

# libertarian bulletin

Ontario Libertarian Party  
7-91 Rylander Blvd., Box 121  
Scarborough, ON M1B 5M5  
416-283-7589



Newsletter  
of the Ontario  
Libertarian Party

[www.libertarian.on.ca](http://www.libertarian.on.ca)

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Doug Burn, Editor*

## **Libertarians Declare McGuinty Budget Destructive to Ontario's Future - Media Release**

March 30, 2009 - The Ontario Libertarian Party believes that the 2009 McGuinty Budget is another example of duplicity by Ontario's Liberal tax-and-spend socialist government. This Budget is yet another example of egregious out of control spending by a government whose word simply cannot be taken seriously and should be rejected by the people of Ontario. To begin with, the Ontario Libertarian Party opposes the harmonizing of the GST and PST as yet another tax grab by a government that refuses to end its destructive spending habits. Instead of reducing the PST rate as part of the Sales Tax Harmonization, McGuinty created a make-work project to send \$1,000 to voters in order to increase Liberal chances for re-election.

McGuinty's proposed spending of taxpayers' money will see the Ontario debt increase by over 40% in the next five years. This will result in a crushing debt burden of over \$18,000 for every man woman and child in Ontario, and ever higher income taxes that will postpone or destroy any recovery that the people of Ontario are desperately hoping for so that they can resume fruitful and prosperous lives.

Giving billions of taxpayer's dollars to mismanaged companies so they can produce more products that taxpayers didn't want to buy in the first place may save some high paying jobs temporarily, but our children and grandchildren will be forced to repay the debt and interest in even higher taxes.

Increased government spending will not bring back high paying auto, general manufacturing and financial jobs anytime soon. In fact, many of them will disappear forever under a government that shows a total disregard for the basic right of its citizenry to keep what they earn and that is willing to make our children and grandchildren impoverished tax slaves. Increased taxes will diminish Ontario as a place to invest and do business.

It is the position of the Ontario Libertarian Party that more government spending (up 40% so far under the McGuinty government) is not the answer to the current

financial crisis. This will only result in more misallocation of resources and generate more corruption and poverty. Rather, we believe that the ONLY real solution to Ontario's disastrous economic performance is eliminating government's role in the economy, period.

**Government is the problem, not the solution.**

### **LIBERTARIAN PUB NIGHTS**

**TORONTO Pub Night** - Wednesday June 10 - 7:00 PM

Location: Scallywag's, (at the front of the patio) 11 St. Clair Ave. W. (Phone 416-922-3737). For more information email Jim McIntosh (cfo at [libertarian.on.ca](mailto:libertarian.on.ca)) or phone him at (416) 283-7589. The next Toronto Pub Night will be July 8.

**HAMILTON Pub Night** - Monday June 22 - 7:00 PM

Location: The Pheasant Plucker, 20 Augusta Street, Hamilton. (Phone 905-529-9000). For more information email Anthony Giles (flamflamflam at yahoo.ca) or phone him at (905) 691-0818.

**BARRIE Pub Night** - Tuesday June 16 - 6:30 PM

Location: Mullies Bar & Grill, 17 Mulcaster Street, Barrie, (Phone: 705-719-0466). For more information email PaoloTheBaker at yahoo.ca or call him at (647) 300-8555. The next Barrie Pub Night will be July 21.

**K-W Pub Night** - Thursday June 18 - 7:00 PM

Location: Benny's Lounge, 183 Weber Street, Waterloo (one block south of University Avenue, Phone 519-884-8074). For more information about events in this area, please contact Mary Lou Gutscher at (519) 208-0257 or [mlgutscher@rogers.com](mailto:mlgutscher@rogers.com).

**STOUFFVILLE Pub Night** - Wednesday June 17, 7:00 PM

Location: Earl of Whitchurch Pub, 6204 Main St., Stouffville (north side of Stouffville Rd/Main St. just east of the GO Train line - Phone 905-642-EARL (3275) [www.TheEarlPub.ca](http://www.TheEarlPub.ca)) If you live to the north or east of the GTA then we have a convenient location for you to attend one of our newest Libertarian Pub Night. Come meet other libertarians in a friendly atmosphere and discuss the government-created issues of the day. We will be meeting in the upstairs room. Order dinner and/or drinks and pay your own tab. For more information contact Allen Small by email ([small4357@rogers.com](mailto:small4357@rogers.com)) or phone (905) 477-4357.

**OTTAWA** - Saturday September 12, 3:00 PM

Location: South Side Bar and Grill, 1670 Heron Road, (Heron Gate Mall) Phone (613) 526-2192. For more information contact Andrew Philips by email ([andrewmp@rogers.com](mailto:andrewmp@rogers.com)) or phone (613) 733-8948.

### **LIBERTY SUMMER SEMINAR - July 25-26, 2009**

Registration is now open. Visit [LiberalStudies.ca](http://LiberalStudies.ca). Speakers will include Kerry Howley (Reason Magazine), Martin Masse (Quebecois Libre), Jan Narveson (University of Waterloo), Scott Reid (Member of Parliament), Bruce Edward Walker (Mackinac Center for Public Policy), Will Wilkinson (Cato Institute), plus more to be announced soon!

**THE PARTY OF CHOICE – Our Vision is communities of freedom, harmony and abundance.**

**The Mission of the Party is to enable endless possibilities through recognition of, respect for and protection of individual liberty.**

## Marijuana March and Freedom Festival Report - by Jack Morawetz

Protesters and idealists, pot smokers and tea totalers from across the country gathered together on the north lawn of Queen's Park in downtown Toronto on Saturday May 2, a mere 150 yards from the Legislative Assembly of Ontario. They were drawn by two separate events - the *Toronto Freedom Festival* and the *Global Marijuana March* - to enjoy the grey but warm spring day, deliver a clear political message and engage in behaviors frowned upon by government bodies. I joined the march to better understand the challenges of living an illegal lifestyle in Canada and to gain the perspectives of those who wish to influence the legislative process regarding their choices.

The march concluded by 3:30 with the hundreds of protesters returning to the north lawn of Queen's Park after walking up Queen's Park Crescent, turning east on Bloor Street, south on Yonge Street and west on Wellesley Street. I was struck by the seemingly arbitrary (and apparently pointless) selective enforcement of prohibition by Toronto police officers assigned to monitor the crowd as dozens if not hundreds of people used marijuana openly and without subterfuge. Clearly, despite prohibition and the prevalent anti-marijuana propaganda, many people are both comfortable with and thriving in a world where marijuana use is a personal choice and personal choices are something to be defended.

I asked one participant, "If you could legalize weed, would you want it to be regulated by the government?"

She replied, "No."

"Really? Why is that?"

"The government controls too much of our shit."

"Such as?"

"Everything else... everything else that we have and use, right? So, I think that we should legalize marijuana but it should be us who controls it."

As if to further demonstrate the ironies of prohibition, many individuals and organizations used the opportunity to advertise and promote their ability to help people suffering directly or indirectly from prohibition.

One woman, known as "Butterfly" ("I make butter that makes you fly!"), remains vigilant with respect to government regulators despite the fact she is a federal exemptee with a licence to produce and possess marijuana for her chronic pain. She explained that marijuana is the most effective and efficient means of controlling her pain and noted the benefits of marijuana for people challenged with serious medical conditions.

The comments of two other activists illustrated the joy and optimism that idealists can muster in the face of prohibition.

One said, "The marijuana revolution has to grow on its own and what it's doing now is gaining lots of members. Each year we see an increase in the amount of people that come to festivals like the *Toronto Freedom Festival* and it's all about more people coming out and more people bringing out signs and we see that people who are younger and people who are more vibrant and have more energy are coming out and bringing their signs and it's going to start a revolution."

Another added, "We're just getting our message out there all this time."

And all this time, with all our freedom, we've been 150 yards from the legislative assembly!

## That's How You Voted – This Is What You Meant - by Doug Burn



*[Editor's Note: We would have run this article in the spring issue, but we ran out of space.]*

It turns out the ballot box is actually a suggestion box. You might have assumed that the "X" you marked beside the name of your LPC candidate would be understood to indicate your choice for Member of Parliament, but you would have been wrong. It is actually more of a suggestion slip indicating your true preference for a Coalition of the Liberal, NDP and Bloc parties or an endorsement of the Conservative Party. Or maybe it is more akin to a test subject's interpretation of an ink blot to be a picture of a cloud in a national Rorschach Test, that is, something that helps the specialists better understand our underlying issues.

Well, most of us failed miserably and so it falls upon the shoulders of Messrs Harper, Dion, Layton, Duceppe, Ray and Ignatieff to determine what we really meant. The media, pollsters and various scholars, in turn, must caucus among their own kind to validate or not the politicians' judgments. So, you must realize how much trouble you

have caused by voting incorrectly in 2004, 2006 and again in 2008. Bad voters!

Is it any wonder that two in four Canadians didn't take the time to vote in the October federal election? Some were no doubt lazy and others forgetful but many, I suspect, were just cynical and this political crisis simply confirms their views. The election was simply a masked ball and we are left to marvel at the ingenuity of the costumer designers as the masks come off to reveal the true identities of the elected. At times like this, the water cooler conversations of soap opera fans are more instructive than any civics lecture. At least they know enough not to confuse the actors with their roles.

Just the same, we may have reached a tipping point. Too many Canadians may have become too cynical for the major parties to restore confidence by simply sacrificing the crassest opportunists. If the Conservatives, Liberals et al don't make fundamental changes we may find that the most popular bumper sticker of 2009 will be "Don't blame me. I didn't vote."

## An Open Letter to Gerard Kennedy, MP for Parkdale-High Park

Dear Gerard,

Let me start by introducing myself. My name is Zork Hun, I am a member of the Libertarian party of Canada and if I was not out of the country when it was called, I would have been running against you in the last election.

I am not writing to you now, however, as a political opponent, but as a concerned member of your constituency. I attended a public meeting you held and I was alarmed by your comments and your party's attitude in dealing with the current economic crisis. At one point you became rather agitated when I questioned your approach, asking me in a rather theatrical way "You want to do nothing? Is that what you want?" I replied that no, I do not want to do nothing, but my answer will not fit into a sentence.

I am writing to you now to give you that answer.

Let's start with what should not be done. The basic tenet of the Hippocratic Oath is "do no harm," a principle that should be applied to any ailment including our economic ones. If the only idea that you can come up with is one that does not make any sense and has proven itself to be harmful time and time again, then the answer should be to do nothing.

Let me repeat this: if the only two choices are DO HARM or DO NOTHING then your answer should be do nothing.

But of course, we can do something. We just should not do the wrong thing.

The first sentence of your speech was "I studied economics" but when I called you an economist, you corrected me quickly saying that you are not. Well, let's say I studied medicine but I am no doctor. Let's say that I am the only person who can help you when your children are suffering; showing obvious signs of food poisoning. What if I advised you to give them some cyanide? What would you do; what would you think; what would you say if I started shouting at you saying "But your children are suffering! You want to do nothing? Is that what you want?"

My guess (my hope) is that as a good parent you would say that if your only choice is to give them more poison then you will do nothing. You will start praying and hoping that they will vomit the bad stuff out and get well on their own. You may even help them vomit, but you will not poison them even further. Yet, this is exactly the recipe you prescribe for the Canadian economy. Overspending is what got the world in trouble, your recipe is – let's spend more. This is akin to bringing a case of whiskey at 3 AM to a party of drunks to help them sober up. Wouldn't that be insane?

A fiscal policy in the form of artificially low interest rates started the party going but at some point we have to realize that the party is over. Trying to keep it going as you do is beyond irresponsible.

After telling you what should not be done, I am sure you are burning with curiosity to find out what should be done.

The answer is simpler than you think: GET OUT OF THE WAY!

Stop taking money out of the economy's left pocket to put it into the right one (greasing your palm generously in the process).

Stop using the money you take away from the winners to reward the losers (Japanese vs. American car companies).

Stop spending more at a time when we can least afford such increases.

Stop punishing productive behaviour.

Create an environment that is conducive to savings, investment and productive behaviour in general. Lower or get rid of entirely the corporate income tax and the capital gains tax.

Simplify the tax code and introduce a flat tax system.

Unlike Keynesian stimulus packages that have an unbroken record of total failure, any of the above suggestions are proven remedies. A flat tax system is not just a moral imperative but it has proven itself around the world not just by improving the economy in general but increasing tax revenues as well. Significantly lowering the Corporate Income tax would start the economy moving like a rocket ship.

I could go on spelling out a libertarian platform, our recipe to improve the Canadian economy, but this letter is not about me. It's a plea asking you to stop doing and advocating doing more harm.

What makes your advocacy so interesting is the context. Would you recommend poison treatment to your children just because the neighbour's kid stuffed himself sick? And if not, then why are you prescribing it to the Canadian economy? Stephen Harper did the right thing in December, diagnosing the Canadian economy as fundamentally healthier than the American and in no need of treatment. He only changed his mind under pressure from your disgraceful coalition.

What you did there was an appalling display of political opportunism. You used the upheaval south of the border to grab power, to advance a big government, deficit spending agenda here. What you did made me question your motivation.

I do not believe that you do not know that Keynesian stimulus packages never work. I do not believe that you do not understand the basics of economics. Based on your actions, I believe that you advocate what you do knowing full well that it is harmful. You do so because it benefits your party and you personally. I believe that you are a cynical politician who cares more about keeping your power (and gaining more through targeted spending of other people's money) than you care about those you are supposed to represent.

I am writing to you to let you and the world know that although you are not the emperor – Gerard Kennedy, you too, are naked.

Zork Hun

## Bureaucratic Smoke Screens - by Jean-Serge Brisson

Here's a brief summary. Mike Kennedy opened a private club in September 2006 in Smith Falls Ontario, (Smokerchoice/Nonsmokerschoice) for the purpose of allowing people to smoke in a social atmosphere without leaving the comforts of their seats. He was charged a month later. He went to court at the Provincial Offences level in March 2007 and lost. He appealed at the Court of Justice level in January 2008 and lost again. He filed for a Leave to Appeal at the highest court in Ontario on April 6<sup>th</sup> 2008 and was accepted.

During the first two trials, the concept of the club was not put into question. Mike had done what was necessary to meet the "requirements" to be regarded as a valid club. The approach that the "Ministry of Health" used to argue and win its case in the two prior trials, was that once someone leaves their place of residence, which they said was the only real "private place," any other facility, either publicly or privately owned, is regarded as a "public place". Defining any privately owned building as a "public place" gave the health authorities or inspectors the excuse to enter these buildings without a warrant

Defining any privately owned building [except a residence] as a "public place" gave the health authorities or inspectors the excuse to enter these buildings without a warrant

This past May 6<sup>th</sup> was Mike's day in court. He was heard by three judges at Osgoode Hall in Toronto..

When one wishes to argue a case before the Court of Appeal of Ontario, contrary to the lower levels of courts in Ontario, you cannot be represented by an agent or anyone other than a lawyer, but you can represent yourself.

When Mike began to make his presentation, the lead judge cut him off and started asking questions on the validity of the club. Mike was taken by surprise and had to change directions in his presentation. He explained to the judges that the issue of the club was not questioned by the Ministry. This was not the issue he had prepared to argue either. But he did explain what made the club a valid entity and its purpose. The three judges seemed to be more concerned about the makeup and concept of the club than the argument about private versus public places. It got heated to a point that Mike gave what he thought was sufficient explanation on the club but did not

finish the presentation on the public and private issue because the lead judge kept cutting him off when he tried to get back into that explanation.

It was then the crown's turn.

Immediately, the crown was adamant on saying that the question on the validity of the club was not an issue, they had accepted it as it stood. Then the crown started to explain the fashion in which the Ministry of Health defined "private and public places".

At that point, the judges demonstrated that they had done their homework and knew exactly what questions to

ask the crown in order to get to the heart of the matter. One judge suggested that if the intent of the law was to prevent smoking anywhere outside the private home, the law should say so. The crown answered yes, but the law was an ever evolving document and in time, the Ministry "evolves" it.

Another interesting question put to the crown was what happens if one holds a private wedding at their home and has it catered. The crown had to confer with the person from the Ministry of Health and then answered that because there are employees catering, it is regarded as a workplace. So the same judge then said, "Well, I have friends who have volunteered to serve the food and drinks?" The crown had to confer with the Ministry again. When he came back his answer was "The Ministry says that volunteers have to be looked at like employees". At that point, the judge answered very abruptly and in a higher tone of voice, "Oh give me a break!" The crown ended his presentation immediately afterwards.

The court heard a bit of a rebuttal by Mike Kennedy and once that was done, the court said that it would reserve decision, which means we should be getting an answer sometime in June.

If all three judges rule against Mike Kennedy, it is over and we have no chance to appeal to the Supreme Court of Canada. We can still try, but there is no obligation on that court to accept an application. If we have one judge that rules in favor of Mike, we can apply to the SCC and will get accepted. If two vote in favor, we have won and it is up to the Ministry of Health if they wish to appeal at the SCC. If they don't then it is over and we will have won. If all three judges rule for Mike, well we will party. It will be a victory for the right of association.

While we are waiting for the decision, Mike is getting ready to open another club. With the first club, there were under 600 members that had registered in the space of one month. If there is a victory on this issue, Mike expects that the club membership in Ontario would soon reach 10,000 and that we will be looking at opening clubs across the province in a few months.

The Ontario Libertarian Party was a part of this when they assisted Mike on his first appeal in Perth January 2008. This might not have happened had we not assisted when help was requested and this is something this Party must look at doing.

### Great Weather for BBQ

May 3 was a warm and mostly sunny day for 23 libertarians and friends to enjoy burgers, hot dogs, beer and pop in the Caledon Hills. If you want to see the photos taken by Renata Nova, email [cfo@libertarian.on.ca](mailto:cfo@libertarian.on.ca).

### Caucus Meeting Well Attended

On May 31 seventeen people responded to Sam Apfelbaum's invitation and attended our Caucus Meeting at the Granite Brewery and Restaurant. Anyone who ran in the last election or plans to run in the next one is a member of Caucus. A variety of ideas were discussed to improve our results in the October 2011 general election. We plan to hold Caucus Meetings each spring.