

Ontario Libertarian Party
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Doug Burn, Editor

The 20-Year Saga Of A Seatbelt Fine

By Jean-Serge Brisson – Leader, Libertarian Party of Canada

In October 1988 I was charged with not wearing a seatbelt. I went to court in January of 1989, was found guilty and fined \$65. I indicated to the judge that to pay the fine was an admission of guilt and that I would not pay the fine. I figured that they would send me to jail for a few days, but the judge answered that if the fine was not paid after 30 days, my license would be suspended.

I stopped driving for about three months. I figured that after a certain amount of time, they couldn't keep you suspended. I mean, it didn't make sense!! I was wrong.

The suspension has been ongoing and maintained because I did not pay the fines. I got stopped 13 times from 1990 to 2000. The last time I got stopped was in 2005 when a scheduled driver did not show up to drive me into Ottawa. So I drove myself in and on the way back, a police officer in his car saw me, recognized me and pulled me over. From that point, it caused the chain reaction that brought me to court now.

On January 18th Dave Lindsay completed his presentation of my Constitutional Question. I raised the question that it was illegal to have this indefinite condition because it is a second penalty following the fine itself. I was putting forward that if someone is given a suspension for a driving infraction, and also given a fine, once the suspension is served, if the person is incapable of paying the fine, there is a further suspension which amounts to undue penalty. What we put forward was that there needs to be a mechanism where if someone cannot pay, the process should not remain in limbo but become proactive.

If someone in a criminal case is fined and does not or cannot pay it, that person will end up in jail and so much money will be deducted from the amount owed by so many days spent in jail. When it comes to fines for simple driving offences, there is no such arrangement to eliminate the fines. It is basically a matter of blackmail to force people to pay money.

Suffice it to say that Dave responded to the Crown's argument yesterday and he did a magnificent job. He nailed the crown so hard on their main argument on why my case should not be heard that in the middle of Dave's response, the crown stood up and indicated that he was "abandoning his position" on "Res Judicata".

When Dave was done, the judge asked the crown if he had a rebuttal to Dave and he simply said no. Then the judge gave herself away.

Libertarian Events

April 8, 6:30 PM - **Simcoe County Pub Night**, Puck "N" Pizza Restaurant And Sports Bar, 4171 Innisfil Beach Rd., Thornton, 705-458-2932. For more information call Paolo Fabrizio at 647-300-8555. (2nd Tuesday of each month)

April 9, 7:00 PM - **Toronto Pub Night**, Fionn MacCools, (at the back of the restaurant) 21 St. Clair Ave. W., 416-925-7827. For more information phone Jim McIntosh at 416-283-7589. (2nd Wednesday of each month)

May 3, 3:00 PM - **Ottawa Pub Afternoon** - South Side Bar and Grill, 1670 Heron Road, (Heron Gate Mall) Phone 613-526-2192. For more information contact Andrew Philips (613-733-8948). (1st Saturday of every 2nd month)

May 17-18, **Libertarian Party of Canada Convention**. Holiday Inn Express Downtown, 10010 104 St. NW, Edmonton, AB. See www.libertarian.ca for details.

May 25, 12:00 Noon, **Annual Spring BBQ**, 16812 Humber Station Rd., Caledon. \$15—Call the Party for details.

June 21 12:00 noon, **First Annual Ottawa area BBQ**, At Rob Alexander's home, 4413 Tranquility Lane, RR#3, Woodlawn. \$15—Call the Party for details.

November 8 - 9:00 AM - 4:00 PM, **Ontario Libertarian Party Convention**, Wyndham Gardens (formerly Ramada Don Valley) in Toronto (Hwy 401 & 404). \$40—Call the Party for details.

She indicated that she had been ready to give her submission on my case in the morning but now she was going to have to review Dave's Factum before rendering judgment on it. We believe this meant that she had already made her decision on my case without hearing Dave's final argument. She had taken the position of the crown on "Res Judicata" and was going to find against me. When the crown "abandoned" his position on "Res" she had nothing to go on in order to rule against me.

When the session was over, I shook hands with Dave and then with the crown. Without a moment's hesitation, the first words out of the crown's mouth were "You know that there will be an automatic appeal on this!". He was admitting without realizing it that he thought he had lost.

So, I am waiting for April 4th and I will let this space know how it turns out.

Leader's Report — by Sam Apelbaum**What is A Libertarian?**

Libertarians believe you are the owner of your life and should be free to do with it and your property as you see fit provided you respect the same rights for the lives and property of others. They also believe the state, or government, has no legitimate right to aggress against those who have not harmed anybody else, even when the state apparatus is controlled by democratically elected rulers. Libertarians want to end all impositions of the state violating these principles of self-ownership and non-aggression.

Fundamentally, the state is an institution which has a monopoly on the exercise of legal force or violence within a specific territory. As such, libertarians believe it must be limited to self-defence functions on behalf of individuals and restrained against its inherent tendency to extend the exercise of its power beyond that. They view the state as an inherently dangerous and mostly unnecessary institution.

The Issues

Political parties are expected to have platforms about important issues at election time. Typically they will embrace any popular fashion in their unprincipled eagerness for political power. Their platforms shift and must be entirely rewritten from election to election. The Libertarian Party differs from the others in its continuous adherence to a defined statement of principles supporting individual liberty for both moral and practical reasons. Its supporters steadfastly assert the state has no role to play in the resolution of almost any issue without its intervention making matters worse. Generally speaking, the most important issues would not have become problems in the first place if it were not for the involvement of the incompetent, bullying state.

Health Care

Notwithstanding high taxes, enormous expenditures, and many promises, the standard of health care services provided by successive Ontario governments has continued to deteriorate. Medicare cannot be continued without changes from the current form of unrestrained demand for "free" services coupled with central bureaucratic planning and government mandated supply restrictions. Growing private sector involvement will help, but competitively priced, widely accessible, high quality health care will only be available for everyone to the extent state involvement is eliminated. Since this cannot be accomplished overnight without some short-term hardship, transition measures will be needed. However, ultimately everyone will be personally responsible for their own health care in a libertarian free market system.

Education

A libertarian government will create the necessary conditions for excellence in education in Ontario by ending all state participation in the provision of educational services.

Since parents are responsible for raising their own children, a libertarian government will return to them the right to individually choose how to educate them.

The existing education model is a regimented bureaucratic one. By contrast, free market education will allow choice. There will be an end to the never ending political arguments about such matters as academic goals and standards, teacher credentialing, school accreditation, financing, curriculum, religious school support, or whatever else happens to be in dispute. Exciting innovations and advances will be the norm instead of the exception.

Environment

The failure of successive Ontario governments to respect private property rights has hindered what should have been a progressive and natural development of common law legal principles applicable to environmental matters. In the past the state overrode individual property rights to permit harmful air and water pollution by industrial and state concerns. Now the pendulum has swung and, for political gain, the Ontario government arbitrarily enacts laws violating property rights in favour of remote unsubstantiated claims of environmental harm.

The Libertarian Party unequivocally supports individual property rights and free market wealth creation, the prerequisites for environmental protection. Where there are no private property rights, there is no economic incentive for preservation or the careful and efficient use of resources. Poor people are less likely than the wealthy to leave nature in its pristine state, as they must use whatever is on hand for their survival.

What About The Poor?

Many people conclude libertarians have no sympathy for the underprivileged because they oppose government run health care, education, welfare and other state services. The hidden assumption is that the present system does help the poor. In fact it is the current system that helps create the poor through such coercions as taxation, legal hurdles to getting ahead such as licensing laws, and many other burdens and barriers raised by the state which reduce opportunities for them. Add to that the general culture of irresponsibility and hopeless dependency encouraged by the welfare state.

It is normal for people, when able, to want to help others who are in difficult circumstances. That natural trait will flourish when libertarian ideas concerning the proper role of government prevail and result in the election of libertarian governments. Respect for liberty encourages benevolence and wealth creation. Under such conditions there will certainly be more spontaneous voluntary help for a much smaller number of needy people than we have today.

The above was taken from Sam Apelbaum's pamphlet for the October 10, 2007 General Election. Some of it is taken from or based on earlier election pamphlets used by Libertarian candidates.

Ron Paul and his rEVOLution — By George Dance, Chairman

When Texas Congressman Ron Paul declared for President a year ago, he hoped to raise a million dollars and campaign in four states. The results have exceeded his and everyone's expectations.

Many Americans, and most Canadians, still lack an introduction to Paul. Though he began his campaign last March, "as of early October, 72% of GOP voters told Gallup pollsters they didn't know enough about Paul to form an opinion."⁽¹⁾ Yet by the first week of February, more than half a million Americans had voted for Paul and his message.⁽²⁾

That "message is basic: freedom and limited government. Repeal the welfare-warfare state. Get out of Iraq, now. Abolish the income tax. End the war on drugs. Put the dollar back on a more solid footing."⁽³⁾ Paul himself puts it even more succinctly: "Our campaign is all about freedom, prosperity, and peace."⁽⁴⁾

A libertarian message, pure and uncompromised. Paul has served 10 terms in Congress as a Republican, often being re-elected with huge margins. (Texas Monthly once called him "the perfect Congressman."⁽⁵⁾) But he is also a long-time libertarian, who ran as the Libertarian Party candidate for President in 1988.

The mainstream media virtually ignores him. For example, the National Project for Excellence in Journalism reports that "the week before Super Tuesday, the coverage that ended Feb. 3, Ron Paul was a significant or primary figure in zero (that's ZERO) percent of the stories that we analyzed."⁽⁶⁾

Where Paul has broken through is on the Internet, where he enjoys "rock star status"⁽⁷⁾ with a large, enthusiastic army of fans. Called Paulunteers, Paulistas, or Paulestinians, Ronulans, Paulbots, or Paultards, Ron Paul's supporters are ubiquitous online. "Ron Paul frenzy seems to have sprung from the Internet itself. Paul's libertarian message — he is against big government, the war, and pretty much anything that costs taxpayers money — has attracted a group of anti-establishment, tech-savvy supporters who have taken everyone by surprise."⁽⁸⁾

Paul's online supporters have created a remarkable spontaneous order: a truly grassroots campaign — which dubs itself the Ron Paul rEVOLution (with the E and L printed backwards to spell "LOVE") — that dwarfs the official one. Over 15,000 of them have become precinct leaders; tens of thousands more have helped in countless ways, from canvassing to writing letters to displaying signs to sponsoring a Ron Paul blimp. In some states, the REVOLUTIONARIES have run the entire campaign themselves.

Their efforts have gained Paul at least 45 delegates in caucuses. Though by Feb. 29 he had yet to top 8% in a primary, he had won up to 25% of the vote in caucus states, beating Mitt Romney in Louisiana and John McCain in Alaska, Montana, and Nevada.

The REVOLUTIONARIES have also raised millions for Paul's campaign. They collected a record \$4 million online in a one day 'money bomb' on Nov. 5 — then smashed that record with a December 10 'bomb' that netted \$6 million, the largest one-day fundraising haul in American political history.

Their support has allowed Paul to stay in the race as other, better-funded candidates have dropped out. He has vowed to continue the fight right to the convention in September.

Quite a few Canadians, like the National Post, are pulling for him. Says the Post: "Looking on the Republican race as Canadian outsiders, we're rooting him on — if not to win (which he won't), then to at least grab his party's bloated, big-spending Bush-ite establishment by the lapels and slap it around a little.... Ron Paul won't be the next president, but the next president will have to take notice of what he has achieved by means of nothing more than patience, plain speaking and stubborn integrity."⁽⁹⁾

Ron Paul REVOLUTION

For more information:

- (1) Joel Stein, "The Ron Paul Revolution," TIME, Nov. 1, 2007. <http://www.time.com/time/politics/article/0,8599,1678661,00.html>
- (2) George Dance, "By the Time of Super Tuesday...", NOLAN CHART, Feb. 11, 2008. <http://www.nolanchart.com/article2642.html>
- (3) Gail Russell Chaddock, "Ron Paul: An Absolute Faith in Free Markets and Less Government," CHRISTIAN SCIENCE MONITOR, Jan. 2, 2008. <http://www.csmonitor.com/2008/0102/p01s08-uspo.html>
- (4) "Ron Paul TV Special for Iowa," YOU TUBE, Dec. 16, 2007. <http://www.youtube.com/watch?v=uQNWHiGj-k>
- (5) S.C. Gwynne, "Dr. No," TEXAS MONTHLY, Oct., 2001 <http://www.texasmonthly.com/2001-10-01/feature7-1.php>
- (6) Daniel McCarthy, "Underreporting Ron Paul," THE DAILY DOSE, Feb. 13, 2008 <http://people.ronpaul2008.com/campaign-updates/2008/02/13/underreporting-ron-paul/>
- (7) Jose Antonio Vargas, "Ron Paul breaks his own fundraising record," The Trail, WASHINGTON POST, Dec. 16, 2007. http://blog.washingtonpost.com/the-trail/2007/12/16/ron_paul_beats_own_fundraising.html
- (8) Brendan Spiegel, "Ron Paul: How a Fringe Politician Took Over the Web," WIRED, June 27, 2007 http://www.wired.com/politics/onlinerights/news/2007/06/ron_paul
- (9) "Rooting for Ron Paul," NATIONAL POST, Dec. 22, 2007. http://www.nationalpost.com/most_popular/story.html?id=191721

Ontario Libertarian Party Financial Statement

JANUARY 1—DECEMBER 31	2006	2007	Difference		
INCOME					
Donations - Cash/Cheques	11,191.00	7,842.00	(3,349.00)		
Goods & Service	3,961.24	4,820.61	859.37		
By-Election Donations	636.00	-	(636.00)		
By-Election Transfer Received	79.05	-	(79.05)		
General Collections	60.00	-	(60.00)		
Interest Income	1.63 (1)	280.83	279.20		
Membership Fees	-	25.00	25.00		
TOTAL INCOME	15,928.92	12,968.44	(2,960.48)	BUDGET	
EXPENSES				2007	2008
By-Election Nomination Deposit	-	400.00	(400.00)	600	600
By-Election Transfers Paid	400.00	-	400.00		
Accounting & Audit	2,656.00	2,656.00	-		
Advertising	50.00	150.00	(100.00)		
Bank & Credit Card Charges	154.27 (2)	441.88	(287.61)	200	150
Brochures, Newsletter	1,965.44	367.65	1,597.79	2,000	1,000
Fund Raising Materials	115.27	91.41	23.86		100
Insurance & Utilities	- (3)	1,198.80	(1,198.80)		1,300
Meetings Hosted	2,478.49	2,582.59	(104.10)	2,500	2,500
Mail Box	141.24	137.92	3.32	142	150
Office Supplies	450.60	957.94	(507.34)	600	500
Postage & Courier	878.81	861.16	17.65	900	750
Professional Fees	1,884.00	4,212.55	(2,328.55)	3,000	2,600
Social Functions	91.20	-	91.20	100	100
Stationery	-	354.71	(354.71)		100
Telephone	766.87	910.05	(143.18)	900	950
Travel Expenses	1,599.52	2,605.03	(1,005.51)		
TOTAL EXPENSES	13,631.71	17,927.97	(4,296.26)	10,942	11,150
INCOME-EXPENSES	2,297.21	(4,959.53)	A 7,256.74		
Oct 10, 2007 General Election					
Advertising	(4)	453.68		NOTES (1) The Party opened an Investment Savings Account at ING for idle funds (2) Credit Card Charges include VISA and PayPal fees (3) The Party purchased insurance for General Liability (4) Election Expenses for Advertising, Brochures and Signs were for candidates. (5) Nomination Deposits were refunded by Elections Ontario in January 2008.	
Brochures	(4)	706.98			
Election Meetings		290.11			
Nomination Deposits	(5)	4,600.00			
Postage & Courier		198.06			
Signs	(4)	2,052.00			
TOTAL Election Expenses		8,300.83	B		
Election Contributions		4,340.00	C		
SURPLUS (DEFECIT)	2,297.21	(8,920.36)	D = A - B + C		
Bank Balance January 1	19,578.86	22,880.07	E	If you have any questions contact Jim McIntosh at 416-283-7589 or 1-888-668-5423	
Accounts Payable at January 1	(2,656.00)	(4,340.00)	F		
Accounts Payable at December 31	4,340.00	2,656.00	G		
Bank Balance Dec 31	23,560.07	12,275.71	H = D + E + F + G		