

Please! Treat me Like a Prostitute!

In a landmark decision, the Supreme Court of Canada just overturned Canada's laws against prostitution. In deciding in favour of three prostitutes, the Court ruled:

*"Parliament has the power to regulate against nuisances, but not against the health, safety and lives of prostitutes."**

Like the laws against prostitution, Canada's restrictive gun laws violate my life and safety and the lives and safety of my family.

I would love to be treated like a prostitute.

God, Guns, and the Rule of Law: Why I Refuse to Obtain a Licence to Own my Firearms

In the not too distant future I may be arrested and sent to prison. If I am, it will not be unexpected. I want you to know why.

In the summer of 1977 my wife, two kids, and I moved from California to Canada. In our 'household goods' I shipped an old, inexpensive Uruguayan military-surplus Mauser rifle and a Sear & Roebuck (i.e., cheap) double-barreled shotgun that I had purchased when I was eighteen. That fall, a veterinary colleague introduced me to duck hunting.

Armed with a Saskatchewan hunting licence and my faithful shotgun that I had used so successfully hunting rabbits in my home state of Georgia, I slowly began to knock down ducks. But I soon realized I needed a better, stronger, more powerful shotgun to hunt mallards successfully.

Therefore, in the spring of 1978 I went to one of the many gun shops in Saskatoon to purchase a new shotgun. After selecting a nice 12-gauge Browning side-by-side, I place the gun on the sales counter with my credit card. The proprietor looked at me askance and politely requested to see my FAC. Puzzled, I asked, "*What is an FAC?*". He replied, "*It is a new federal government regulation. Before I can sell you this shotgun I need to see your Firearms Acquisition Certificate.*" Since I did not have an FAC, he then explained that I would need to go to the local "*cop shop*", fill out a one-quarter-page application and pay the local police ten dollars for a "*criminal records check*". I applied for my FAC, a week later picked-up the small wallet-sized paper that "*certified*" that I did not have a violent criminal record, and I purchased the shotgun.

That was my introduction to "gun control" in Canada. "*Easy Peasy*" as my granddaughter would say. With my FAC I could purchase all the shotguns and rifles I desired (rather, had the money to purchase).

Fifteen years later in 1993 this unintrusive, practical, safe, and effective FAC system was slated to change - and radically so. On a trip to Hanna, Alberta in July my gun-collecting buddy told me that the Liberals were planning to introduce a law that would require us to have a licence merely to possess our firearms. I told him no government would be that crazy. Sadly I was wrong - very wrong.

That year Justice Cory of the Supreme Court of Canada, by obiter dictum, declared that Canadians "*do not have a constitutional right to bear arms.*"¹ While the justice's statement was merely a "*by the way*" remark or personal opinion, Prime Minister Jean Chrétien's newly elected Liberals began transforming that idea into law. In April 1994 Mr. Chrétien's Minister of Justice, Allan Rock, publically announced the Liberals' crusade against the personal ownership of firearms in Canada by declaring:

*"I came to Ottawa in November with the firm belief that the only people in this country who should have guns are police officers and soldiers."*²

Ignoring logic, history, and our Canadian culture Mr. Rock then tabled Bill C-68, the *Firearms Act* and the attendant changes to the *Criminal Code* that make the mere possession of a firearm illegal.

Using a fraudulently altered RCMP document that completely overstated the harm that firearms caused in Canada, the Liberals used their majority to ram their legislation through Parliament.³ The Canadian Government now blatantly claims the authority to decide:

*"the circumstances in which an individual does or does not need a firearm to protect the life of that individual."*⁴

Simply stated, the federal government now presumes the authority to tell you how you may defend yourself.

When eight provinces challenged the law, the Supreme Court with full pomp and circumstance merely followed the Government's lead. The Court totally ignored data from the Alberta Court of Appeal that:

*"confirms that firearm ownership is not dangerous, per se, and that many Canadians possess firearms for legitimate reasons and use them in a safe and responsible manner."*⁵

So much for data. The Supreme Court also ignored the legal submission of constitutional expert Ted Morton. Dr. Morton's legal brief shows:

*"Bill C-68 contains as many as twenty-eight distinct Charter violations. If the Supreme Court applies the same Charter rules to law-abiding firearm owners as it has to drunk-drivers, drug dealers, prostitutes, pimps, single parent welfare recipients, abortion providers, murderers, refugee claimants and owners of child pornography, that is—if it applies the law of the land with an even hand—then it will be forced by its own precedents to declare Bill-68 unconstitutional and thus of no force or effect."*⁶

The Supreme Court decided otherwise.

With the Supreme Court's foolish pronouncement that the Firearms Act "*constitutes a valid exercise of Parliament's jurisdiction*" we entered the Orwellian Age. As Saskatchewan Member of Parliament Garry Breitkreuz has ably demonstrated, this law:

*"gives the government such sweeping power that they could ban any or all firearms in Canada and not even the Supreme Court of Canada could overturn it."*⁷

Simon Fraser University Professor Gary Mauser describes our situation as appalling. He compares Canadians to frogs being slowly boiled alive:

"we're in hot water and our traditional culture is being slowly killed by the gradual tightening up of the firearms laws."

Dr. Mauser points out that with federal licencing scheme the Government:

*"wants to reduce the numbers of gun owners, and eventually eliminate all private ownership of firearms by citizens."*⁸

I believe that armed self-defense is a basic right of all people. I believe that our Government has severely overstepped its authority. Therefore I have refused to apply for a government licence to possess the means to protect my life, my family, and my property in my own home. I do not claim the Right guaranteed in the American constitution *"to keep and bear arms"*. I claim a much more circumscribed Right, but none-the-less an extremely important Right - the Right *"to have arms for their Defence"*⁹ as acknowledged by the *English Declaration of Rights, 1689*.

I do not claim the Right *"to have arms"* anywhere I like, but I sure do claim the Right *"to have arms for Defense"* in my own home. As former Minister of Justice Pierre Elliott Trudeau said: *"There's no place for the state in the bedrooms of the nation."*¹⁰ Likewise I sincerely believe there is no place for the state to presume the authority to look under my bed for my means of self-protection.

Once I leave the threshold of my home, I can understand why my neighbors might like for me to have a licence to take my firearm out into the public sphere. Thus when I am using my firearms outside my home, I have never objected to having a provincial game bird licence in the field. But in my home I follow Edward Coke's English common law dictum that *"an Englishman's home is his castle."*¹¹

My associates and I worked for over ten years to help elect Mr. Harper and a Conservative Government that promised to respect *"the rights of law-abiding Canadians to own and use firearms responsibly."*¹² Yet Prime Minister Harper honours neither his promise to firearms owners nor the Conservative Party firearms policy.¹² Inexplicably Mr. Harper scraped only the long gun registry and now not only retains but endorses the worst part of the *Firearms Act*, the Liberals' licencing scheme.¹³

Therefore, I publically notified Mr. Harper that I possess firearms for self-protection without a licence.¹⁴ For this "offense", the Government claims the authority to send me to prison for 10 years merely for possessing a firearm in my own home.¹⁵ I consider that coercive threat a flagrant usurpation of my Right of self-ownership. My decision is firm. I will NOT seek the Government's permission to be armed while in my home.

My very serious action obviously raises some very serious questions.

I was born in and grew up in Georgia. I was a teenager during the centennial of what is properly - in the South - called The War Between the States. My hero - my namesake - is Robert Edward Lee, General, CSA, who, even in defeat, spoke of *"the glory of duty done — the honor of the integrity of principle."*

But how does a person know where one's duty lies? Do we not have a duty to obey *"the law of the land"*, a duty to obey our Government? Do we not likewise have a duty to protect ourselves, our family? Faced with conflicting obligations, how does one maintain integrity?

When I was a young lad Walt Disney had his TV character Davy Crockett say, *"Be sure you are right, then go ahead."* But how does a person ever know what is right?

When does a government "*cross the line*" between passing a legitimate law and passing an evil law? Did we not learn that "*just following orders*" is not an excuse for blind obedience? Does not the law to which we owe the duty of obedience need to be just?

Can the Government demand that I have a licence merely to possess my firearm in my home for self-protection? Am I bound by duty to obey this law, a law I consider unjust? More importantly, if I cannot obey, how do I disobey?

Peaceful, public civil disobedience to an unjust law.

In 1970 before moving to Canada I served in a US Army Special Forces (Airborne) unit. At the height of the Viet Nam War protests, I trained with "*fixed bayonets*" to subdue the 'peaceniks' and draft protestors. At the time I regarded these law-breaking, marijuana-smoking hippies with utter disdain. I now understand and admire their resolve.

In 1846 Henry David Thoreau was arrested and jailed for refusing to pay his taxes, taxes he opposed because they supported slavery and what he considered an unjust war in Mexico. Thoreau's "*Resistance to Civil Government*"¹⁶ set the standard that Mahatma Gandhi, Martin Luther King, Jr., the US draft protestors, Aung San Suu Kyi of Burma, and Nelson Mandela used in their campaigns of peaceful disobedience to unjust laws in their countries.

I have decided to follow their lead.

In support of peaceful civil disobedience to what I consider an unjust law, I offer six reasons for my actions: our history and heritage, Natural Law, God and the Rule of Law, Philosophy, Research Data, and the need for protection from Tyranny.

I. Our British and Canadian Heritage and History: "*Armes for their Defense*"

Canadians unfortunately acquiesce too readily to Justice Cory's mere verbal opinion that we do not have the same Right to armed self-defence as Americans have. Far too many Canadians mistakenly believe that the Second Amendment of the *Bill of Rights* in the US Constitution created the '*Right to Keep and Bear Arms*'. This is a serious error. The United States Supreme Court has taken pains to emphasize that the Right to armed self-defense existed *BEFORE* the Bill of Rights was conceived.¹⁷ As historian Joyce Lee Malcolm has demonstrated in *To Keep and Bear Arms; The Origins of an Anglo-American Right*, all North Americans "*inherited*" the Right of armed self-defense from Great Britain.¹⁸

As the Royal Charters to the English colonies make clear, when British settlers arrived in North America they and:

*"all and every persons which shall happen to be born within the said province, and every of their children and posterity, shall have and enjoy all liberties ... of free denizens and natural born subjects, within any of our dominions ... as if abiding and born within this our kingdom of Great Britain."*¹⁹

William Blackstone in his 1765 *Commentaries on the Laws of England*, declares that the English Declaration of Rights, 1689 contains:

*"the true, ancient, and indubitable rights of the people of this kingdom."*²⁰

In June 1780, at the height of the American Revolutionary War, the Gordon Riot broke out in London. The army was sent to suppress the rioting whereupon *"about 285 people were shot dead, another 200 wounded, and around 450 of the rioters were arrested."*²¹ In the aftermath of this violent, deadly turmoil, the Recorder of London (the city's legal counsel) was asked whether the citizens should be allowed to retain their firearms. His reply:

"The right of his majesty's subjects, to have arms for their own defense, and to use them for lawful purposes, is most clear and undeniable.

*"It seems, indeed, to be considered, by the ancient laws of this kingdom, not only as a right, but as a duty;"*¹⁸

Thus at the end of the American Revolutionary War in 1781 when the United Empire Loyalist began leaving the new American states for Canada, they carried with them the same Right as all British citizens to have arms for personal defense.

Some Canadians like to advance the myth that Americans are the only people in North America who use firearms for self-defense. But ever since the arrival of the first European explorers, firearms have been an integral part of Canada. French explorer and colonizer Samuel de Champlain perhaps gets 'credit' for the first 'gun fight' in North America. As Champlain records in his journal of his 1609 venture against the Iroquois:

*"I rested my musket against my cheek, and aimed directly at one of the three chiefs. With the same shot, two fell to the ground."*²²

However, Dutch traders were present and soon provided firearms to the Iroquois. The slaughter of the resulting Beaver Wars was terrific as vast territories *"were virtually emptied of Native people."*²³

Along with Indian attack, the English and French settlers of North America had to contend with the warfare brought on by the complex European affairs of their mother countries. By the late 17th century and for most of the 18th century war was almost continuous in North America with England fighting France and her Indian allies. Thus the possession of personal arms for defense was not only necessary, militia training was a requirement.

And as the War of 1812, the Great War, World War II, Korea, and the many Canadian peace keeping deployments demonstrate, our Canadian culture of responsible firearms training and use in our daily lives has served us well in national defense.

Based upon a realistic understanding of our British and Canadian history, I take great exception to the Supreme Court saying that we Canadians do not have the Right to have Arms for our personal protection.

II. Natural Law versus Legal Positivism

In defining Canada's operational legal theory of law, Leslie Green of Queen's University says,

*"Legal positivism is the thesis that the existence and content of law depends on social facts and not on its merits."*²⁴

Since the time of John Austin the proponents of the philosophy of legal positivism do not give credence to "Natural Law", so much so that *"the [legal] positivists have effectively swept the field of their natural law foes"* accepting Austin's 1832 dictum:

*"The existence of a law is one thing; its merit or demerit another."*²⁵

Unfortunately the Supreme Court of Canada seems to follow in this benighted tradition. As a glaring example of this legal hubris, in 2003 in *Authorson* the Court declared that taking property from a combat-disabled veteran was acceptable, quoting with approval:

*"In short, the Legislature within its jurisdiction can do everything that is not naturally impossible, and is restrained by no rule human or divine."*²⁶

We need to note well that this blatant arrogance of legal positivism does cause some major problems for a legal theory that allegedly promotes "justice". One of the greatest legal positivists, H.L.A. Hart, struggled mightily in a vain attempt to address the immoral laws of Nazi Germany.²⁷

Therefore as A.P. d'Entreves appropriately states, "*The undying spirit of Natural Law can never be extinguished*" and quotes German historian and lawyer Otto von Gierke:

*"If [Natural Law] is denied entry into the body of positive law, it flutters around the room like a ghost and threatens to turn into a vampire which sucks the blood from the body of the law."*²⁸

Our Chief Justice Beverley McLachlin offered her interesting insight about Natural Law in her 2005 paper, "*Unwritten Constitutional Principles: What is Going On?*"

Justice McLachlin notes that,

"Lord (Robin) Cooke ... identified an inherent limit in the capacity of Parliament to enact enforceable laws: he wrote,

'Some common law rights presumably lie so deep that even Parliament could not override them.'"

Justice McLachlin states the government "*exists as an expression of its citizens*" and that "*its legitimacy and power must be based on the citizens' consent.*"

Recognizing "*an inherent limit*" on Parliament, the Chief Justice concludes:

*"Thus the legitimacy of the modern democratic state arguably depends on its adherence to fundamental norms that transcend the law and executive action."*²⁹

As David B. Kopel demonstrates in *The Natural Right to Self-defense* for over two thousand five hundred years philosophers have been writing about the value of armed self-defense.³⁰ Therefore in considering whether or not we should obey a law of our Parliament, I believe we need to remember a few of these "*fundamental norms*", or historic, Natural Law legal principles. For a very few examples:

Dutch scholar Hugo Grotius who in his 1625 classic *The Rights of War and Peace* demonstrated that the Right of nations to national self-defense is based upon our individual Right of self-defense declares:

*"when our lives are threatened with immediate danger, it is lawful to kill the aggressor, ... as it has been shewn, on which the justice of private war rests. We must observe that this kind of defence derives its origin from the principle of self- preservation, which nature has given to every living creature."*³¹

Five years before the Glorious Revolution produced the *English Declaration of Rights*, King Charles II executed Algernon Sydney in 1683. Sydney declared in *Discourses Concerning Government*:

*"That which is not just, is not Law; and that which is not Law, ought not to be obeyed. The Liberty of a people is the gift of God and nature."*³²

At the time of the Glorious Revolution in 1688 Gilbert Burnet, writing *Measures of Submission to the Supreme Authority* avowed:

*"In all disputes between power and liberty, power must always be proved, but liberty proves itself; the one founded upon positive law, and the other upon the law of nature. The chief design of our whole law, and the several rules of our constitution, is to secure and maintain our liberty."*³³

John Locke writing immediately after the Glorious Revolution of 1688 declared:

"Any single man must judge for himself whether circumstances warrant obedience or resistance to the commands of the civil magistrate;

"We are all qualified, entitled, and morally obliged to evaluate the conduct of our rulers. This political judgment, moreover, is not simply or primarily a right, but like self-preservation, a duty to God.

*"As such it is a judgment that men cannot part with according to the God of Nature."*³⁴

Italian jurist and philosopher Cesare Beccaria wrote *Of Crimes and Punishments* in 1764. His critique of the false idea of utility addresses the topic of personal arms:

"Who would sacrifice a thousand real advantages to the fear of an imaginary or trifling inconvenience; who would deprive men of the use of fire for fear of their being burnt, and of water for fear of their being drowned?"

"The laws of this nature are those which forbid to wear arms, disarming those only who are not disposed to commit the crime which the laws mean to prevent.

"Can it be supposed, that those who have the courage to violate the most sacred laws of humanity ... will respect the less considerable and arbitrary injunctions, the violation of which is so easy?"

"Does not the execution of this law deprive the subject of that personal liberty and does it not subject the innocent to all the disagreeable circumstances that should only fall on the guilty?"

*"It certainly makes the situation of the assaulted worse, and of the assailants better, and rather encourages than prevents murder, as it requires less courage to attack unarmed than armed persons."*³⁵

Our duty is not to obey every proclamation from Ottawa. Rather our duty demands that, individually, each one of us must evaluate the laws of Parliament.

III. God and the Rule of Law

*Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law.*³⁶

My now deceased, long-time and faithful hunting buddy Gene Seneshen once advised me,

"Ed, whatever you do, NEVER mention God in the same discussion as guns."

I respected Gene enough to have taken his admonition to heart. By quoting - approvingly - Algernon Sydney and John Locke above, I have obviously violated his sound advice.

So I need to explain. I do not claim a *"God given Right"* to own firearms, but as I mentioned above, I do claim that Natural Law is an extremely important part of our system of justice. And as I have stated, most legally trained persons, that is, the legal positivists reading this paper would dismiss my claim with *"a judicial wave of the hand."*

But that curt dismissal is neither fair nor just. So what I am not allowed argue in court, I may do here and present the reasons not to dismiss Natural Law.

The Rule of Law is one of the most treasured principles of Canadian Law. The Rule of Law is *"enshrined"* as a founding principle of our constitutional law in the Preamble to the 1982 *Canadian Charter of Rights and Freedoms*.

In *Re Manitoba Language Rights* - a 1985 case in which the Supreme Court declared that the Province of Manitoba must produce all their laws in both English as well as French - our justices bent over backwards to make sure everyone understands that:

"The principle of rule of law, recognized in the Constitution Acts of 1867 and 1982, has always been a fundamental principle of the Canadian constitutional order."

These esteemed justices even went so far as to cite the 1861 Constitution of the Confederate States of America as an example of the value of the Rule of Law even:

*"During a period of insurrection, (the) territory (was) under the control and dominance of an unlawful, hostile government."*³⁷

My point in this seeming digression is that I cannot find anywhere an exposition of the principle of the *"Supremacy of God"* even though God is mentioned before the Rule of Law. I understand that not everyone believes in God, or in any deity. But the constitutional declaration of the *"Supremacy of God"* is clear. Logic would dictate that the phrase must, as an important foundational principle, have some meaning, comparable in force to the Rule of Law.

In the absence of any guidance by the Court, I believe, as a minimum, we can understand *"God"* to be found in the written wisdom recorded during those twenty-five centuries of recorded history that preceded our personal arrival on earth. I believe we have a duty to make our own personal assessment of the validity of the laws passed by our Parliament.

Before I surrender my Natural Right of armed self-defense to the demands of Parliament and the Courts, I will evaluate the wisdom of that law. On the issue of armed self-defense I firmly believe the *"Supremacy of God"* trumps the *"Supremacy of Parliament"*.

IV. Philosophy and Law

During my struggle to understand my relationship to my government when I first began to doubt the wisdom, justice, and sanity of the laws of Parliament, I read a stack of books on law, constitutions, and philosophy, for example, Hart, Dworkin, Bentham, Hayek, etc. Somewhat like my attempt at understanding acid-base balance in physiology, quite a bit of

that information bounced directly off my skull. But I did discern one major difference between veterinary medicine and law. In physiology the ideas of how something works can be tested under a microscope, in a test tube, or at its most crude form, by trial and error. If the guinea pig dies after the injection, something in the solution can be called lethal - at least to guinea pigs.

Unlike medical physiology, legal philosophy depends quite heavily upon what a person believes. I offer but one example of this phenomenon; A Theory of Justice by John Rawls of whom a British philosopher observed:

*"there could be no dispute about the most important political philosopher of the 20th century: John Rawls."*³⁸

For me Rawls is a masterful writer; he presents the most comprehensive defense of peaceful civil disobedience to be found in literature.³⁹ Yet other philosophers use mere words to show where Rawls is "wrong" and cut his "theory" to ribbons. No tests, no trials, no mice, no volunteers, no double blind studies, nothing more than mere words with which one discards a respected author's life-time of work and constructs an alternate theory.

With that heavy bit of skepticism, I would like to introduce two philosophical theories that demonstrate the right to have arms for self-protection; a Social Contract Theory by Canadian Jan Narveson and a Common Sense Theory by an American, Michael Huemer.

Narveson, professor of philosophy emeritus at the University of Waterloo, combines and modifies ideas of Thomas Hobbes and John Locke into a modern Social Contract Theory. Narveson contends that when we advanced out of the "*state of nature*" we would have agreed to a contract whereby we kept our Right to have arms to defend ourselves.⁴⁰

Huemer, professor of philosophy at the university of Colorado, offers a theory based solely on "*common sense principles*". His common sense principles also show that armed self-defense is a Right we should guard and cherish.⁴¹

Neither Narveson nor Huemer use the word "God" or appeal to Natural Law.

I find the libertarianism of Narveson and Huemer much more logical than the so-called positivist theories of Austin, and others, that somehow "prove" I should live "*in a state of subjection*" to the "*commands*" of "*the sovereign*."⁴²

V. Tangible, Empirical Research Data

Australian legal scholar John Finnis has stated:

*"There is no human right that will not be overridden if feelings... are allowed to govern change."*⁴³

Obviously laws should not be based upon emotion. However that is exactly what Prime Minister Chrétien did with the *Firearms Act*. In the lingering aftermath of the École Polytechnique shooting in Montréal Mr. Chrétien's Liberals passed the *Firearms Act* to try to prove that they were tough on gun crime.⁴⁴

Fortunately, good, solid research data on the positive effects of firearms ownership is available. For example,

Don B. Kates and Gary Mauser, "*Would Banning Firearms Reduce Murder and Suicide?*" ⁴⁵

Gary Kleck, "*Guns and Violence: A Summary of the Field*".⁴⁶

Gary Kleck and Marc Gertz, "Armed Resistance to Crime - Self Defence with a Gun."⁴⁷

John Lott, "*More Guns, Less Crime, Understanding Crime and Gun Control Laws*".⁴⁸

Gary A. Mauser, "*Hubris in the North: The Canadian Firearms Registry*".⁴⁹

Gary A. Mauser: "*Why the long-gun registry doesn't work — and never did*".⁵⁰

These researchers clearly demonstrate that restrictive gun laws do not improve public safety. As Dr. Mauser stated:

*"No international study of firearm laws by criminologists or economists has found support for the claim that restricting access to firearms by civilians reduces criminal violence."*⁵⁰

Our neighbors in the United States very obviously have social problems that need to be addressed. However, when proper '*apples to apples*' comparisons are made between the USA and Canada, a revealing fact becomes apparent: restrictive gun laws make us less safe. For example, Saskatchewan with this restrictive licencing law, compared to Montana with their Right "*to Keep and Bear Arms*", our provincial murder rate is almost 50% higher than Montana.⁵¹

The benefits of individual firearm ownership far outweigh any public danger.

VI. Protection from Tyranny and State Sponsored Murder

Abuse of government power - tyranny- is not a popular subject. But as philosopher George Santayana has advised:

*"Those who cannot remember the past are condemned to repeat it."*⁵²

Regrettably, history teaches that individuals more often need protection *from* their government than *by* their government. Government-sponsored murder is not a once-in-a-millennium aberration that disappeared with the defeat of Nazi German in 1945. Consider these pertinent facts:

*"The number of crime victims over the past one hundred years is only a fraction of the number of victims of government-sponsored violence."*⁵³

*"The total number of people killed by their own governments in the twentieth century has been estimated at 123 million."*⁵⁴

Canadian General Roméo Dallaire witnessed first-hand the grotesque horror that the government of Rwanda perpetrated upon its own defenseless, unarmed people.⁵⁵ As the continuing daily human slaughter in Syria clearly shows, government-sponsored murder of its citizens continues unabated well into the 21st century.

In light of these international outrages against humanity should citizens be forced to ask their government for permission to own a firearm? Is Canada somehow immune to what is happening in the rest of the world? Who other than a criminal or a tyrant would seek to disarm responsible citizens?

David B. Kopel, et al, in *The Human Right of Self Defense* declares:

"No government has the legitimate authority to forbid a person from exercising her human right to defend herself against a violent attack, or to forbid her from

*taking the steps and acquiring the tools necessary to exercise that right."*⁵⁶

Canadian historian, writer, and poet George Woodcock has written:

*"When the duty to obey without question is accepted, that is the moment of freedom's death."*⁵⁷

The *Firearms Act* demands obedience to rules and regulations that make the mere possession of a firearm illegal. Obedience to the *Firearms Act* would indeed be the moment of Freedom's death.

When I argued these points in Saskatchewan Provincial Court, Judge Orr ruled:

*"in some hypothetical future Canada where a tyranny has arisen ... [licencing] would so hinder Canadians in their right of self-defense that the section might be ruled by courts (if there still were any) to be an infringement of [your Rights]."*⁵⁸

Unfortunately, Judge Orr missed the very point the English made in 1689.

*"In a world where children's hands are hacked off with machetes and bombs are detonated in marketplaces, where young women are burned alive as punishment for affairs of the heart, civilization clearly remains a work in progress."*⁵⁹

We cannot sit by and wait for tyranny to arise to prove that our rights have been violated. Once a tyrant has arisen, we will have lost any hope that the courts would be able to protect our Rights.

Conclusions

The facts are that we are less safe than we were before the licencing law was passed.

Gun safety is not rocket science. We do not need a federal law to enforce gun safety.

Responsible gun owners are NOT the problem; criminals are the problem.

The police do not need a national list of every hunter, sports shooter, and gun collector in Canada to do their job. The police need a registry of criminals.⁶⁰

A federal registry of gun owners is only useful for the confiscation of firearms.

The *Firearms Act* is not simply a "bad law"; this law is an *evil law*. This law was evil in its inception; this law was evil in its passage; and this law is evil in its application. This law strikes at the very heart of our Liberty. Parliament presumes the authority to manage the most important, innermost aspect of our existence.

We cannot afford to ignore the challenge before us. As Martin Niemöller said about the Germans' cowardice following the Nazis' rise to power:

"First they came for the Socialists, and I did not speak out-- Because I was not a Socialist.

*"Then they came for me--and there was no one left to speak for me."*⁶¹

What We Believe Matters

This law determines the very manner in which we will be governed.

We cannot allow Parliament and the Courts to ignore our history and culture.

We cannot allow Parliament and the Courts to dismiss true, accurate data.

We cannot allow Parliament and the Courts to deface our Natural Rights.

We must refuse to accept the Court's pronouncement that our Government "*can do everything that is not naturally impossible*".

We must refuse to accept that Parliament "*is restrained by no rule human or divine.*"

What We Do Matters

Our Government has severely overstepped its authority. We must not sit idly while the Government tramples our Rights and destroys our proud Canadian culture of responsible firearms ownership.

The choice is yours.

My associates and I have publically proclaimed that we own firearms without a federal licence.⁶²

We ask you, our fellow citizens, to join us in an open, public, honest campaign of peaceful civil disobedience.

Burn your firearms licence and send Mr. Harper the ashes. Together we can bring sanity back to our laws.

We are the sons and daughters of the men and women who took Vimy Ridge and Juno Beach. It is our turn to sacrifice. We who have enjoyed our Liberty for so long owe this action to our children and grandchildren.

Sincerely,

Edward B. Hudson DVM, MS
Secretary
21 January 2014

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"It is of particular concern that the Minister of Justice and the Canadian Association of Chiefs of Police relied on these statistics while Bill C-68 was being processed in Parliament as evidenced by statements in the report, 'Illegal Firearm Use in Canada.'"
"The incorrect reporting of RCMP statistics could cause the wrong public policy or laws to be developed and cause researchers to draw erroneous conclusions."
http://www.cufoa.ca/articles/licensing/licensing_09_mar_1998.html
 4. Section 117, The Firearms Act, chapter 39, Statutes of Canada - 1995; p. 54
"The Governor in Council may make regulations
(a) regarding the issuance of licenses, ,...
(c) prescribing the circumstances in which an individual does or does not need firearms
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