



After Prime Minister Justin Trudeau [hereinafter Justin] unilaterally circumvented Parliament to impose a gun ban upon law-abiding Canadians, most members of the firearms community voiced their opposition to the ban. Many others marched in peaceful protest similar, at least in theory, to what *the truckers* realized in February 2022. However, Justin's reaction to the *Freedom Convoy*, vis-à-vis the trucker's desire for peaceful protest, is an ominous warning as the two-year gun ban amnesty comes to a close.

Justin and the Liberal/NDP government want to disarm Canadians and have commenced the process to be successful. Regardless of the OIC or the proposed firearms legislation, COVID has essentially shutdown Parliament for two years such that Canada has not had meaningful or democratic government. Together with the imposition of the Emergencies Act, aka martial law, Justin and his Liberals, with the full support of the NDP, have the power to curtail Canadian freedoms, including peaceful dissent and opposition. As Canada's deputy Prime Minister proudly boasted on February 22<sup>nd</sup>, or thereabouts, we have the power "to freeze the bank accounts of political dissidents". Basically, those who do not comply with the Liberal law and agenda will suffer. Gun owners are not exempt and, frankly, are bigger targets without the public support that the truckers enjoyed.

I have often heard gun owners suggest that their guns will be "lost" or "stolen" before their firearms are forfeited or confiscated. Others, often American, but similar sentiment has been voiced by Canadians, have said that "the government will only take my gun from my cold dead hand". From experience, these comments are dramatic and few people will *walk the talk*. For example, not reporting stolen or lost firearms is a criminal offence, not to mention other charges that may result such as mischief or obstructing justice. Similarly, as much as the firearms community cherishes ARs or other banned guns, Canadians are not known for armed rebellion or underground movements like the United States has experienced. Most Canadians with restricted firearms that have been banned will consent and comply with government directions. Canadians with banned firearms that were originally non-restricted, have more options should these people choose to defy the law. Regardless, it is going to be complicated when the amnesty ends. There is no money for buy-back, nor any mechanism for Canadians to surrender their guns. However, martial law will offer the government the option of having state law enforcement attend at the known locations of banned, formerly restricted firearms for seizure and the arrest of the owners.

Before proceeding, it is worth noting that history has demonstrated that the American and Canadian governments will trample Constitutionally protected rights to further an agenda.

For example, the American government used force to ensure compliance with the law and social norms during Hurricane Katrina, a natural disaster compounded by looting and other criminal activities. Armed or not, law-abiding citizens were at risk from the storm, looters and, sadly, law enforcement. Government officials are alleged to have decreed that only the police should have guns, and, accordingly, gun bans were imposed throughout New Orleans, with confiscation of guns actively pursued. In essence, the governments actions resulted in the disarmament of citizens, preventing people from defending themselves, their loved ones and owned property. Comparably, during the 2013 flooding of High River, Alberta, Canada's RCMP conducted warrantless searches and firearm seizures without judicial oversight. Although this trampling of Canadian rights will not be explored, per se, homes were forcibly entered by breaking windows and kicking in doors to take guns. Sadly, during Katrina and in High River, regular law-abiding citizens were struggling to survive a natural disaster, while subject to military and police officers conducting warrantless searches of their homes, random door-to-door searches for "weapons", and roving checkpoints. Confiscation of weapons and disarmament of the population were the objectives of the government activities. In the process of realizing these objectives in New Orleans, police shot and killed at least two unarmed citizens and wounded four others. More importantly, in both locations, constitutional rights and freedoms, the legal foundations for American and Canadian democracy, were trampled.

More recently, during the freedom protests commenced by the truckers, the Canadian public was informed by the media that weapons were seized in Coutts, Alberta. The inference was that the protesters were armed, but the guns were actually seized from private homes. Sadly, Canada does not have impartial media outlets with the CBC being one of the worst offenders. The government's narrative is enthusiastically presented, despite the facts on the ground. Accordingly, when the amnesty ends and if the government acts under the authority of imposed martial law, firearms' owners can expect to be vilified in the media, creating the public foundations for armed seizures of banned "weapons".

In Canada, we have the Canadian Charter of Rights and Freedoms, which Charter enshrines the right of all Canadians to "life, liberty and security" of the person, as well as to be free from unreasonable search and/or seizure. Very generally, if the police want to enter and search a home, the consent of the owner or a search warrant will be required. With regard to the latter, "reasonable grounds to believe", vis-à-vis a search for evidence of criminal activity, is a necessity. However, under martial law, a search warrant will not be required, nor will Charter compliance be expected, despite governments' pronouncements to the contrary. In essence, there are far too many guns, unknown locations, costs and legal restraints for adherence to The Canadian Charter and related laws. Martial law is far cheaper, and with no significant opposition, more expedient. Accordingly, the remainder of this article will describe what a firearms' owner may experience, as well as options available.

Formerly restricted firearm locations are well known to the RCMP and CFO offices. Accordingly, should a PAL holder decide not to comply with the law, and it is recommended that Canadian laws be complied with, said PAL holder can expect a visit from the authorities. Even without martial law, such a visit is a *no-brainer* as there are grounds for a valid search warrant. Regardless, the police will arrive to search for and confiscate the banned guns. Concurrently, the firearms owner, and possibly his spouse and children, are likely to be arrested.

Under the Charter, there is a right to silence and it is always recommended to respect and adhere to this right – even under martial law. Anything that is said can and will be used against the person being investigated and/or arrested – just like is heard in films. Maintaining silence takes commitment and determination, especially if spouses and children are being used to the state's advantage, and/or the home is being ripped apart looking for the hidden, lost or stolen ARs. Although the home owner, PAL holder or whomever may have principles and want to act upon same, resistance and violence are not wise courses of action. Following the Charter protections, even if same have been suspended, are.

After the Emergencies Act was declared, many truckers and protesters were arrested for mischief, a relatively minor offence. However, a few were held for bail, which means some time in custody. Non-compliant firearms' owners can expect the same or worse, although custody is very manageable and survivable in Canada. Continuing, there is a right to consult counsel, and it is recommended that this right be exercised. However, if a PAL

holder has chosen the path of resistance in defiance of the law, and, again, this path is not recommended, there will be liberty hardships. There may even be familial hardships as spouses may be arrested and children arrested and/or removed. This may sound draconian, but truckers and other protesters were threatened with CAS involvement and during your average criminal and/or drug investigations, even in "normal" times, it's SOP for the police (often for good reasons). Finally, financial hardships are a given, especially when accounts are frozen, and assets are seized.

In conclusion, the Canadian government is committed to the "peaceful" and "legal" disarmament of Canadians, or at least the perception of same. In the United States, despite the Constitutionally enshrined Second Amendment right, the Democrats have the same agenda. However, the Americans have a history of rebellion and armed resistance. Canadians do not!

Historically, the FLQ, IRA, Minutemen, Viet Cong and other insurgent groups were prepared, organized and had broad public support. Canadian firearms' owners deliberately flouting the law after the amnesty ends do not, and will not have these crucial variables. They will be marginalized, vilified and targeted by the government and the compliant media. Resistance is doomed to failure. Accordingly, opposition, concerns and freedom should be resolved and

pursued within the system. For better or worse, Canada's legal fabric and democratic structures have created, maintained and perpetuated a country Canadians can be proud of - and are blessed to live within. The State of Virginia's motto is "sic semper tyrannis", which translates to thus always to tyrants - basically, bad outcomes will inevitably befall tyrants. Canada is not the United States and enjoys political discourse and debate when resolving political issues. Again, Canadians are blessed.

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