issue, but ironically ... only in a "democracy".

Our freedom of choice would not be an element of political discussion in a totalitarian state, where individual choice is explicitly *denied*. Likewise, our freedom of choice would not be a political issue in a free society, where individual choice is *guaranteed* us.

In a democracy, the constant political struggle is *not* over "how we can enhance freedom of choice for individuals", but over *who* shall make personal and economic choices and *what* they shall be. Regrettably, our system of "democracy" has deteriorated to the point where whatever the political struggle, it is no longer between individuals, but between governments, bureaucracies, organized lobby groups, and a host of other "organized" outgrowths of

**"A man is none the less a slave because he is allowed to choose a master once in a term of years."
-Lysander Spooner**

the "new democratic" philosophy of "Majority Rule".

Viewed from this critical perspective, "democracy" is far from what it has been presented to be. Through all our historical research on the subject, we have yet to discover any piece of federal, provincial, or municipal legislation enacted through the democratic process with the *conscious* intent of enhancing individual freedom. (Individual freedom has always been won through political resistance or revolution, never through the democratic process.)

Instead, each and every day, our own politicians and governments who comprise this "democracy" we all claim to cherish so much, create new and increasingly restrictive measures which diminish our individual freedoms, and which increase the powers of the state.

Implicit in all social legislation created by the democratic process is the express use of *force and compulsion* as a means of preventing individuals from exercising choices inconsistent with government policies. Increasingly, those who hold views, opinions, economic preferences or lifestyles that are not held by the "majority" are finding themselves punished and restricted for being different.

This is the proof that pure democracy, practiced as majority rule, is not only inconsistent with individual freedom, but is its arch enemy. A fundamental of any free society is that freedom *must* apply equally to *minority* choices. Otherwise, *freedom does not exist*.

Think about it. The "freedom" to agree with the "majority" is no freedom at all for anyone. Individual freedom exists only when the smallest possible minority --- the individual --- has a legally-protected

right to the complete security of peaceful action, belief, and disposal of property.

Consider the possible horrors of living in a society that only recognized the principle of majority rule democracy: What if 51% of voters, through some "democratic" process, decided to order the other 49% of voters to death? Would we, as citizens of a free country, accept this democratic decision?

An extreme example? Democracy doesn't mean *that*, you say?



Good. Glad to hear it. Because that means you recognize that each individual has *inalienable rights* (i.e., rights not granted by governments, but rights recognized as being fundamental to individual survival and fulfillment), and that the first of these rights is the right to one's own life. So far, so good.

But is that the *only* right we have under a democracy? The right not to be arbitrarily killed? Or do we have *other* rights, rights consistent with individual freedom that no form of government, even a democracy, may

abridge? If so, what are they? If not, why?

As you can see, the global political issue of our time is *not*: "Can *democracy* survive?" --- but rather, can we, as individuals, survive democracy? Can *freedom* survive?

In both theory and in practice, majority-rule democracy is a political system of compromise between tyranny and individual freedom. Virtually *all* of today's political systems evolved from relatively tyrannical political systems (whether called divine monarchies, tribal societies, dictatorships, feudal societies, etc.) which only gave up their authority over individual freedom of choice in a piecemeal fashion, forced by the moral indignation and suffering of those few citizens who had either the understanding, the will, or the means to act.

Fortunately, most resistance against government oppression was carried out in a peaceful manner through public protests, meeting, underground papers, etc., --- methods particularly employed to avoid any democratic processes, and to avoid condemnation by the state. Only in rare, violent revolutions have entire political systems been destroyed, but for lack of an appreciation or understanding of individual freedom, these revolutions often were followed by totalitarian regimes no different or worse than what was overthrown.

Yet, many might understandably ask that, if the process of democracy is such a threat to individual freedom, how is it that we have come to enjoy so much individual freedom, at least to a greater degree than has ever been possible before? Don't we live in a "democracy"?

"It may be true that you can't fool all the people all the time, but you can fool enough of them to rule a large country." -Will and Ariel Durant

Yes, we do. But the fact that some degree of individual freedom may exist *within* a democracy is no testament to the democratic process itself. Regrettably, individual freedoms within our democracy are only tolerated until they present a potential or perceived threat to the political ideal of "democracy", that is, to rule by the majority.

To explain this more clearly, let's examine what's been happening under our current political system of "social democracy": The democratic process that currently exists in Canada (and elsewhere) is, in practice, a political system that allows certain elements of society the privilege of conferring an unearned benefit upon themselves at the expense of others in society. Though we have been calling this process "majority rule", it is a historical irony that true majorities are extremely rare and virtually impossible to document or prove.

Usually, it's not a "majority" that is in control of the democratic process, but many competing *minority political interests*, all who claim to represent some undefined and unsubstantiated "majority". They know that the public at large has come to equate majority rule with democracy, which in turn, has become confused with individual freedom. As a consequence, lobby interests do *not* have to justify their demands on the grounds that what they may want is right or just; they only have to promote the *numbers* they represent as their badge of economic or moral righteousness: "It's right because we have the numbers to prove it."

Thus, *numbers*, instead of *ideas*, *morality*, or *individual choice*, become the focus of political issues. It is in this way that our once much freer nation has fallen to what, increasingly, can only be accurately described as a sophisticated political system of mob rule. This is the inevitable consequence under any "democracy"

that purports to hold "majority rule" as its highest ideal, by placing the *whims* of voters above their fundamental rights and freedoms.

We most often find this philosophy expressed in the statements: "It's for the *good of society*," while in actual fact, the only "good" thing for all of society is the guaranteed protection of the individual freedoms of all its citizens. In stark contrast, our democratic process has been abused to barter away individual freedoms for the benefit of some vague, undefinable, socialistic notion of the "collective" good.



"Never mind what our government's trying to do. You can't borrow your way out of debt!"

As citizens within a majority-rule democracy, we must learn to understand that any rights and freedoms we currently enjoy exist only because governments know that a certain amount of individual freedom is necessary to get us to produce the economic and social benefits that they want to confiscate and "redistribute". Thus, while legitimate individual rights are being shattered, politicians are busy fabricating a set of artificial bogus "rights", "rights" that give special privileges to some groups of people at the expense of other groups and individuals.

Rather than expanding our freedom of action to pursue our individual choices, these "new democratic rights" impose arbitrary obligations on innocent and unwilling victims --- obligations to the beneficiaries of the democratic process.

New democratic rights like the "right to affordable housing" mean that some people are entitled to the benefit of subsidized housing at the expense of responsible landlords, homeowners, and tenants alike. New democratic rights like the "right to a job" impose an obligation on some employer to provide and pay for that job. In the process, the individual's legitimate right to work is denied, for fear he may compete with someone else's legislated "right" to a job. And let's not forget the increasingly popular democratic "right to decency", which imposes an obligation on others to suppress their personal lifestyles and choices, and which gives those claiming this "right" to make their choice for them.

These "new democratic" rights thus illustrate that the issues in a democracy revolve only around who gets to make our choices for us, and *preclude the option* that we as individuals should have the right to determine those choices ourselves. As these "democratic rights" become more entrenched through the democratic process, they change the meaning of the word "right" from one of "freedom of individual action and choice" to "freedom from the responsibility for one's action and choices."

Needless to say, this makes the democratic process extremely attractive to a significant portion of the citizenry. Majority-rule democracy offers an opportunity to cash in on these new democratic "rights" and gives its supporters the power to impose obligations and commitments on others, while bearing less or no responsibility for their own actions.

"When were the good and the brave ever in a majority?" -Henry David Thoreau

Majority-rule democracy operates in a moral vacuum: it explicitly proclaims that "anything society does is right because society chose to do it."

Any way you look at it, this is a moral and legal inversion of fundamental justice: While no responsibility is attached to those who advocate the violation of individual freedoms, the obligation and cost of defending one's individual freedom is placed on those who would have it denied them, despite the fact that such freedom should be theirs by right.

While advocates of individual freedom must spend thousands of their own dollars in our nation's courtrooms to defend their legitimate right to peaceful behaviour, those responsible for dragging them into those courtrooms are heralded as "champions" of the democratic process, and get to have the taxpayer fund their dubious causes for them.

This democratic process of violating our individual rights is well under way. Consider how many of our individual freedoms we have

already become conditioned to giving up for some undefinable "common good":

Right now, the *average* individual in Canada pays 52% of all his income to the over-100 taxes applied by various levels of government, making him virtually a slave to the state for half his adult lifetime.

Don't be too surprised if you don't *feel* like a slave; it is only because, until now, you've been a well-pampered slave, deriving many benefits like subsidized education or "free" health care, both *temporarily* paid for by putting our governments under a perpetual threat of bankruptcy. Consider that government debt is still accumulating despite the fact that over half of our personal earnings are already being confiscated. (Rapacious government-spending is yet another inevitable consequence of the majority-rule democratic process, whether in Canada or throughout the world.)

Another reason we may not feel physically burdened or "enslaved" by our democratic governments is

that, even though more than half our earnings go to government, the portions of the marketplace that are still relatively free operate magnificently enough to provide us with the bountiful material comforts that can make life very enjoyable.

But we must never let ourselves forget: The marketplace works *despite* majority-rule democracy, not *because* of it.

The danger in forgetting this important point cannot be understated. Let's not be blinded to the origin and source of the abundance of goods, services, and products that we enjoy --- free will, free enterprise, and individual freedom.

It is our ignorance of these fundamental human values that the democratic process exploits so well. Yet, only a society of "free minds and free markets" can provide us with a greater abundance than all the political promises of the world combined. It is only through our willingness to understand why this is so that we can begin to reclaim our freedoms lost --- lost to the very process most of us think is protecting them.

CAN WE SURVIVE DEMOCRACY - PART 2

Part II: Freedom Betrayed

The Inevitable Course of Majority-Rule -by Robert Metz and Marc Emery

(The following essay originally appeared in Consent #6, December 1988.)

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

"In general, the art of government consists in taking as much money as possible from one class of citizens to give to the other." -Voltaire

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.

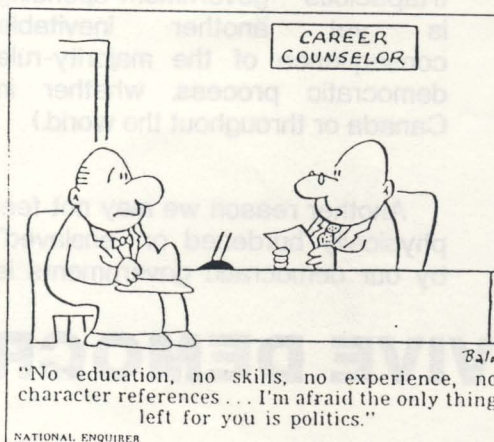
By 1938, only nineteen years later, sixteen (16) of those twenty-four "democracies" had evolved into totalitarian dictatorships. Only Great Britain, Belgium, Holland, Norway, Sweden, Denmark and Switzerland managed to maintain anything that would resemble a democracy we could recognize, while France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

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.



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 interest of certain groups against the individual freedoms (thoughts and peaceful actions) of all individuals in Canada. Censorship is enforced through

"Democracy simply means the bludgeoning of the people, by the people, for the people." -Oscar Wilde

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.

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 through special exemptions, bookstore owners have been declared "more equal" than other retailers.)



"The problem, as I see it,
is that the voters and the taxpayers
are one and the same."

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. Its visible symptom is the endless maze of red tape, regulation, high taxes, and bureaucracy that strangles so many nations.

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.

**"Democracy is a form of religion. It is the worship of jackals by jackasses."
-H.L. Mencken**

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 can not 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 upon 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 have only two choices: Individual freedom or majority-rule dictatorship; there is no middle ground, other than the temporary ground on which our country currently rests.

CAN WE SURVIVE DEMOCRACY - PART 3

by Robert Metz

Rather than offering a rational defense for the system of governance we have come to know as "democracy", most of its supporters merely end up apologizing for it. Fundamentally, their arguments all boil down to this: "What --- in practice, not in theory --- works better than democracy?" as if their inability to consider viable alternatives somehow constitutes an intellectual defense. But for those who ask, my answer is simply this: a social system under which individuals can freely exercise their freedom of choice, and where that freedom of choice is *protected* (by law!) from majority rule, not made subservient to it.

It is understandable that most people, when comparing "democracies" to totalitarian regimes, have come to associate the "theory" of democracy as a system of government that protects individual rights and freedoms; however, this is not true when democracy degenerates into a system of majority-rule, without the proper checks and balances that will guarantee the protection of individual rights and freedoms.

There are, after all, many kinds of "democracies" in

the world; a failure to distinguish between free democracies and authoritarian democracies represents an intellectual and moral rejection of the former and acceptance of the latter. A democracy is no less socially evil than a totalitarian regime if it is incapable of protecting the individual rights of its citizens.

The *Oxford English Dictionary* defines "democracy" as "Government by the people; that form of government in which the sovereign power resides in the people as a whole, and is exercised either directly by them (as in the small republics of antiquity) or by officers elected by them. In modern use, often more vaguely denoting a social state in which all have equal rights, without hereditary or arbitrary differences of rank or privilege."

Thus, as you can see, even the dictionary definition of the word refers only to a "vague" association of democracy with equal rights, while making it very clear that *both in theory and in practice*, democracy bestows "sovereign power" upon majorities. If we now turn our dictionaries to the word "sovereign", we will discover that this does indeed mean "supreme in power, rank, etc.,"

above all others; greatest; of or being a ruler; reigning." Now ask yourself a simple question: How can being "supreme", "above all others", or "being a ruler" possibly be compatible with a society where all individuals are *equal* before the law? The contradiction is obvious.

In a truly free society where individuals have equal inalienable rights, *no one*, not even "majorities", should have "sovereign" power over others; this destroys the entire spirit and original intent of "democracy". The only form of democracy compatible --- both in theory and in practice --- with individual rights and freedoms is the "democracy" of the free market, where individuals freely "vote" with their minds, their hearts, their actions, and their money for the things and ideals that they each individually support, and where they are not forced (i.e., legally coerced) to support causes or act in a manner with which they do not agree. In such a society, the rules of social

behaviour would be based on the principles of voluntarism and consent, not on force and coercion (which are only justifiable in the self-defense of life, liberty, or property).

In a democracy that wishes to protect individual freedom of choice, have free elections, and have a responsible government, the power of politicians must be restricted to one of representing individual *rights* as opposed to representing *interests* --- whether individual, minority group, or majority group interests. Thus, the interest of individual, politicians, or lobby groups opposed to something like Sunday shopping should have no justifiable bearing on the rights of other individuals who may wish to shop or work on Sundays. When store owners are being legally forced --- even by a "democratic majority" (which, by the way, is not even the case in Ontario's Sunday shopping issue) --- to close the doors of their own private property on a given day

of the week, then their fundamental rights and freedoms have been directly violated, not protected, by the "democratic" process.

I have heard many people, by their own admission, suggest that "Sunday shopping laws are ridiculous", yet go on to proudly boast their willingness to sacrifice their freedom of choice to the will of the majority: "I don't feel that strongly about it, and any way the matter turns out will be fine with me," said one editorial writer in the local press. Clearly, for apathetic individuals who are not even willing to stand up for what they believe in, Majority-Rule-Democracy may indeed "work best". But at what, and to what end?

This may well be the most profound political question facing generations of the next century.

NO REFERENDUMS, PLEASE!

-by Marc Emery

(Mr. Emery is a founding member and action director of Freedom Party. The following essay originally appeared in Consent #3, May 1988.)

By the end of 1988, it is possible that many Ontario municipalities may hold *referendums* on issues like Sunday shopping or free trade.

Only through "referendums", so the arguments go, can a true *consensus* be reached.

Indeed, the case for referendums has been championed by the prominent *National Citizens' Coalition* as a cure-all to what has been described as a unrepresentative, party-line dictatorship claimed to be held over us by politicians.

But I believe that referendums will only make matters worse.

Replacing the rule of politicians with the rule of the "majority" still leaves some people "ruled" by others. Let's not forget that our politicians are the result of a "referendum"; we call it an "election".

Referendums won't work because as long as a "majority" of people believe that the electoral system should be a lever to exercise *their* will over the lives of others, we can expect a great deal more repressive legislation --- and guarantees of even more referendums.

Those pushing for referendums seem to believe that the "common man" or the "average man" has more "common sense" than politicians. Free from the pervasive influence of lobby groups, political patronage, and other evils associated with "professional" politicians, the "common man" is likely to be influenced by them. Right? --- Wrong!

The "common man" *does* exhibit more common sense --- with *his own* life, liberty and property. But give the "common man" a chance to tell his neighbour what to read, what school to send his children to, what religion to practice, what limits to place on his wealth, or whether his neighbour should be permitted to do anything from having an abortion to shopping on Sunday, well, just like politicians, the "common man" in most cases becomes

the very tyrant he fears.

Such is the consequence of exercising *unearned* power over his neighbours in a way only a "democracy" can allow.

Regrettably, well-organized intolerant minorities are usually the ones who have the zeal and drive to get "questions" put on a referendum ballot. And these questions reflect *their* agenda, and thus impose unjust obligations and restrictions on those who do not share their intolerant attitudes.

To illustrate my point, consider the following "referendum style" questions that a "majority" would quite conceivably vote "yes" to, and that would substantially reduce our individual freedom or have a negative impact on our social well-being:

1. Should Ontario have a Board of Censors?
2. Should the rich (over \$75,000 annual income) pay more taxes?
3. Should corporations pay more tax?
4. Should prostitution be outlawed?
5. Should access to abortion services be abolished?
6. Should O.H.I.P. premiums be abolished?
7. Should the Ontario government provide universal day care?
8. Should capital punishment (the death penalty) be reinstated?
9. Should we extend affirmative action and strengthen equal pay for work of equal value to all areas of the private sector?
10. Should drug users and sellers receive harsher penalties?
11. Should strip joints be outlawed?
12. Should police have "more power" to deal with "a rising crime rate"?

13. Should obscenity laws be strengthened to prohibit explicit sexual materials?

In many localities, Sunday shopping would certainly also be banned, and who knows what other ridiculous proposals might be entertained by referendums? During the 1940's, some communities voted in plebiscites (referendums) to ban roller skating, or to approve municipal governments starting expensive tax-systems, while hundreds of other communities voted to ban the sale, distribution, and consumption of beer and wine in restaurants and bars.

You get the general idea.

If there's one principle I've seen in action time and time again, it's that the "majority" of people on any given issue is almost *always* wrong, driven by forces that have little to do with an understanding of the issue and which have little regard for individual rights, freedoms, or responsibilities.

In times of controversy or turbulence, it takes courageous, dedicated, fearless individuals to stand up to the crowd, mob, or "majority", and advocate *reason*. But unfortunately, courage and reason alone are almost always futile under such circumstances. Mobs and majorities are guided by zeal, emotional fervour, and rarely by logic, compassion for individual dignity, or respect for individual freedom.

Consider how the media spends far more time reporting on polls or the antics and protests of vested interest groups than it does on dealing with issues through logic, facts, or objective analysis. Most political headlines simply report on what a given majority "wants" --- and if the majority "wants" it, all moral, legal, and ethical considerations are

cast aside.

Such being the history of referendums, giving any majority even more control over others is wrong and cannot be justified on any level. Even though our bureaucrats and politicians may often act like dictators, their power at least is limited when the "majority" does not sanction their actions. Not so when the "majority" becomes both judge and executioner.

Proponents of referendums often point to California's *Proposition 13*. But *Proposition 13* was, by and large, a failure. Yes, taxes were cut on residential property, that is true, but it failed to put a cap on other government spending that simply shifted the burden of financing the state on the same individuals in other ways. Worse, government bureaucracies were kept intact and running while vital programs (like roadworks) were sacked in order to punish voters for daring to make such a rash decision as to cut taxes.

Would Ontario voters ever support a referendum to cut government *spending*? That would probably be the most substantial and significant referendum question ever to get on a ballot. Cutting *spending* would accomplish most of the major objectives supported by advocates of individual freedom, including reduced deficits, lower taxes, a smaller state apparatus, and better, more dependable essential services.

Still, I am convinced that the "majority" would vote *against* it. A majority might vote for a *tax* cut if it can clearly see the benefit. But a majority would never support a *spending* cut, because they would see themselves as losing a benefit.

The people opposed to spending

**"If voting changed anything they'd make it illegal." -
Graffiti**

cuts are not simply the welfare-state free-loaders many might expect. You can bet that teachers, civil servants, the unemployed, corporations with loans or grants from governments, artists, single mothers, crown corporations, pensioners, and just about everybody else on the government gravy train would, as a "majority", definitely vote against spending cuts. For them, terms like "fiscal responsibility", "accountability", and "deficits" just get in the way of all that unearned government cash.

Voters and politicians may *talk* a great storm when they worry about "future generations," but when push comes to shove, they'll take anything the "system" will give them. Future generations can go fend for themselves as far as they're concerned.

The movement for true individual freedom may be growing, but let's face it, even now it still represents only a tiny minority of citizens. The fact that many citizens (perhaps ironically, even a majority) may agree with Sunday shopping or free trade is not a consequence of *principle*, but of a perceived benefit or convenience to those in favour. Similarly, the opposition to these two issues is based on a perceived benefit ("protection" from competition) as well.

Deciding an issue by trying to count beneficiaries doesn't address an issue at all!

Even lobby groups like the *National Citizens' Coalition*, the *Chamber of Commerce* and the *Canadian Federation of Independent Business* pick issues that offer a specific benefit to their members, under the guise of principled advocacy. Now, there's nothing wrong with good marketing or selecting one's issues carefully, but ask yourself how much of their advocacy *is* based on principle, and

how much of it is simply a reaction to high taxes, a bureaucratic civil service, a powerful labour movement, or a postal monopoly that continually disrupts an essential service?

These lobby groups may know how to capitalize on public anger, but can, for example, the NCC's "consensus for more freedom through less government" ever educate its members to become broader advocates of individual freedom? Not likely. Because without promoting the *indivisible nature* of individual freedom, the NCC has to "re-educate" its membership on each and every campaign, since each campaign has been sold on the "reactionary" principle.

Referendums are a political means to direct people's *anger* at something. If they're not angry, you can't motivate them to vote. This is true enough in elections, where voters traditionally vote *against* parties by voting for the "lesser" of a given number of evils; this principle is even more entrenched in referendums.

Sure, most Ontarians are disgusted/fed-up/mad-as-hell --- but about what?

About *their* pet peeve.

The little old lady down the street rages about the "evil" of Sunday shopping, another about the "filth" in magazines at variety stores; the businessman rages about taxes and regulation; the labour movement rages about "exploitation" in the workplace; housewives want government subsidized pensions; socialists want a minimum annual income, and on and on and on it goes.

Let's pick two unlikely, yet similar, victims of the same type of state control: the medium-sized factory owner and the individual who smokes

marijuana.

In addition to the health risk voluntarily accepted by the marijuana smoker (or any smoker, for that matter), the government forces him to suffer even more by making him pay at least ten times the free market price for his habit because the government has outlawed its legal sale. Worse, the pot smoker is now forced to purchase his smoke through channels controlled by organized crime, channels created by the law itself. And he gets no guarantee of quality. His phone may be tapped, his means to his livelihood threatened by a potential criminal record, and his privacy may be invaded at any time through legal search and seizure.

Now let's look at the factory owner. The medium-sized factory owner must face the coercive legislation that grants unions the power to shut down his factory, force him to maintain lazy and unproductive employees, and impose wage and salary conditions far in excess of what a free market would allow. Thus, the cost of his manufactured goods is artificially high, and his ability to compete with others, particularly on an international scale, is severely curtailed. On top of all that, the government may force him to hire certain minorities, pay excessive taxes and tariffs, or even control the market to which he is allowed access.

So what do the factory owner and the marijuana smoker have in common? A lot more than the fact that they are both victims of government control. The great irony is that, while they are both victims, given a chance to vote in a referendum, each would likely vote to oppress the other even further.

To the factory owner, the typical pot smoker is a lazy, left-wing, unemployed drug addict who may well be part of a racial minority he is being forced to hire. To the pot smoker, the factory owner may well be regarded

"The trade of governing has always been monopolized by the most ignorant and the most rascally individuals of mankind." -Thomas Paine

as a "greedy capitalist exploiter" who deserves every screwing his "brothers" in the labour movement can give him. And as far as he's concerned, the factory owner should most definitely pay more taxes; after all, the laws supported by the factory owner are forcing *him* to pay tenfold more for his pot!

What better way for each to *get even* with the other than a *referendum*?

Though the contrast between the pot smoker and the factory owner may be extreme, such irrational contempt for the lifestyles of others has regrettably become a pervasive reality in today's society.

Politics is divisive; it plays off one vested interest against another, in a vacuum devoid of any consideration for proper moral principles or respect for individual freedom. It might never occur to the businessman or to the pot smoker that the freedom each wishes to benefit from, yet deny to the other, is the same indivisible concept of individual freedom.

And how will referendums be phrased? How detailed will they be worded? The way a question is phrased will automatically guarantee its outcome, so who gets to phrase the question?

Certainly not our politicians. After all, why did we want a referendum in the first place?

Referendums have inherent weaknesses as well. For example, for any referendum to gain "popular" support (50.1%+), it will have to be as vague and undetailed as possible. Details create questions, and questions create resistance and more questions. For a referendum to succeed, its backers must have the question phrased as vaguely as

possible.

Yet, how can anyone execute these referendums in "good faith" without details? Are we to leave the details to our politicians? If so, we've come full circle again: why have a referendum?

In framing legislation, details are everything, from what the law actually says, to how it is enforced, to how the courts interpret the legislation. When it comes right down to it, the "spirit" of the legislation means little in these areas.

And if you're about to suggest that the details should also be arrived at through referendums, then it would literally take years and years to arrive at any acceptable consensus and by that time, the politicians whose authority the referendum supporters were trying to circumvent may quite well have already been replaced.

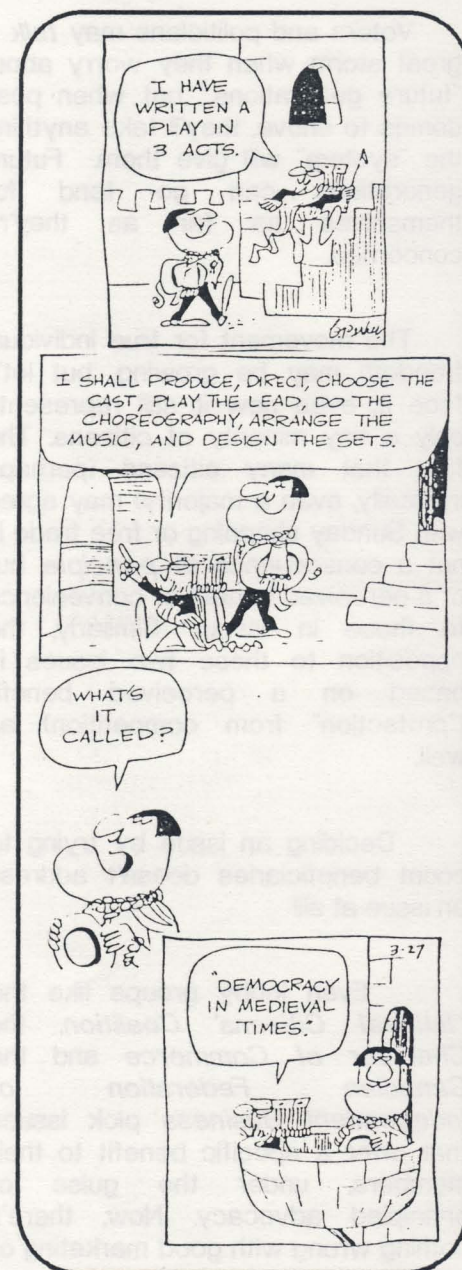
Referendums only serve to further entrench the idea the *majority rule* is the essence of a "free" society, and nothing could be further from the truth. If anything, referendums will only *hasten* the tyranny that politicians make inevitable. Referendums, ironically, will give even *more* power to politicians than they already have.

Even if a referendum should happen to result in reflecting a freer environment (i.e., in Sunday shopping), what would really have been accomplished? If any law is passed simply because a "majority" wants it, is that then the *purpose* of law? --- to grant the majority any control it wants over the lives of others?

The only way to change laws for the better is *not* by granting the "common man" his latent desire to become a small-time dictator, but to

lobby for and demand laws that protect an individual's right to property and individual freedom, including freedom of association and most importantly, freedom of speech. Remember, these are the very things that most referendums are out to destroy.

With proper laws that exist to *prevent* some people from imposing their will on others, we'd never need referendums.



"Force always attracts men of low morality." -Albert Einstein

Representing the individual Elections in a Free Society

by William Frampton

(Mr. Frampton is Freedom Party's Regional Vice-president, Metro Toronto.)

The proper role of government in society is to protect individual rights. In order to carry out this function, the institutions of government must be clearly based upon this principle and must be designed with the individual in mind. Regrettably, this is not the case with the system used to elect governments in Canada and the United States.

Both countries have inherited the electoral system used in Great Britain. This is known in political science as the single-member simple plurality system, or less formally as "first past the post." This electoral system reflects the philosophy of majority rule, and subordinates the individual voter and taxpayer to special interest groups and political parties.

In Canadian and American elections, the candidate who receives the most votes in each constituency is elected. Sometimes the winner may actually have a majority of the votes cast, but often there is no such majority, and the winner merely has a larger minority share than the others. In either case, he or she supposedly represents *everyone* in that constituency.

This claim to represent all constituents is clearly fallacious. On such diverse issues as abortion, capital punishment, free trade and government spending --- to name just a few --- there is always disagreement about what, if anything, should be done. As a result, the elected member must always choose which of his constituents he will represent on each issue. In doing so, he or she inevitably chooses *not* to represent the others.

Even those who vote for the winner cannot be properly represented by this system. X-voting forces the elector to vote as though he considers his preferred candidate ideal and all the others abominable. It presents the voters with a "package deal" in which they must accept the bad along with the good. The voter's 'X' falsely implies complete endorsement of the candidate he votes for.

Traditional political parties wield power over individuals in two ways. They have significant power to

make legislators tow the party line, and they restrict the choices open to the voters.

Legislators who dissent from the party line and vote according to their conscience risk withdrawal of their party's support in future elections. If they run as independents, the most likely outcome is that they split votes with the official party candidate --- and another candidate wins the seat. There are rare exceptions to this rule, but few enough to keep most legislators firmly in line.

Votes are only *meaningful* in an election if they produce an elected representative. Voters who support unsuccessful candidates have no more effect on the outcome than they would if they stayed home. In the 1985 Ontario general election, only 48 percent of the 3,635,699 votes were cast for successful candidates. One of these winners received just 33.6 percent of the vote in his constituency.

Election results are heavily influenced by electoral boundaries, and seats can be won and lost before any votes are cast. The practice of drawing boundaries to favour one party is called *gerrymandering* after Elbridge Gerry, a nineteenth century governor of Massachusetts. Gerry rigged the election of 1812 when he redrew the state Senate boundaries. His Republican-Democrats were narrowly defeated in terms of votes but won a landslide victory, taking 29 of 40 seats. Many cases of gerrymandering have been documented in the United States.

It is sometimes claimed that this can be prevented by making all constituencies equal in size, but this is not the case. A simple example will illustrate the problem. Consider a small country with an evenly balanced two-party system. The East Party and West Party each wins 50 percent of the vote overall and 80 percent in their home regions. If four equal constituencies are created, the outcome will still depend upon how the boundaries are drawn. **Two alternative outcomes are shown in the box below:**

(a)	WP 130 EP 30	WP 30 EP 130	(b)	WP 130	WP 60 EP 90
	WP 130 EP 30	WP 30 EP 130		EP 30	WP 60 EP 90

"The typical lawmaker of today is a man devoid of principle --- a mere counter in a grotesque and knavish game. If the right pressure could be applied to him he would be cheerfully in favor of polygamy, astrology, or cannibalism." -H.L. Mencken

The outcome in (a) produces two seats for each party but that in (b) does not. *With precisely the same distribution of votes*, EP now wins three of four seats and most of WP's votes are literally wasted. On these boundaries WP would need a swing of 10 percent to win a majority of the seats. EP could win three seats with as little as 41 percent of the vote.

Periodically there are calls for reform of this system. The usual suggestion is to change to the alternative vote, which is used in Australia. In this system, the voter chooses as many candidates as he wants, marking a '1' for his first choice, a '2' for his second choice, and so on. If no candidate wins a majority, the lowest one is eliminated and his votes are transferred according to second preferences. This process continues until one candidate obtains a majority. Another variation on this theme can be found in the runoff elections used in some American primaries.

The alternative vote would eliminate minority representation and make legislators slightly less dependent on their party. However, it still reflects the philosophy of majority rule and cannot prevent electoral bias. These problems are inherent in *any* system based on single-member electoral districts.

Since it is impossible for any single elected member to represent the manifold opinions and interests of his constituents, the problem can only be resolved by adopting an electoral system which provides the voters with more than one representative. There are numerous alternatives to choose from, and the problems discussed above can only be solved by adopting one of them. There is no other way to remove the element of majority rule and limit the power of political parties.

Japan uses a multi-member plurality system that has been

dubbed the *single non-transferable vote*. If the constituency has five seats, then the top five candidates are elected. Whatever the number of seats to be filled, the elector has only one vote. If the party he decides to support fields more than one candidate, he must then decide which of them to support.

Gerrymandering is more difficult with this system, but not impossible. The constituencies vary in size, usually returning a minimum of three members. This allows the party in power to produce three-member constituencies where they are strong and larger ones where they are weak. The goal of such a strategy is to win where the party is strong and draw in other areas --- to lose nowhere.

Political parties exercise almost as much clout in this system as in "first past the post." An incumbent who finds himself dropped by his party still faces the prospect of splitting the vote if he decides to run for re-election. A party can ruin its chances if it nominates too many candidates --- they would simply split the party's vote and give seats to other parties.

All votes cast for unsuccessful candidates are still wasted, and those voters are not represented in the outcome. Legislators can still be elected against the wishes of a significant portion of the electorate. The Japanese system does not reduce the power of political parties significantly, so we must consider others.

Many European countries use variations of proportional representation (PR). In these systems, constituencies return as many as ten or twenty members, and the seats are divided among the parties in proportion to the constituency vote. The voter does not choose individual candidates but instead votes for a party list. Most

countries using this system allow the voter to indicate personal preferences within a party list, but some do not. If the party wins five seats, its top five candidates are elected.

List systems of proportional representation make it very difficult --- if not impossible --- for the governing party to practice gerrymandering. However, the power wielded by political parties is almost as great as in single-member systems. Since most voters opt for the straight party list, a candidate's position on that list has a major influence on his chances of being elected. The prospect of being moved down the list --- and out of office --- keeps most legislators firmly in line.

In addition, the voter can support only one party. Even if he casts a personal vote, his vote is arbitrarily counted as a vote for that candidate's party when seats are allocated. As a result, his vote could help elect another candidate from that party --- even when he does not support that candidate! List PR still leaves the voter subordinate to political parties, and therefore it is not a good alternative.

The only electoral system that can solve all the problems described above is the **single transferable vote (STV)**. This is a multi-member preferential system devised in the nineteenth century and popularized by John Stuart Mill. It gives the voter the widest possible freedom of choice and produces approximately proportional representation. The Irish parliament, the Australian Senate, and the Tasmanian state legislature are all elected using STV. It is also used by several non-government organizations, including the Church of England.

The details of its use vary from place to place, but the general procedure is the same. The elector

"Only a country that is rich and safe can afford to be a democracy, for democracy is the most expensive and nefarious kind of government ever heard of on earth." -H.L. Mencken

has one vote, and ranks the candidates in order of preference from 1 to 'n'. Irish voters can make their ballots non-transferable by not ranking all the candidates. When the voting is completed, the first preferences are counted and the electoral quota is determined. The number of votes a candidate requires in order to be elected is determined as follows:

$$\frac{\text{Total number of votes cast}}{\text{Total number of seats} + 1} \text{ plus } 1$$

In a four-seat constituency with 100,000 votes cast, the quota would be $(100,000 / 5) + 1 = 20,001$. It is evident that if four candidates each had 20,001 votes, no other candidate would possibly have more.

Once the first preference votes are counted, candidates who have reached the quota are declared elected. Their surplus votes are transferred according to the voters' second preferences. If the quota is 20,001 and candidate 'A' has 21,000 votes, his surplus of 999 is transferred. Which 999? Since there can be no answer to this, all 21,000 ballots are transferred --- but weighted by $999 / 21,000$ so that only 999 votes are transferred.

When all surpluses have been transferred, the lowest candidate is eliminated. His or her votes are redistributed among the remaining candidates according to the second and, if necessary, lower preferences.

This process of transferring surpluses for elected candidates and eliminating the lowest candidate is repeated until all the seats are filled.

Under STV, every vote counts, since the voters can transfer their support to other candidates if their first choice is not elected or piles up a landslide victory. They no longer need to worry about wasting their vote; if they are impressed with a particular candidate who they think

may not attract enough votes to win election, they can indicate second and third choices.

STV means people power as opposed to party power, since it allows individual voters to choose between candidates as well as parties. If a voter thinks an incumbent member of his preferred party is not doing a good job, he can vote against him without voting against his party. *This allows the voters to replace legislators they are unhappy with and substitute members of the same party.* They can bring new blood into the legislative chamber without having to throw out the government in the process.

Voters in Tasmania took advantage of this feature when they went to the polls in 1986. Fifteen of the thirty-five incumbents were defeated, including the Speaker of the Legislature and two former Cabinet ministers. Despite this, the party standings remained exactly the same as before the election.

When vacancies occur, they can be filled in either of two ways. A byelection --- known to Americans as a special election --- can be held to fill the vacant seat, just as it is now. But the vacancy can also be filled using a procedure known as a "count back," in which the unsuccessful candidates at the previous election are reconsidered. The retiring member's votes are distributed as though he or she had not been elected, and the votes are recounted from that point. This allows his supporters to decide who his replacement will be and avoids the expense of a byelection.

The constituency size is an important consideration for elections held under STV. If the constituencies are too large, the ballot grows too long and the counting process is more involved. If they are too small, it is possible to

gerrymander them. The optimum size is probably five seats, with a minimum of four and a maximum of seven.

Political parties wield much less power under STV than under any other system. None of the candidates can be elected without reaching the quota unless the others have all been eliminated. Consequently the candidate's standing with the voters is more important than his position within his party. *The voters decide who will represent them --- not the party hierarchies or the electoral boundaries.*

One objection that is sometimes raised against the single transferable vote is its alleged complexity, but this is a spurious argument. The fact that the counting takes longer is not a serious disadvantage. The most important feature of an electoral system is how well it accommodates the individual citizen, not whether the results are known an hour after the polls close.

The individual is not well served by the single-member plurality system. This system reflects the philosophy of majority rule, produces "representatives" who are elected against the expressed wishes of many voters, and gives political parties undue power over all citizens. The single transferable vote is the only system that can solve *all* of these problems. Therefore it has my vote as the best system that meets the requirements of a free country.



"It is a besetting vice of democracies to substitute public opinion for law. This is the usual form in which masses of men exhibit their tyranny." -James Fenimore Cooper

THE ISSUE IS CONSENT!

By Robert Metz

(Mr. Metz is president, leader, and a founding member of Freedom Party. The following essay originally appeared in Consent #1, January, 1988.)

One of the greatest philosophical questions facing individual citizens in any free society is: **Where do you draw the line on individual freedom?**

At what point in our many individual relationships should our freedom to act be limited, and how can we morally, ethically, and legally justify placing such limits on individual freedom?

More importantly, before we can even begin to attempt answering such questions, how can we learn to recognize the principle on which individual freedom must be based? How can we know when it is proper to restrict someone's freedom, or understand when we must *not* restrict another's freedom?

The answer to these questions is not as self-evident as many of us would like to believe, but of one thing we may be certain: when an issue involves any individual's freedom of choice, the issue is **consent**.

Consent.

There is possibly no other single concept more appropriate to use as the defining point at what should be (or should not be) legally or morally acceptable behavior in a free society. Consent is the underlying social concept behind a single principle that can be relied upon both to protect individual freedom, and to limit the individual's actions within society: the principle of individual rights.

Most dictionaries define "consent" in two basic ways: (1) to be of one mind, to agree; concord; (2) voluntary allowance or acceptance of something done or proposed; permission, approval.

For all practical purposes, it is the second definition that is most appropriate, since, within its context, the first definition is already included. Using this second definition, it soon becomes apparent that there is more involved to the issue of *consent* than first meets the eye.

For example, *consent does not necessarily imply agreement*. In a free society, we consent to many

things that we may not agree with, or even necessarily like. People who accept circumstances that may be unpleasant or uncomfortable in their personal relationships can be said to be *consenting* to their circumstances by refusing to act or change their circumstances. Yet, others might argue that certain circumstances may be "beyond one's control", and thus *not* comprise an act of consent.

Regrettably, the term "consensual act" almost has a derogatory meaning attached to it; it is so often associated with acts of sex, that many people forget that consent should be the working principle behind *all* human relationships.

Indeed, it is remarkable how important the concept of consent is when it comes to sex, one of the most personal aspects of human relationships. The determination of its presence or absence may well be the deciding factor in finding someone guilty of rape, assault, forced confinement, etc. It is clear, that in such cases, the absence of consent involves the initiation of the use of *force*, an act that should be banned by all civilized societies.

Yet, for some reason never fully explained by those in authority, the issue of consent is virtually ignored (or consciously left undefined) in determining the individual's freedom of action --- whenever it pertains to *politics*.

Sad to say, when it comes to politics, the principle of consent has been abandoned in favour of another principle that is increasingly confused with it: the principle of *consensus*. Unlike consent, which is based entirely on *voluntary* interaction, consensus holds that any "majority" may do whatever it likes to any "minority", and such a philosophy demands that a society be based on *forced* relationships.

Regrettably, consensus (not consent) has become the predominant political philosophy in play today, and its effects on our deteriorating freedoms cannot be understated.

Because tenants happen to outnumber landlords, we have rent controls --- despite the fact that rent controls completely violate the direct consensual relationship between landlords and tenants.

"Government of man by man in any form is oppression." -Pierre Joseph

Because the lobby groups and special interests against freedom of choice in Sunday shopping happen to be better organized than the millions of unorganized individuals who actually shop on Sundays, our politicians continue to pursue Sunday closing laws --- despite the fact that those who shop (and work!) on Sundays are indicating their *consent* by doing so.

Because a "majority" of employees may vote to ratify a union to represent *all* employees in their place of employment, the "minority" can be legally forced to pay dues to an association it has not consented to support --- or even agrees with.

Public *consensus* is *not* a principle or ideology; it is, in fact, an anti-ideology.

Consensus is not a principle on which human relationships can be based, but a rationalization of a

means to arrive at some given conclusion. By dealing with the rights of individuals on the basis of *consensus*, individuals are turned into numbers, with the greater number on any given issue being called the "majority" and given the legal right to impose its decisions on the minority --- without the minority's *consent*.

Politically and socially, consensus results in a compromise between individual freedom and government controls, and thus leads to a society run by pressure groups, lobby groups and special interests.

Under the principle of consensus, legal principles of justice begin to erode to the point where justice no longer depends upon objective evidence or individual rights, but upon the *opinion* of some given majority.

Under the principle of consensus,

MICROCOSM

by Marc Emery

(Mr. Emery is a founding executive member and action director of the Freedom Party of Ontario. The following essay originally appeared in *Consent* #13, May 1990.)

"Save Our Neighbourhood Library" --- talk about a motherhood and apple pie issue! What other things could possibly be more sacrosanct than the neighbourhood library?

That's what the canvasser at my front door on a chilling ten below night was imploring, asking me to sign a petition to save our local library (the W.O. Carson Library) from the budget-cutter's axe. She was the paragon of idealism, with all the fire, dedication, community spirit --- and economic ignorance --- necessary to face the arduous task before her --- to rally the neighbourhood, save the library, and win a victory against an unfeeling bureaucracy.

But the fact is, my neighbourhood library is underused. It experiences the lowest usage within the family of libraries in the city of London. In a city that is rapidly growing and expanding, the library board, with

governments eventually cease representing *rights* and begin to represent *interests*.

That's why, more than ever before, it has become necessary to refocus our attention back on the only social concept consistent with living in a free society: the principle of *consent*.

It is consent that allows individuals the freedom of choice that so many take for granted. It is consent that allows us to choose our marriage partners, our business relationships, our employees, our employers, our customers, etc.

The anatomy of consent is *voluntarism*. When people *consent* --- even to disagree! --- *force* becomes an unnecessary and non-existent element in civilized human relationships.

its finite budget, must allocate its limited money to the greatest number of potential library users.

When the crusader at my front door talked about the value of our library to the neighbourhood children, I explained that each day we kept our library open, we were depriving an even greater number of children and adults from using a library in another community. To me, ten children using a library in Masonville was of greater benefit than five children using the library in my neighbourhood for the same amount of money. It's a shame that our neighbourhood doesn't use the library more frequently, but that's the reality.

But my petitioner would have none of this. "Our neighbourhood *deserves* its own library," she protested.

I wondered what she could possibly have meant by her assertion. With taxes at a zenith now, and with performing arts centres, convention centres, aquatic centres and the like being continually added to the taxpayer's burden, surely it should have occurred to her that there is a limit to what a "community" can "deserve" when, frankly, it is asking someone else to pay for it.

"We are never deceived, we deceive ourselves." Johann Von Goethe

This was the crux of the disagreement at my front door. Canvassers, petitioners, and lobby groups urging more government spending won't even acknowledge that they're advocating more taxes. They won't acknowledge that we are all paying --- and paying a lot --- for all the dreams, utopias, conveniences, luxuries, that other people hatch up and then force us to pay for. I don't pay "taxes." I "invest". I'm not a "taxpayer". I'm an "investor".

Talk about "investment" strategies! Our local library is an "investment" in our community. A full-page ad in the March 2, 1990 London Free Press advocated a \$400 million increase in social welfare spending, calling it an "investment" in the community while the word "taxes", a villainous word to be sure (but the only truthful one), was never used. London's mayor, Tom Gosnell, has referred to our local convention centre as an "investment"; newspaper editorials advocating increased spending in our government monopoly school system call it an "investment in our children's future; our new Olympic-size aquatic centre is an "investment" in the Olympic athletes of tomorrow.

What each of these self-appointed "investment" councillors has in common is this: all of them are

exploiting the democratic process to have everybody else pay for their pet project, because they and their friends haven't got the guts, commitment, or honesty to raise the money themselves. So they embark on crusades, not to raise the money privately, but to convince the rest of us that their dream is our responsibility, that although they are the prime beneficiaries of the increased taxes, we'll benefit too --- if not in any real, physical way, in some vague, hazy, intangible way. That's when we start seeing cliches like "quality of life", "civic pride", "community pride" and "working together" used as justifications to rob us of our hard earned tax-dollars.

I'm sure I was the only person in my whole neighbourhood who didn't sign the petition to save my local library. As a past aldermanic candidate in my municipal ward, and with intentions of being a future municipal candidate in my community, I knew that I was risking the loss of many votes by appearing to take a stand that was "against the neighbourhood". But I simply couldn't ethically sign a petition burdening other people with costs I didn't believe were their responsibility.

Instead, I offered a \$25 donation to help keep the library going, suggesting that if 500 homes around the neighbourhood would do the

same, we could probably keep the library going for quite a while. To which the canvasser replied: "Why should we have to pay for it?"

I even offered to volunteer three or four hours a week to the library as a token of my genuine community support, but this offer fell on deaf ears. It seems to me that's what genuine "support" is, giving of yourself for something that is of value. I simply cannot call it "support" when compulsion is being used against others in the interest of someone else's values.

I'm positive that even my \$25 donation would have been welcomed had it been earmarked for a political campaign to increase taxpayer subsidies to "our" library. But to spend my donation directly on the library itself was, inexplicably, out of the question.

I am cynical enough about the political process to believe that my neighbours do support the W.O. Carson Library --- as long as other people have the money crowbarred out of them. When some blood, sweat, toil and tears are required --- effort and cash of their own --- their "support" is revealed to be as thin as the veneer of their "investment" strategies.

And these days, that's the democratic process in microcosm.

ONLY RIGHTS REVEAL THE WRONGS OF DEMOCRACY

-by Greg Jones

(Mr. Jones is Freedom Party's Ontario Action Coordinator. The following essay originally appeared in Consent #8, May 1989.)

In a newspaper editorial titled "Our democratic duties should take precedence over rights", the writer, B.E. Smith, implied in his definition of democracy that in the event of disagreement between an individual and the rest of society concerning that individual's rights, that the dissenter be required "gracefully to accept majority decisions which were not entirely to his liking."

There is another, better description for the political process of forcing an individual to comply with terms with which he does not agree --- majority rule. In other words, whoever has the most people behind him, wins.

Like so many voters today, Smith claims that "duties" take precedence over rights. He says that the right to vote is our only right, and the only right of dissent is limited to the ballot box. By logical extension, this means that some of us have the right to enforce our wishes on others, and any freedoms that individuals now enjoy can

**"A man will fight harder for his interests than his rights." -
Napoleon Bonaparte**

be taken away by the whim of the rest of "society" during an election.

Having accepted this premise, it is not surprising that Smith would argue that we must obey all laws (whether or not they violate our rights doesn't seem to matter), and that we must be prepared to die for what the country stands for (regardless of how evil the government of the day may be.) Since our only right, according to this line of reasoning, is the right to vote, this means literally that our lives may be disposed of by the rest of society at a moment's whim.

The concept which Smith and many others who accept his line of reasoning do not recognize is that of individual rights, specifically, the rights to life, liberty and to own property. Contrary to any other prevailing belief, rights are the only standard of justice, for a right to something pertains to a freedom of action.

Individuals in a free society are therefore free to exercise their rights to the extent that they do not interfere with the identical rights of others, and if it should happen that a person's rights are being infringed

upon, then that person must also have the right to appeal to clear, objective laws to correct that wrong.

Any society that proposes to tell individuals what they may and may not do with their lives, their freedom and all they own is not a civilized society, but an unruly mob. The spectacle of an editorial writer proposing this very thing on the pages of a supposedly "free press" is a testament to how many are so willing to participate in the destruction of their own rights --- simply because they do not recognize the fundamental concepts on which their rights are based.

The World's Second Democracy

by William Peterson

AMERICA'S SECOND DEMOCRACY

-by William H. Peterson

(Dr. Peterson, Heritage Foundation adjunct scholar, holds the Lundy Chair of Business Philosophy at Campbell University, Buies Creek, North Carolina.)

Dr. George Roche, president of Hillsdale college, tells the story of two buddies exchanging pleasantries during the Christmas Season and each asking the other: How's business? "Great," says one, who works at a department store, "the store is crowded from morning to night." "Awful," says the other, who works at the post office, "the place is crowded from morning to night."

The story bears on public policy. And on America's second democracy, with its enormous second empowerment of the people, with its sovereignty in the individual American. To my way of thinking, this second democracy is one of the country's best-kept secrets, even after the collapse of communism in Eastern Europe. For it is this second democracy --- when you think it through --- which explains why Eurocommunism broke down, why nothing in political science or application comes close to its degree of democracy, consent, efficiency, and self-government.

Too, this second democracy comes without taxation and even without a second bureaucracy spinning out red tape or telling the individual what to do. Moreover,

in the light that government necessarily involves compulsion (try not paying your taxes and you'll see what I mean), this second democracy is, to the 'nth' degree, *voluntary* --- and moral.

Now, just what is this Shrangri-La right under our noses? Why, it's none other than our common ordinary marketplace.

Let's examine it. For in this second democracy, every day is Election Day, every producer-candidate runs scared and is held strictly accountable, every market "shortage" or "surplus" soon gets wiped out, and every consumer becomes King or Queen Customer ruling with an iron hand.

Here, too, is freedom to choose in action. Here is true democracy in which power resides in all the people and is directly exercised by them. Here is freedom reflected in its strict counterpart, free enterprise, and in its broader voluntary area, the private sector. Here is consent galore, continual agreement among parties, widespread social cooperation, our far-flung global market system at work from sea to shining sea, from one continent to another, strangers cooperating with strangers, helping each other, caring for each other, oftentimes unknowingly.

Here, for example, is the farmer feeding the city dweller, the doctor prescribing to the sick, the

"The herd instinct makes the average man afraid to stand alone; he is always afraid to stand alone for an idea, no matter how good, simply as a matter of prejudice. Our herd, like every herd, when stampeded is liable to trample under its feet anybody who does not run with it." -Victor Berger

clergyman ministering to his parish, the banker extending credit to finance a crop or build a home, the city dweller working in a factory, store, office, bakery or mill, everyone working not only for one's self but in effect working for --- again, when you think it through --

- everyone else, for mutual advancement and wellbeing all around. Again, all this is on a voluntary, amiable, peaceful basis, if with imperfections, with limited government still needed to provide law and order and suppress predators who disturb the peace.

For here in this second democracy are manifold peaceful relations in society, extensive social harmony, vast ongoing two-way exchanges of goods and services, constructive division of labor at home and abroad, friendly person-to-person and people-to-people contacts aground the globe, as captured in IBM's slogan, "World Peace Through World Trade."

Drink tea, for instance, and you give a friendly pat on the back to the people of India or Sri Lanka. Eat a banana and you stroke the people of Ecuador or Costa Rica. Bite on a bar of chocolate and you help add dignity to the people of Ghana or the Ivory Coast. Fly *Lufthansa*, *Alitalia* or *Japan Air* and you advance our relations with our former adversaries, the once-Axis Powers of Germany, Italy and Japan. Motor down the highway and you just may be something of a goodwill ambassador to Saudi Arabia, Venezuela or Indonesia.

Even local frictions and antagonisms tend to be smoothed over and calmed down through marketplace voting. Catholics and Protestants trade with each other ---i.e., vote for each other! -

-- in Belfast, as do Malays and Chinese in Kuala Lumpur, Hindus and Moslems in Bombay, Arabs and Jews in Jerusalem, blacks and

whites in Johannesburg. For to a very great extent, the marketplace is color-blind and bias-free in a one-to-one to a global meeting of minds.

To be sure, you may argue that the marketplace *modus operandi* is a lot more love of money than love of neighbor. And that the Roman rule of caveat emptor has not been repealed. True enough. But the upshot of marketplace democracy is still service to the trading partner, enhancement of social amity, realization that the other fellow, whoever and wherever he is, is vital to your health, happiness, and prosperity, and emergence of a binding-together and economic uplifting of different regions, countries, and continents --- of Planet Earth itself.

Election Day every day? And how! Consider. In the marketplace you vote not but once every few years but many times a day, sometimes casting votes by the dozen as you buy in a supermarket, shopping mall or department store. Too, not even the weather, which can sometimes upset the political strategists, poses much of a problem. For voting in the marketplace can be as convenient as your telephone, with your fingers doing the walking, as you order pizza, buy sheets and pillow cases, call a plumber or electrician, or purchase travel or theater tickets.

Consider the degree of marketplace democracy further. Note that most political paraphrenalia and impediments disappear. Voter registration is unnecessary. Residency requirements don't apply. Party affiliation is unessential. Absentee ballots are needless, for in the marketplace the Bavarian can vote locally in Schleswig-Holstein, the British Columbian in Ontario, the New Englander in Florida. But for that matter, in our global marketplace the Bavarian can vote in France, the British Columbian can

vote in California, the New Englander can vote in Morocco. And making voting even easier and doing away with local currencies, the ubiquitous credit card --- plastic money --- is a practically universal ballot, good anywhere, no questions asked.

Too, look at the marketplace voting hours. In political polling places, voting hours are restricted, typically 7 a.m. to 7 p.m. or 8 a.m. to 8 p.m. --- and, as noted, only every few years. In the democratic marketplace, on the other hand, most producer-candidates are open for business daily from morning to night, with many open on weekends and some on a 24-hour, seven-days-a-week basis, including quite a few convenience stores, gasoline stations, telephone companies, newspapers, airlines, and radio and TV stations.

Nor is there any marketplace need for pressuring a la politics, for placards, petitions, gerrymandering, logrolling, bribery, lobbying, campaign buttons, poll-watching, political action committees (PACs), engaging in street demonstrations, supporting your party, writing to your representative, giving testimony before legislative committees, demanding special privileges or exemptions, or participating in political movements or agitation of any kind.

So forget advocacy. No need to tell the world you're anti-this or pro-that. Or to lobby in the halls of government. If you like it, buy it; if you don't, don't. For in the marketplace, you are very much, as the title of the Milton and Rose Friedman bestseller and public broadcasting series puts it, *Free to Choose*. You are, in other words, the boss.

Nor is there a problem of lagging voter turnout in the marketplace. Here, by definition, turnout is always,

"The only form of democracy compatible --- both in theory and in practice --- with individual rights and freedoms is the democracy of the free market." -Robert Metz

in a very real sense, 100 percent as consumers ever weigh their available resources and seek to optimize their return. Not so in political democracy. In the 1983 Swiss national election, for example, only 48.9 percent of eligible voters cast ballots. The 1988 Presidential election in the United States was only marginally better at 50.2 percent, according to the *U.S. Statistical Abstract*.

Think of that: Only one out of every two American voters bothered to vote, despite all the hoop-la about voting as a sacred duty. The U.S. Congressional election of 1986 was even worse. Then the voter turnout was down to 33.4 percent or but one eligible voter out of every three actually cast a ballot.

Why the disinterest, this growing loss of voter incentive in political democracy? Well, political issues are often complex, involved, confusing. Moreover, quite a few political candidates dissemble, denigrate their opponents, muddy the issues. So for the voters, opportunity costs rise in getting to the polling booth or registering an opinion. Relevant information becomes costly, hard to come by. Campaign platforms appear one-sided and labyrinthine, if not so much pie-in-the-sky. Hence many voters are dismayed or nonplused and wind up simply ignoring an election.

Some public choice economists call this lack of political voter incentive "the rational ignorance effect". Many a citizen realizes that his vote is unlikely to determine the outcome of an election or an issue. So since his vote is not likely to be decisive, the individual citizen has little incentive to seek out the facts and analyze problems such as, for example, the politics and economics of Social Security.

Thus on any given issue, can the

typical citizen marshal the relevant data, incur the cost of travel to Washington, and testify against organized interests who already maintain expensive Washington suites and high-priced "experts" who mount sophisticated arguments before Congressional committees or federal regulators? Hardly.

Citizen disincentives to vote also arise in the realization that you "can't fight City Hall," that citizen choices get overwhelmed by big political action committee (PAC) grants. So the individual more and more realizes that his choice can easily become no choice at all. The individual citizen wonders if his vote counts when he sees Democrat and Republican incumbents in the U.S. House of Representatives win reelection in 1986 by an incredible 98 percent and win bigger in 1988 by just under 99 percent.

In contrast, America's second democracy, the individual consumer's choice, works. All he has to do is relate price and quality to cast a market ballot. His ballot works because, again, he has every producer-candidate in the marketplace running scared. Not just in election years. But daily, hourly. Here the consumer's vote cannot be taken for granted. Repeat business is crucial. Business reputation is ever at stake.

Competition is tough. Courtesy, service, innovation, value, cost control, quality maintenance and upgrading hence have to prevail. Or else. Entrepreneurs who drag their feet get sacked. Sacked by the sovereign consumer. Entrepreneurs who put out more quality or lower prices are rewarded with profits. Rewarded by the sovereign consumer.

Under economic democracy, then, entrepreneurship, personified in the producer-candidate, is ever at play seeking the consumer's approval, consent, vote --- the critical consumer dollar.

Entrepreneurship, in terms of new strategies, new technologies, etc., is continually at work. Sure the entrepreneurial motive is to maximize profits, but this means having to win, retain, and expand business patronage, to fend off competition. This means further: *Give the customer more for less*. Moreover, the producer-candidate must deliver on his campaign promises, despite advertising puffery. Again, or else.

So every market voter with a dollar or a franc or a yen casts a ballot. And every ballot in the marketplace, unlike those cast on the losing side in political democracy, counts. It rings the cash register. It determines entrepreneurial livelihood, profit or loss, really economic life or death, for the entrepreneurs, the "candidates". The voting consumer is in charge, fully, deciding which entrepreneur enters the market, who stays, who leaves. Sovereignty in the individual? Total. Again, nothing like it in political science or application.

Business mortality tables tell the story of the extent of individual empowerment in the second democracy. The business cemetery is filled with the tombstones of dead entrepreneurs or their products which could not pass muster: so R.I.P. the iceman, the mom and pop store, the hula-hoop maker, the buggy-whip manufacturer, Ford's Edsel, Dupont's Corfam leather substitute, the Hollywood extravaganza that bombed at the box office, the unresponsive farmer, the dentist who...oops!...dropped his drill into your lap, the sleepy or careless entrepreneur anywhere --- in fact, tombstones of all the producers oblivious to the sovereign consumer or resistant to change. All these lost the consumer's vote, the daily election in the marketplace. Thus my standard classroom question: Who killed the iceman, economically speaking? Answer:

"The basis of a democratic state is liberty." -Aristotle

the housewife in the 1920s and 1930s when she switched her vote, when she bought a fridge.

In this light, consider the auto industry jousting for survival in America's second democracy: Once the United States had literally hundreds of domestic auto producers, consumer-killed brand names like the Essex, Hudson, Huppmobile, Cord, Studebaker, Chandler, Nash, Packard, Henry J, Stutz Bearcat, Pierce Arrow, and Stanley Steamer. Now the U.S. is down to but three domestic producers --- General Motors, Ford, and Chrysler. Yet flooding the American market and vying for the consumer's vital vote are literally dozens of competing foreign manufacturers from Japan, South Korea, Britain, Italy, France, Germany, and Sweden, among others, with some of them setting up "transplants" in America and Canada.

So you see just how sovereign, powerful, deadly, and dictatorial is this consumer-voter, this King or Queen Customer daily asserting market sovereignty and demanding more for less. And by and large getting it. For this sovereignty, along with the competitive price and profit-and-loss system, thereby imposes, inexorably, the productivity and customer attunement that make free commerce and industry so vibrant, responsive, and competitive. For the benefit of the nation and world. And for the consumer in charge of this second democracy.

Thus this second democracy works. Democracy truly of, for, and by the people themselves, or, to say the same thing, of, for, and by the consumers. (Consumers, it needs to be pointed out, double as producers. In other words, consumers and producers are the same people, if in different modes, just as the citizen and consumer are one and the same person, if at times wearing different hats. Many politicians, understandably with their not uncommon "divide-and conquer"

tactic, don't like to play up this fact.)

For are not choice, performance, accountability, productivity, creativity, and plain old honesty more plainly manifest in the marketplace, in America's second democracy? Far more so than in political democracy? And is not minority representation better reflected in the democratic marketplace? And without winner-take-all as in political election for mayoralities, governorships, prime ministeries, presidencies and, indeed, virtually all other political offices?

For note how little minority exclusion exists in the market. The market offers myriad choices to fit many tastes, to fill many "niches," to use the jargon of entrepreneurship. It allows for concurrent minority rule in which narrow voter preferences still have a big say for the less popular producer --- for, to illustrate, the producer of classical as opposed to rock music, for the publisher of a deep philosophical work as opposed to the publisher of a spy-and-sex bestseller.

Thus the individual marketplace voter, in other words, can get to choose specifically and in detail, as in options on a new car or furnishings for a home, the goods and services he personally desires, that reflect his personality, his individuality. So the voter's predictability and attainability of his market preferences are generally far higher than those of his political preferences.

For in the marketplace direct participatory power lies in the people, in the individual consumer-producer, this dual person who daily casts consumer ballots on his own behalf, while his ingrained producer incentives stand ready, willing and able to seek ballots and so serve his fellow man. Under the market rule of serve-in-order-to-be-served. Maybe, as noted, this is not a heavenly rule, but it is a rule that works, that beats scarcity, that enhances social

cooperation and peaceful relations at home and abroad.

Of course, critics of this economic democracy may protest that while the consumer may be sovereign, this process of one-dollar-one-vote confers more votes on the rich than on the nonrich, really on the successful in the marketplace rather than on the less successful. True, I concede. But I remind these critics that, first, the rich are few in number. The nonrich have by far the bulk of buying power. Moreover, riches generally --- and necessarily --- reflect the greater contribution of the successful, the talented, to the joint productive effort. America's second democracy thus becomes a meritocracy or what Jefferson called "a natural aristocracy."

In addition, income inequality under economic democracy is almost wholly the result of the previous pattern of consumer voting. The consumer determines, really dictates, the distribution of income to all members of society. He votes to make some members --- including sports, rock and movie stars --- rich just as he in effect votes to make others of his fellow brethren poor or, to put that word "poor" perhaps more accurately in the light that rich and poor are relative terms, less rich.

But the sovereign consumer soon votes again, starting a new cycle of income distribution, making some rich people poor and some poor people rich. The entrepreneurs and all other market producers, then, are ever at his bidding. His scorecard of producer winners and losers is always changing, his showering more votes on the shifting rich is his way of rewarding superior service to himself. (Some historians see this democratic phenomenon of wealth on the move as "from shirtsleeves to shirtsleeves in three generations". Gertude Stein saw it this way: "Money is money. Only the pockets change.")

"Envy is the basis for democracy." -George Bernard Shaw

Besides, in this second democracy the rich, the successful, the talented, are part of Adam Smith's Invisible Hand idea of self-interest serving the public interest, of harnessing private incentives to advance the common good. For the rich can preserve their riches only by continuing to serve the consumer, staying keenly attuned to changes in technology and demography, to consumer needs and tastes, ever recognizing the supremacy of King or Queen Customer.

Accordingly, in America's second democracy, the successful, the talented, by saving more and committing their resources to entrepreneurial ventures, or by keep their money invested in stocks, bonds, or real estate, add to social capital, the community's tools of production.

In other words, the successful, in pursuit of further gain, put up their capital for use by society and, however unintentionally, thereby advance a nation's competitiveness, boost its national productivity, and provide for cultural development. And, it follows, the successful thereby serve to boost the personal income of all, including

the poor. Or, in the words of President John F. Kennedy defending his big all-brackets tax cut proposal in 1963: "A rising tide lifts all boats."

But consumer sovereignty also means that the rich's riches --- i.e., their market capita, their business investment --- is ever at risk, subject to loss, i.e., subject to business failure. To the chancy changes of technology, politics, social tests and life-styles. To earthquakes, hurricanes, droughts, and other so-called acts of God. And, above all, to the market domination if not the capricious vote of the consumer. This is why Austrian economist Ludwig von Mises saw wealth in the form of capital not as a privilege but "a social liability".

And this is why, in the light of this perspective on consumer sovereignty, the title of this essay, "America's Second Democracy", is perhaps a misnomer. Government is unquestionably a necessity, but not quite as Thomas Paine put it in his *Common Sense* (1776), "a necessary evil." Evil intrudes as limited government becomes unlimited, as the state becomes Bastiat's reality in which everyone

seeks to live at the expense of everyone else, as majoritarianism converts an election into what Mencken described as an advance auction of stolen goods.

Thus can political corruption envelop the voters, as Thoreau noted in his *Civil Disobedience* (1849): "All voting is a sort of gaming, like checkers or backgammon, with a slight moral tinge to it, a playing with right or wrong, with moral questions, and betting naturally accompanies it. The character of voters is not staked... Even voting for the right is doing nothing for it. It is only expressing to men feebly your desire that it should prevail... There is but little virtue in the actions of masses of men."

So what I am coming around to is that an apter title for this essay may be "America's First Democracy." In other words, it is political democracy in the form of limited government which turns out to be the secondary if still critical institution supporting the morality, individual freedom, social cooperation, and consumer sovereignty implicit in our first democracy --- the marketplace.

FOR THE RECORD - BY MURRAY HOPPER

(Mr. Hopper is a founding member of Freedom Party now in charge of special projects. The following essay originally appeared in Consent #11, January 1990.)

Over the course of my advocacy of "free minds and free markets", I have noticed that many people are quite uncomfortable with talk about the "absoluteness of individual rights." This is unfortunate, given that the concept of individual rights needs and merits the widest possible discussion, since a clear grasp of this principle is essential to understanding what it means to live as a rational being in a free society.

For the record, our rights are threefold: *life* (the primary right); *liberty* (complete freedom of peaceable thought and action); and *property* (the enabling right).

Note how these rights form a continuum: liberty results in property, which not only supports life but gives people the means to implement their values and fulfill their dreams. Note also that there is no right to initiate violence.

Let those who are uncomfortable with the concept of absolute rights consider the alternative to absolute rights: *conditional* rights. Surely such a concept has no place in a free society. If our rights can be legislated away from us, they are little better than no rights at all.

Perhaps it would be more comfortable to use the term "inalienable" as it was used by Thomas Jefferson, the author of the American Declaration of Independence, to refer to "that which may not rightfully be taken away."

In any event, we ought to be seeking to enlarge our rights, not diminish them. Think of how wonderful it would be if every Canadian could make the following statement and know it to be true: "I am the owner of my life, my mind, my effort, and the products thereof."

Think about it. And talk about it.

"Vain hope, to make people happy by politics." -Thomas Carlyle

LIGHT HUMOUR

How many LIBERALs does it take to screw in a lightbulb?

It depends on how many of their friends are electrical engineers.

How many CONSERVATIVEs does it take to screw in a lightbulb?

Any number. They're all really good at screwing up.

How many NEW DEMOCRATs does it take to screw in a lightbulb?

None. They use candles because it creates more work.

How many LIBERTARIANs does it take to screw in a lightbulb?

None. They think the market will take care of it. (You can never find a Libertarian around when you need one.)

How many FAMILY COALITION PARTY supporters does it take to screw in a lightbulb?

None. They don't believe in letting anybody screw around.

How many GREENs does it take to screw in a lightbulb?

What does it matter? They'd rather be "left" in the dark!

How may COMMUNISTS does it take to screw in a lightbulb?

None. They don't screw lightbulbs in. They *force* them in.

How many FREEDOM PARTY supporters does it take to screw in a light bulb?

Everybody knows, it's a matter of choice!

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Ontario Statement of Principle: **Freedom Party** is founded on the principle that: Every individual, in the peaceful pursuit of personal fulfillment, has an absolute right to his or her own life, liberty, and property. **Platform:**

Freedom Party believes that the *purpose of government* is to protect individual freedom of choice, *not* to restrict it. (First printing: November 1990)

"Sir, there have existed, in every age and every country, two distinct orders of men --- the lovers of freedom and the devoted advocates of power." -R. Hayne, speech in Congress (1831)