

Human Action to Limit Taxes

909 Thurlow Street • Vancouver • British Columbia • Canada • V6E 1W3

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DELIVERED

November 24, 1980

Joint Clerks
Special Joint Committee on the Constitution of Canada
Postal Box 1044,
Parliament Buildings, South Block
Ottawa, Ontario
K1A 0A7

Dear Sirs:

Re: Written submission and request to be heard by the Committee

HALT is a rapidly growing organization across Canada with chapters in several of the larger cities. We are dedicated to a free society and the free market philosophy instead of a government-controlled economy. On behalf of HALT, I enclose the following:

1. Part I of The Preamble To A New Constitution for Canada.

The purpose of this part of the Preamble is to emphasize that all rights and powers lie with the individual resident of Canada and that government power should be severely limited. This is accomplished initially by clarifying what government shall NOT do and what government shall NOT interfere with. In Section 10, government shall only have those powers specifically delegated to it by a resident of Canada.

2. Part II of The Preamble To A New Constitution for Canada known as the CANADIAN CHARTER OF LIBERTIES.

The purpose of this part of the Preamble is to show that freedom of the individual citizen increases as government power decreases. The first section includes a long list of abuses of power practised by the present government. It is followed in Section 2 by the Principles by which Liberty of the Citizen can be re-established. Sections 3, 4 and 5 indicate how Liberty may be maintained.

In the interest of justice and liberty, I ask that this submission be circulated to all concerned. The writer will be in Ottawa on December 2, 1980 and I hereby respectfully request to appear before the Committee at that time. Please confirm this by telephoning the writer's office in Vancouver at (604) 689-4224.

Yours very truly,



Walter J. Boytinck, Barrister and Solicitor
Vice-President, HALT

Encl.



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PART I Of The Preamble To A New Constitution For Canada (Draft)

I, a RESIDENT OF CANADA, CONFIRM AND DECLARE THAT:

1. Government shall NOT interfere with my FREEDOM of thought, speech, press, radio, television and other forms of communication.
2. Government shall NOT interfere with my FREEDOM of assembly or any other form of association with others.
3. Government shall NOT interfere with my FREEDOM of religion or instruction.
4. Government shall NOT interfere with my FREEDOM of production, individual property and my freedom to trade and exchange with others our privately owned property or objects and the free exchange and trade between ourselves of our services.
5. Government shall NOT interfere with my FREEDOM to defend myself against physical force.
6. Government shall NOT initiate the use of force against me.
7. Government shall NOT interfere with my FREEDOM to the privacy of my person, property, house, papers and effects.

Except with a due warrant, particularly describing the place to be searched and the person or persons to be seized.



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PART II Of The Preamble To A New Constitution For Canada (Draft)

CANADIAN CHARTER OF LIBERTIES

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(Freedom Increases as Government Power Decreases)

WHEREAS from time to time it becomes necessary for individuals to assert their inherent, natural and common law rights against government force and oppressive government power.

1. UNLAWFUL SEIZURES OF POWER BY PRESENT GOVERNMENT

(a) Incomprehensible laws.

The Government has caused to be passed vast numbers of complex, incomprehensible and non-sensical laws and regulations, subjecting the people to controls and taxes in the name of the public good.

(b) Invade Rights and Grant Monopolies.

It has passed laws which invade the rights of the individual by granting coercive, arbitrary and absolute powers to numerous departments, administrative boards, agencies, commissions and government corporations. It has granted monopolies to some businesses through licensing and other exclusionary rules. It is attempting to control our freedom of expression by licensing, controlling and limiting radio and television.

(c) Inflation is Criminal Fraud by Government.

It has created the hidden and unauthorized tax of inflation by deficit spending, increasing credit and by the unrestricted printing of unbacked and irredeemable paper money, thereby destroying the peoples' savings and incomes.

(d) Mountains of Debt.

It has created a mountain of debt which it cannot repay.

(e) Buying Voting Blocs.

It has circumvented just representation repeatedly, through blackmail and bribery by buying voting blocs with money taken by force from its citizens.

(f) Enslavement by Taxation.

It has endeavoured to reduce the population to a new form of slavery, for that purpose having imposed controls and confiscatory income taxes, capital gains taxes, customs duties, excise taxes, tobacco taxes, liquor taxes, fuel taxes, amusement taxes, licensing taxes, race-track taxes, hotel room taxes, air transportation taxes, life insurance premium taxes, corporation capital taxes, natural resource taxes, municipal business taxes, sales taxes, gasoline taxes, death taxes and many other forms of taxes so that most citizens indirectly slave for the government many months of the year. It has failed to keep governmental expenditures to a minimum by limiting it to defence against foreign enemies and to defence within Canada against criminals.

(g) Depriving of Trial by Jury.

It has obstructed the administration of justice by not permitting the use of juries in all cases in which an accused faces the possibility of incarceration to judge both the facts and justice of a case as confirmed and guaranteed to all citizens in MAGNA CARTA 1215, our most valuable CHARTER OF OUR LIBERTIES. It has conferred many judging powers upon bureaucratic agents of the government, instead of leaving the rendering of lawful judgments with 12 of our "equals", i.e., a jury, as confirmed and guaranteed to us in MAGNA CARTA 1215.

(h) Invading Homes and Opening Mail.

It has invaded our homes, opened our mail, listened to our private conversations and our telephone conversations and sent among the citizenry armies of bureaucrats to tax them and to harrass and intimidate them.

(i) Preventing Citizens from Defending Themselves.

It has attempted to prevent us from defending ourselves, by controlling, restricting or denying the right of the people to keep and bear arms.

(j) Taxation and Plunder.

It has declared war against us through excessive and compulsory taxation. It has plundered our pockets, reduced our rights and in many cases destroyed the livelihood of our people.

(k) Domestic Turmoil.

It has excited domestic turmoil amongst us and has, by the passage of unjust laws, endeavoured to set some of us against others.

2. PRINCIPLES OF LIBERTY RE-ESTABLISHED.

We have warned our government from time to time that they are exercising an unwarranted jurisdiction and power over our lives, liberties and our property. We have appealed to their sense of justice and we have asked that they repudiate these unlawful seizures of power, which would inevitably result in open resistance if not corrected. They have not listened to the voices of reason and justice. We must, therefore, hold them to be enemies of our natural rights.

(a) Political Power and Sovereignty Vested in the People.

We claim that all political power and sovereignty originates from the people and must remain vested in the people. That whenever any form of government becomes destructive of these ends, it is the right of the people, as recognized and laid down in Chapter 61 of MAGNA CARTA in the year 1215, the most ancient CHARTER OF OUR LIBERTIES, to alter that government, and to institute a revised form of government, laying its foundation on our ancient liberties and organizing its power in such form, as to them shall seem most likely to effect their safety and the protection of their life, liberty and private property from interference by anyone, especially government force.

(b) Citizens Have Right to Resist Abusive Government.

After a long series of abuses of rights and abuses of powers by the government, it is the citizens' right to resist such government and to provide new safeguards for their future security and freedom. This now induces the people of Canada to alter their present government. The history of the present government is a history of repeated unlawful seizures of power, all having as an objective the establishment of control over the people leading inevitably to absolute control.

(c) No One Including Government Has Right to Initiate Force.

We hold that people must be free because the individual has a right to live his own life, for his own sake, in accordance with his own convictions. No one, including the government, has the right to initiate the use of physical force or the threat of force against another human being; government may be permitted to use force only in retaliation against those who initiate its use. Society should therefore be based on voluntary exchange of goods and services between citizens and not on political force. Government monopoly must be abolished and the ability of government to grant monopolies must be revoked.

(d) Life, Individual Liberty and Private Property.

We confirm that all men are by nature free, that they possess by virtue of their existence certain inherent and inalienable rights, that among these are Life, Individual Liberty and the pursuit of their own happiness through the unfettered use of private property acquired through personal effort and voluntary exchange of products and services with others. That to protect these rights and for that purpose only,

governments are instituted among men and women deriving their just powers from the express and specific consent of the people.

(e) Civil Liberties Include Private Ownership And Control of Property.

Civil liberties include not only freedom of speech, press, radio, television, assembly and religion, but also the most basic liberty of all, private ownership and complete control of property. We hold that without the broadly-based independence afforded by the institution of private property, no other civil liberties could long survive.

(f) Property Rights are Human Rights.

Property is one of the tangible extensions of one's life, the result of one's productive and creative efforts. To be denied control over the products of one's own life is the fate of slaves, not of free men and women. The government too often has violated property rights through its agencies, departments, bureaus, boards and commissions and by transferring control of property from the hands of the owner to the hands of favoured pressure groups, blocs and interests. We maintain that such invasions of property rights, even on behalf of some alleged "public good", are essentially acts of theft or legal plunder.

(g) Government Not to Interfere in Economic Affairs.

Just as government must not interfere in the affairs of churches and religion, so it must not interfere in the economic affairs of its citizens except to the extent of preventing fraud, theft, the use of force and damage to persons and property.

3. INFLATION CAUSED EXCLUSIVELY BY GOVERNMENT'S MONOPOLY OF MONEY

The monopoly of money by government has relieved it of the need to keep its expenditure within its revenue and has thus precipitated the spectacular increase in government expenditure over the last thirty years. The Federal Government should be deprived of its monopoly of the currency-issuing power. Private citizens should be allowed to use the money of their choice including gold and silver coins.

4. MAJORITY NOT TO VOTE AWAY ANY MAN'S FREEDOM OR PROPERTY

Majority decision at the polls is a proper way of choosing personnel for political office (our legislators), but it is a violation of the natural and common law for the majority to vote away any man's freedom or his property. It is the duty of government to secure the individual liberty and inherent rights for each man and no majority decision should be able to take these away.

5. WE, THE RESIDENTS OF CANADA, with certain knowledge of the honesty of our intentions and based on this Charter and in the name of the natural right of man to be free from coercive force, DO THEREFORE SOLEMNLY CONFIRM AND DECLARE:

- (i) that we are and of right ought to be free and independent individuals.
- (ii) that voluntarily and without force we continue to support a unified Canada on the basis contained in this CANADIAN CHARTER OF LIBERTIES.
- (iii) that the learning and use of our two official languages shall be decided voluntarily by each individual and not by government force.
- (iv) that we are absolved of allegiance to oppressive government, and that as a free people we have the right through peaceful efforts to make whatever changes may be necessary in our constitution and form of government to implement this our CANADIAN CHARTER OF LIBERTIES and to bring about the reality of these natural rights.

WE HEREBY support and confirm this CANADIAN CHARTER OF LIBERTIES.

November 24, 1980

_____, barrister and Solicitor
Vice-President, HALT

Encl.