

Conscience Canada

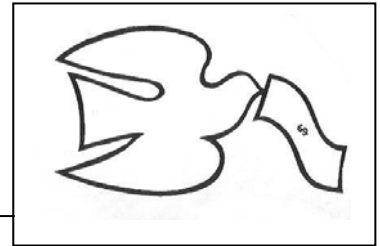
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PRESENTER'S GUIDE FOR CONSCIENCE CANADA DVD

The following is a summary of information useful for the person presenting the DVD and leading a discussion. Even if you don't have a thorough knowledge about Conscience Canada, you can refer to these notes in a question and answer period, and refer the audience to our website for more detailed answers: www.consciencecanada.ca

Brief history of Conscience Canada and of Conscientious objection in Canada

Canada has respected conscientious objection (CO) for more than two centuries. In 1793 in Upper Canada, the Mennonites, Quakers and Brethren in Christ were exempted from militia duty to encourage their immigration to Canada. They were however expected to pay a fee so that others could serve in their place.

During the war of 1812, some Quakers were jailed for refusing to pay this tax. In 1841, after years of lobbying, the government agreed to use this tax for public works. In 1849, the tax was eliminated.

Between 1873 and 1899 exemptions from military service were granted to Mennonites, Doukhobors and Hutterites to encourage them to immigrate to Canada.

During WWI some members of these 'historic peace churches' had an automatic exemption, and were required to do non-combatant duty in the military. Some refused and were imprisoned. Conscientious objectors (COs) were disenfranchised. Mennonites objected to buying war bonds and lobbied successfully to have special non-interest bearing bonds made available to pay for relief work only. The grounds for CO status were initially restricted to religious groups which prohibited participation in war, but as a result of considerable pressure were gradually broadened, until by 1942 any conscientious objection, religious or secular, was acceptable. Alternative service was offered under civilian not military control. Again special bonds were offered which would be used for civilian relief only. By 1945 there were about 10,000 COs.

Since 1978, the focus has shifted to war tax resistance where exemption from paying for war would be provided in the form of a peace trust fund.

The Quebec Charter of Rights in 1975 and the Canadian Constitution in 1982 enshrined freedom of conscience based on secular morality as well as religion.

Conscience Canada was founded by 3 Quakers in 1977 and incorporated in 1983 as a secular organization. It supported a legal test case against the compulsory payment of taxes for military purposes but the case was rejected by the federal court, holding that under the Income Tax Act there was no nexus between a taxpayer and the use of taxes. In 1990 the Supreme Court refused to hear an appeal. Former Justice Thomas Berger, lawyer for the war tax refuser, held that the Income Tax Act was in violation of the constitution, as we are in an era in which citizens' taxes, rather than their bodies, are conscripted.

A dozen private members motions and bills were introduced into the House of Commons since 1983, the most recent being in June 2007. There is support from members of all 4 parties.

The goals of Conscience Canada are 1) defence of freedom of conscience 2) promotion of non-violence as an alternative to military intervention 3) support of conscientious objection legislation. Since 1982, Conscience Canada has maintained a Peace Tax trust fund in which conscientious objectors to military taxation have deposited the military portion of their taxes.

Frequently Asked Questions

How do you divert tax from the Canada Revenue Agency to the Peace Tax Fund?

Every year, Conscience Canada updates the Peace Tax Return which is designed to guide you through a number of options for active participation: 1) diverting the percentage of your tax money going to the military; 2) diverting only a symbolic sum, like \$25; 3) not diverting money but expressing your objection to paying for war. It also provides assistance for those without tax to pay or expecting a refund. It is very important to understand that Conscience Canada needs people like you to support it visibly, even if you don't redirect your taxes.

What will happen if I redirect taxes?

After you send in your tax return, you (like everyone) will receive a notice of assessment, which will indicate that the money you redirected is still owing. You have the option of filing an objection. If you do, typically 3 months later you will receive a rejection of your objection, and be informed of the option of appealing to the Tax Court of Canada. (Several people have done this, and their cases have all been rejected.) Some time later (often 6-12 months) you may be notified that if you don't pay within about two weeks, CRA will take 'legal action'. This means collection of the taxes owed via seizure from account, garnishee of wages, or seizure of CPP payments or tax refunds. There are no histories of penalties or fines or seizure of property in Canada (though there are in USA); and no legal charges have ever been laid in Canada. There has been rather inconsistent collection from CRA. They seem to be more interested in pursuing larger sums. At every step of the process there is an opportunity to educate others, whether they are bankers, employers, or CRA employees, about conscientious objection to military taxation.

What is the Peace Tax Fund?

The money deposited in this account does not belong to Conscience Canada, but to the Conscientious Objector to Military Taxation (COMT) who has deposited it. CC is working towards legislation that would allow the transfer of the funds into a 'peace building' or a 'peaceable' account established by the government. Therefore the money is maintained in the trust until the government adopts a policy or a law that would permit its use towards peace oriented activities such as peace education, promotion, peace building and accountable peace keeping.

What about people whose tax is deducted by their employer

There is a possible remedy to this situation. You can apply to have less of your income deducted at source as taxes. The form in question is called the "Request to Reduce Tax Deductions at Source" form # T1213. It is posted on-line at: www.cra-arc.gc.ca/E/pbg/tf/t1213/t1213-04b-e.pdf.

What if I don't want to send all my military taxes to the Peace Tax Fund? Can I send a reduced portion?

Yes. Send a letter to Revenue Canada explaining why you are sending a portion of your tax to CC. It is suggested that you send a copy to the minister of finance and your elected MP. This gesture will bring the issue to the awareness to Revenue Canada civil servants, while at the same time promoting the use of peaceful means in problem solving.

Shouldn't we support our armed forces because of their role in search and rescue and national emergencies?

Conscience Canada believes these are necessary functions but could be carried out as effectively and probably at less expense by a civilian organization.

Is non-violence ever effective? How would we stop the Hitlers of this world without war?

There are many non-violent successes such as:

- In the Philippines in 1986, half a million people came into the streets to protest Marcos' rigged elections, his army refused to attack, and he fled.
- When the Nazis ordered the deportation of Jews from occupied Denmark in 1943, within days almost all Jewish Danes were hidden and eventually transported to safety in Sweden.

- A manifesto against Nazi control of Norway's education system was signed by 12,000 out of 14,000 teachers in Norway. Over 1,300 teachers were arrested and most were interned in a concentration camp outside Oslo. 700 were selected for forced labour in the Arctic. They were finally released and they returned home as heroes
- Non-violent resistance in Poland, and later in East Germany, was instrumental in the liberation of Eastern Europe from Soviet rule during the 1980s.
- 'People power' has been used successfully to bring down undemocratic regimes in Georgia, the Ukraine, and Serbia and to prevent a coup in Russia.
- Japan's constitution renounces war and forbids maintaining a military for the purpose of making war.

In each case there was suffering during the period of non-violent resistance and the outcome was uncertain. However, the outcome of military intervention is also uncertain and does not address the conditions that allow fascistic leaders to rise to power. Moreover, the killings, the destruction of civil infrastructure and the trauma that results from war further erodes the capacity of the general public to build democracy and oppose fascism. In modern wars the number of civilian deaths (many of them children) far exceeds the military casualties.

Some people believe that non-violence could not have prevented the slaughter in Rwanda.

It is possible that in Rwanda international diplomacy could have been successful in preventing war. The massacre in Rwanda was encouraged on the radio months before it started. The UN was informed of what was going to happen but political differences between nations prevented them from acting. In fact they failed to respond to a desperate need for more diplomatic intervention.

The weapons of mass destruction used in modern war have resulted in the slaughter of a large number of civilians. At worst, we face "mutually assured destruction" and the end of life on earth. We have been willing to take enormous risks by relying on violent defence. Why then are we unwilling to take risks with non-violence?

Are there any countries allowing the diversion of military taxes to a Peace fund?

No countries currently allow it. Many countries like Canada have had bills presented by legislators for adoption.

- ✓ In the US only the Democrats are supporting it. In 2007 the Religious Freedom Peace Tax Fund Bill was reintroduced to Congress.
- ✓ In England, seven British citizens are taking their case to the European Court of Human rights.
- ✓ Historically, the province of Upper Canada allowed redirection of militia taxes to public works in 1841.

Wouldn't there be a flood of similar requests to redirect taxes?

Each request needs to be considered in its own right. In the computer age it would not be difficult to track these redirections of tax while respecting the rights of individuals.

Common requests which may arise:

- Abortion: redirection would be about \$.50 per person
- Environmental issues: some consider these to be life and death issues

If Canada can accept CO in wartime, it is hard to understand not accepting COMT in peacetime.

Would Conscience Canada ever support armed peacekeepers?

A range of opinion in CC, from complete pacifists to those who support a 'policing' model of peacekeeping i.e., responsible to civilian authority and accountable for every use of force.

Don't we need military for national security?

CC held a cross-country series of Dialogues in 2004 to discuss alternative ways to achieve national security. A summary of recommendations is on our website. They are organized around the principles of development, diplomacy (early detection, prevention, resolution of conflicts) and defence (oriented toward non-violent civilian defence, and looking more broadly at 'human security').

www.consciencecanada.ca