

# Marijuana and the Loss of Canadian Sovereignty

US Interference in Canadian Criminal Law and Policy pertaining to Marijuana

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The arrest of Marc Emery and two others on July 29, 2005 in Canada to serve the questionable USA War On Drugs is a wake up call for Canadians. Marc Emery is a serious activist promoting the legalization of Marijuana use in Canada. The significance for Canadians of his arrest is not about anyone's personal attitude to the legalization of marijuana. The significance speaks to the core of being Canadian, being a sovereign nation, being able to make decisions we choose in our interest, in our own time, on our own terms.

Under the Canada Elections Act Marc Emery is the leader of a registered federal political party in Canada which has as its only platform that mission- to legalize the use of "pot." As a registered party in Canada, the Marijuana Party is part of the legitimate opposition forces of government.

Since its inception, that party has been garnering more and more votes at every federal election. It is a valid, viable electoral option as the alternative choice for many Canadians. Our Supreme Court of Canada sanctioned that parties existence along with all other alternative parties in Canada. In *Figueroa v Canada (Attorney General)* 2003 SCC 37 it said

"The ability of a party to make a valuable contribution is not dependent upon its capacity to offer the electorate a genuine government option. Political parties... act as a vehicle for the participation of individual citizens in the political life of the country. ...Marginal or regional parties tend to raise issues not adopted by national parties. Political parties provide individual citizens with an opportunity to express an opinion on the policy and functioning of government. Each vote in support of a party increases the likelihood that its platform will be taken into account by those who implement policy, and votes for parties with fewer than 50 candidates are an integral component of a vital and dynamic democracy. "

Marc Emery and his party are activists working legally to inform and shape public opinion and Canadian law. That is what being a citizen in a free and independent country is all about. That is the core and essence of sovereignty and liberty.

The July 29 , 2005 arrest of Marc Emery and others arose out of U.S. demands and pressure asserted by the U.S. Drug Enforcement Administration on Canada as a result of international treaties. In 1985 Canada created an act called The Mutual Legal Assistance in Criminal Matters Act that puts effect to Canadian cooperation in a number of treaties dealing with criminal law.

Here is a clear classic example of how international agreements are stealing away from Canadians our own protection created by our forefathers for us in our own Constitution. It should not be possible for a foreign jurisdiction to have the clout to cause our own police to

arrest Canadians in our own country, even under the protection of extradition hearings, for any matters except those of real internationally heinous matters or crimes against humanity.

It is more than time to look at what is happening in our country and see the loss of our own power as a result of international arrangements that are incrementally killing us!!! It is more than time to say "No More!" It is more than time to get out of the agreements that are really hurting us! It is more than time to elect Members of Parliament who are pro Canadian, not anti Canadian!

We must remember that international treaties are no longer about making life better for the masses of people in the world. Globalization now is about eliminating the power of sovereign people to make decision in their interest whenever those interests will interfere with the global agenda of greed and global power in the control and interest of an elite few. Thanks to the work of activists around the world we now know that the new global rules require that every government cooperating in globalization must eventually eliminate all its local laws that interfere with the elite's global agenda. Such governments are enemies of their own people.

When the people are asked, they say no when they understand the implications. Our Canadian example is the defeat of the Charlottetown Accord which would have altered our Constitution such as to eliminate many rights of the citizens. The recent French and Dutch rejection of the European Union Constitution is another example of the people saying no. Many of the other EU countries were not given a vote on the issue. Their governments simply committed the people to the EU Constitution. That constitution was aimed at establishing the dominance of the market place; that is, the requirement of EU nations to erode their social programs and instead make laws to favor the corporate profits before people.

So it is all about an ethos for living. Do we want a world that permits a nation of people to make their own decision for their own interest? Or do we want a world where nations, hence the people, are not allowed to make their own choices, and punished if they try??

It is noteworthy that the US flagrantly violates international accords when it suits them, like the Kyoto Accord, or paying its financial dues to the United Nations, or closing the border to healthy Canadian beef . The most heinous violation is its current actions in Guantanamo Bay in Cuba where it detains and tortures people the USA defines as terrorists. There they violate international laws that protect prisoners of war from torture saying those international protections do not apply because the detainees are not prisoners of war -never mind that they are from Iraq or Afghanistan where the US has created war.

Much has been written about the hypocrisy and complicity of the USA in international drug trafficking and the failure in its "war on drugs." Afghanistan had almost put an end to the production and trade of poppy seed for the drug trade of opium. Since the US invasion and attack on Afghanistan and interference in their sovereignty, the opium trade in Afghanistan is flourishing.

Back to Marc Emery and marijuana and the long arm of the USA. Emery is charged in absentia in the USA with drug related charges including conspiring to distribute marihuana seeds for which the penalty is a life sentence in a US jail if convicted. Emery has been a

marijuana activist in Canada for years, and occasionally charged and convicted where he has violated existing Canadian law. However, it is not an uncommon practice for Canadian police to go easy on matters that are affected by social policy and change in process. That is our Canadian way.

The whole issue of legal uses of marijuana for medicinal purposes as a painkiller in chronic disease is already implemented. The gradual changes in Canadian law over possession vs trafficking has been going on for years. Our federal government is close to making some significant changes in the law for Canadians as a result of political pressure from the public and advocates like Marc Emery. The U.S. does not like that.

The US has made it very clear they are not happy with the Canadian direction on marijuana law. Their laws hold marijuana to be a dangerous drug equal to heroin or opium. Our law does not. This attack on Emery is the flexing of US muscle telling Canadians that we have to approach the marijuana issue their way. The international arrangements in place have given the US a legal route into their attack on Emery and hence on every Canadian. The recent accord between Bush, Martin, and Fox to implement a common North American Union by 2010 under US domination eliminating the distinct national status of Canada, Mexico and the USA is also in play here.

It is wrong for the US way to be dumped on and used against Canadians. It is certainly wrong for our country to cooperate with any regime in such a way as to subject Canadians to punishment in a foreign regime that exceeds the punishment applied in Canada for a marijuana offence. It is particularly offensive for our government to be cooperating with another regime to subject Canadians to criminal charges for actions that are not an offence in Canada, or for actions that may have been an offence but are in policy process of eliminating the offence. Are we sovereign or not?

Canadians are entitled to be protected from the over-reach of any foreign jurisdiction, including the USA. It is time Canadians put the reigns on our government's complicity with the unification of North America into one union under US dominance and control. It is time our government ceased its endless cow-towing to Canada's corporate elite of anti Canadians, the Canadian Council of Chief Executives, who are leading the charge in Canada to unify North America in their interests.

From its inception in 1997 the Canadian Action Party has a commitment to act on taking back the sovereignty of Canada, to living up to the citizen protections that exist in our Canadian Constitution. We are not content to merely give lip service to the warnings and information coming from think tanks like the Center for Canadian Policy Alternatives, or nonprofit organizations like the Defence of Canadian Liberty Committee, the Council of Canadians, or from Canadian lawyers like Rocco Galati, and Canadian academics like Michel Chossudovsky, William Krehm, Mel Hurtig, Naomi Klein, Murray Dobbin, Linda McQuaig. We say it is time to take back our country for our own people. It is time to rid ourselves of the clout of the anti Canadians.

The Canadian Action Party demands a national referendum to decide if we want Canada to end as an entity, and to decide if we want to be a part of a common union of North America under US control. We say it is tantamount to treason for national leaders and bureaucracy and the CEOs of major Canadian corporations to be setting in process the demise of Canada without the knowledge and consent of Canadians.

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