

LAST RITES

OPERA (R.A. Fowler) Comments to a Landowner Conference at Red Deer, Alberta, June 11, 2005

Good afternoon, ladies & gentlemen. I'm Bob Fowler, from Grey County in Ontario & Secretary of the Ontario Property & Environmental Rights Alliance, or OPERA in shorthand. I'll start my remarks this afternoon by asking your indulgence for reading most of them from a prepared text. Anything to hide my ineptitude as a platform speaker.

This opportunity to talk with Alberta folks about land ownership is very much appreciated. I especially want to thank Faye Engler, Neil Wilson, Gord Butler & Link Byfield for arranging an OPERA presence at your strategy conference today. My comments will, of course, often touch on Ontario government policies. In terms of content, purpose & enforcement these are probably quite different from those existing or germinating in Alberta. Still, whatever FORM of state control of property is applied, we believe its SUBSTANCE at the end of the day is pretty much identical for every province & territory in the country. Which is unilateral reduction in private ownership of land, particularly rural land, by government regulation without compensation.

For the record, OPERA is a loosely structured coalition of Ontario landowner organizations launched in 1994 under a mandate "to protect, & entrench in law, landowner rights & responsibilities against arbitrary decisions & restrictions of government". We identify government policies that affect use of private land & we operate as a research centre, a communication hub &, where indicated, a voice of focused protest. OPERA has no Directors, pays no salaries or expenses, doesn't seek or accept government funding, endorses but doesn't directly participate in regional landowner activities, relies solely on member donations to cover operating costs & routinely posts web page material of interest to landowners as well as to readers in politics, finance, law, real estate & municipal planning.

So much for background. Let's talk about property use & ownership. First, we need to define the word "property". In the context of OPERA's core mandate & my commentary today, property means real estate, land, freehold, geography, landscape, terra firma. Without that distinction politicians can, & often do, reject the case for property rights by insisting relevant legislation would have to include artistic, copyright & intellectual property as well. Naturally, that position generates enough complexity & conflict to keep rights of land ownership off the government radar screen for another 50 years.

The British North America Act authorized provinces & territories to enact property ownership laws. That authorization was carried over in our 1867 Canadian Constitution which provided for similar federal legislation as well. But in the 1970's & 80's back room politics removed property rights from the Constitution & never resurrected them, as promised, in the Charter of Rights & Freedoms. Most Canadians are unaware of that crucial omission & assume that their right to own real estate is constitutionally preserved. And therefore safe from regulations that compromise land use, title, mortgage worth & market value.

Strange, isn't it! For a country awash in every conceivable "right" for everything, none of its citizens have a constitutional right to own land. The very right that stands as a cornerstone of Western civilization. The one that a newly enlightened Russia wrote into its constitution in the 1980's & even communist China officially recognized in 2004.

But wait! There's another nail in Canada's property rights coffin! The Preamble of a 1976 United Nations conference in Vancouver states that "Land, because of its unique nature & the crucial role it plays in human settlements, cannot be treated as an ordinary asset, controlled by individuals & subject to the pressures & inefficiencies of the market. Private land ownership is also a principal instrument of accumulation & concentration of wealth & therefore contributes to social injusticepublic control of land is indispensable". Karl Marx couldn't have said it any better!

On that chilling note the United Nations convened, in 1992, a so-called Earth Summit arranged & chaired by Canadian billionaire Maurice Strong. The redoubtable Mr. Strong, a personal friend, business associate & rumored environmental advisor of Prime Minister Martin, is No.2 in the U.N. pecking order & a heavy hitter in various global organizations such as the World Bank. Twice questioned in American federal courts some years ago on allegations of stock manipulation, Mr. Strong is presently denying his direct involvement with the Iraqi oil-for-food scandal. His stated motto for personal ascent on the ladder of life - "think like a socialist, act like a capitalist".

At the Rio love-in, an international treaty called the Convention for Biological Diversity was introduced. It was immediately approved & signed for Canada by our then-current Prime Minister Mulroney without even the pretense of public or parliamentary debate. In contrast, the U.S. Rio delegation &, later, the U.S. Congress declined to ratify this treaty after reviewing its frightening risks to national sovereignty. But, here in our True North Strong & Free, every province & territory obediently lined up to endorse it. So let's re-cap. Canadians have no constitutional right to own land & even if they did, their federal & provincial legislators are under contract to a global bureaucracy that thinks private ownership of land is a social injustice. Welcome to the gulag!

What does United Nations opposition to property rights have to do with Canadian landowners? Well, for one thing the Convention for Biological Diversity required signatory nations to enact biological protection & endangered species legislation by the year 2000. Hence the federal Species at Risk Act, which a previous speaker explained in some detail, was approved by Canada's Parliament in December, 2000. And, in the 1990's, U.N.-inspired Biosphere Reserve & Wildlands Project designations were arbitrarily applied to vast tracts of Canadian geography. The former, Biosphere Reserves, claims to foster plant, animal, bird & aquatic life while discouraging, maybe one day prohibiting, human habitation. The latter, the Wildlands Project, is a vision endorsed by the Canadian Parks & Wilderness Society in concert with the World Wildlife Fund, based on an intent to return most of North America to wilderness. Think I'm making this up? Visit Biosphere Reserves & the Wildlands Project on the Internet – the web site is listed in an OPERA bulletin on display here today. Perhaps the truth will, as they say, make us free! Or terribly sick to the stomach!

In Ontario the 450 lineal miles of the Niagara Escarpment, the entire Long Point Conservation Area near Lake Erie & a large chunk of the Georgian Bay eastern shoreline are now branded United Nations Biosphere Reserves. All land between Ontario's Algonquin Park & the Adirondack Mountains in New York State is now identified as Wildland. So is all land between America's Yellowstone Park & the northern border of British Columbia, an area about the size of Alberta. We understand several U.N. Biosphere Reserves have been named in western Canada & some years ago proposals were in circulation to so label about 2 million acres around the Bay of Fundy in Nova Scotia & all of the Thousand Island area in Ontario. Do these sweeping declarations, uncluttered by advance public knowledge or consultation, signal political support for constitutional property rights in Canada?

Do they ensure clear title to affected private property not to mention social & economic security for its legal owners? Do they strengthen government of the people for the people by the people? Do pigs fly? Is Maurice Strong really the tooth fairy in drag?

Is there a connection between the U.N. lust for global governance, lack of constitutional property rights in Canada & provincial regulations that severely limit use & value of privately owned land? Absolutely. Its called creeping socialism. Will socialism thrive & grow behind noble causes guaranteed to resonate with voters? Absolutely. Quick now! What are some motherhood causes popularized by senior governments in Canada over the past 50 years? Why or course! Environmental protection, natural heritage, ecological preservation & other similarly warm, fuzzy Newspeak labels that mask rampant state control & massive re-distribution of wealth!

The United Nations & its agile dance master, Maurice Strong, are openly linked to militant Non Government Organizations (NGO's). Many of these groups regularly infuse national & regional governments with doomsday scenarios of looming environmental disaster. In this endeavor, the cardinal rule of NGOs & their political confederates is never call private landowners private landowners. Instead, call them "stakeholders", a title that confers no more recognition than that awarded other interested people. And who, pray tell, are these "other interested people"? Why they're the career bureaucrats, professional lobby groups, urban planners, academic consultants & environmental extremists working hard to transform private property into a public resource without paying for it. Or call private landowners "stewards" – anything to vaporize the concept of individual ownership. The dictionary definition of steward is "a person who administers the property of another". But government spin doctors insist that "another" really means generations of stewards yet unborn. Thus landowner-stewards are little more than unpaid janitors of their own property awaiting a fresh crop of equally disenfranchised replacements.

Other fashionable land control labels abound. One is "sustainable development". Which means whatever its government promoters want it to mean. And there's always "the public good" – a tried & proven disguise for statutory land fraud. Will we ever know the name & qualifications of senior bureaucrats who decide what is & what isn't public good? Are farmers & rural landowners included in the faceless multitude labeled "the public? If they are, does selectively suborning their assets without due process of law count as "good"?

Without legislated property rights & in the face of U.N.-sponsored initiatives that discourage ownership of land by private citizens, how do most provincial governments in Canada react? The short answer – with great enthusiasm! I'm not familiar with provincial land use regulations in Alberta. But our OPERA files bulge with 10 years of material that exposes a shameful record of statutory impingement on private property in Ontario. For openers, in that province we have 3 Ministries each with entrenched land planning departments seemingly convinced that private owners of land are neither qualified nor entitled to manage their own property. We have deal-makers & fund raisers for U.N.-related environmental pressure groups consorting with politicians & senior bureaucrats in the hallways of the provincial legislature. We have a Provincial Policy Statement & a Planning Act that dictate & manipulate municipal Official Plans &, in the process, demote local government to little more than programmed tax collectors. We have land use agencies, committees, boards, commissions, policy workshops ad infinitum, all unelected, unassailable & unaccountable. These seldom include citizen landowners but churn out endless streams of quasi-professional argument for more state control of land the provincial government doesn't own & won't buy.

We have 39 Conservation Authorities each empowered to enforce special prohibitions related to “watershed planning”. (Read more regulation for every square inch of land that drains into a watercourse anywhere). We have no end of clever labels that help camouflage state intrusion into & onto private freehold. Some examples: Smart Growth, Endangered Spaces, Oak Ridges Moraine, Hazard Land, Wetland, Conservation Land, Escarpment Land, Environmentally Sensitive Land, Area of Natural & Scientific Interest, Wildlife Habitat, Places to Grow, Protected Countryside, Greenbelt – there’s more but you get the idea! We have, in fact, over 5000 provincial statutes that directly impact rural property. Many of them are necessary & some are commendable. But a growing number of potentially lethal land use proscriptions are not well known or understood by affected taxpayers in Ontario.

Finally, we have in Ontario an urban population oblivious to the evils of too much government & too many regulations that are too often embezzling private assets one statute at a time. Given the growing threat of United Nations global governance, resulting shrinkage in national & provincial sovereignty & a steepening Canadian slide into the socialistic swamp, those apathetic folks may eventually, but probably too late, wake up & smell permanent servitude. A comment from Stephen Leacock, a Canadian humorist, may be appropriate here. He once remarked that “socialism will never work except in Heaven where they don’t need it or in Hell where they already have it”.

In closing, I emphasize the pervasive influence of Non Government Organizations on land use policies & protocols of elected administrations in Canada. NGO voices are many, their wealth extensive, their connections powerful, their dedication unlimited. A 1996 best seller “Trashing the Economy” profiles 25 organizations that encourage regulatory assault on private property by senior government agencies. Of these, The Nature Conservancy, Sierra Club & World Wildlife Fund successfully lobbied the Ontario government 3 years ago for “public body status” on the Niagara Escarpment. This is a first-ever anointment that presumably places these organizations on equal footing with local municipal councils in regulating Escarpment land use.

Ten years ago The Nature Conservancy pocketed a \$600,000.00 “gift” from our Ministry of Natural Resources to “design a system under which the government of Ontario might acquire additional lands for public parks”. Result. A Natural Heritage Information Centre partnered by the Ministry of Natural Resources, The Nature Conservancy & the Ontario Federation of Naturalists. At public expense this incestuous threesome maintains a database of all properties on which allegedly endangered plant, animal, bird or aquatic life have been reported by professional biologists or, we suspect, by week-end hikers, amateur bird watchers or neighborhood gossips as well. How many acres of private property are now listed on that database? Don’t even ask! OPERA asked. And was told Internet access to its “classified” sections needs advance permission & an assigned password. So much for citizen review of public documents. What’s the real scoop on this semi-secret database? A couple of “Trashing the Economy” paragraphs are instructive: This is a direct quote:

“The Nature Conservancy’s Natural Heritage Program, a joint venture with more than 40 senior governments, lists natural wonders, rarities & habitats of endangered plants & animals. The money to do this comes from state (or provincial) federal, foundation & private funds. TNC sends in a 4-person team to each state (or province) – a botanist, zoologist, ecologist & data processing specialist. They ransack all available records, texts, theses & museum collections to establish just what the state (or province) has to protect. They examine real estate records & potential preservation sites for government acquisition. Then they enter it into their database.

TNC's Biological & Conservation Data System is distributed across 76 locations in the U.S., Canada, the Caribbean & Latin America. It consists of 45 integrated files sub-divided into 2000 data fields. The database holds information pertaining to 65,000 plant & animal species in 400,000 locations. This database is "so fine grained" says the Wall Street Journal "that, in some cases, it records the precise location of individual eagle nests & clumps of globally endangered grass".

The Conservation Data Center Network is an elaborate TNC-owned system operated to train government agents to identify & track private property in order to enforce land use controls. In essence, TNC constructs a land use control database in a state (or province) or nation, and then gives the system to the government. Getting a private tract listed on the Natural Heritage Program focuses government attention on the property. This creates the expectation it will someday be declared an undevelopable preserve, thus destroying its marketability as productive land & severely distorting its price, inflating it if government purchase is certain, depressing it if not". End Quote.

Public records place The Nature Conservancy's total 1996 assets in the U.S. at more than 8 billion dollars & its annual budget in that year at about 275 million. This is the allegedly non-profit, United Nations-approved, charitable-tax-status, green giant that extracted 600,000 taxpayer dollars from the Ontario government to set up an operation that's quietly cataloging private property for future acquisition at manipulated prices. Acquisition by whom? How many selected chunks of Canada's prime real estate is now owned or will someday be owned outright by The Nature Conservancy for its own government-approved development or profitable re-sale to government agencies? A lot of that enormous land bank, we hasten to mention, is meanwhile exempted from municipal property taxes in Ontario thanks to a fortuitous regulatory adjustment by that all-powerful TNC partner, the Ministry of Natural Resources.

Pay attention, Mr. & Mrs. Alberta Landowner – your property & your livelihood may be in the cross hairs of environmental snipers as we speak. After all, your provincial government probably maintains agencies in full philosophical accord with similar Ontario ministries concerning state control of private assets by regulation without compensation. That those agencies are aware of, & sympathetic to, western Canada initiatives of such powerful special interest groups as The Nature Conservancy would, I think, be an equally safe assumption.

Canada is in desperate need of legislation that confirms the right of private citizens to own & enjoy real estate free of U.N. supervision, government harassment & NGO manipulation. Provision for enactment of that protection by provincial or federal or both levels of government already exists. But it won't happen unless & until Canadian landowners make it happen. In the interim, it would appear too many politicians, academics, bureaucrats & planners in this country share with the United Nations & Maurice Strong a fundamental belief that private property is, & should be, a public resource. That perception, I submit, is morally wrong, legally questionable & politically indefensible. On that note, OPERA hopes your meeting today will mark the beginning of a cohesive & coherent opposition in Alberta against excessive state control of private land.

The best part of this long rant has finally arrived. The end. If you have questions, I'll try to answer them now. The tough ones will be referred to Paul Martin, Belinda Stronach or John The Baptist. Others requiring more convoluted evasions will be routed to Canada's ex-Ambassador to Denmark whose name I can't pronounce, whose language I don't understand & whose stick-handling abilities & money laundering talents are rumored to be making the Mafia blush.