

Appeal ruling (<http://www.ontariocourts.ca/decisions/2014/2014ONCA0578.htm>), **par 76**: “First, the appellants have the opportunity to publicly disavow what they consider to be the message conveyed by the oath. The opportunity to publicly disavow a message is relevant to the determination of whether there is a s. 2(b) violation. . . .”

Pre-ceremony letter to citizenship judge. Dear . . . (citizenship judge; cc: ministers of justice, immigration, some press),

This is to let you know that immediately after my citizenship ceremony on November 30, 2015, I will be following the advice of Weiler J.A., Lauwers J.A., and Pardu J.A., in their ruling on *McAteer v. Canada* against my co-appellants and myself, 2014 ONCA 578, paragraph 76¹:

“...the appellants have the opportunity to publicly disavow what they consider to be the message conveyed by the oath. . . .”

As a further explanation, allow me to quote from my own September 2012 affidavit to the court in this matter²:

I find the phrase “I affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Queen of Canada, Her Heirs and Successors” repulsive. To me, it states that some people, the royals and their heirs, are born with privilege. It is a historic remnant of a time we all believe has passed, in which the children of peasants could be nothing but peasants, and in which aristocracy existed as a closed club.

I appreciate that the monarchy in Canada is mostly symbolic (I could not live here had it been anything more). Yet it is precisely the wrong symbol: a symbol that we aren’t all equal and that some of us have to bow to others for reasons of ancestry alone.

. . . I feel that the requirement of taking the (first half of) the oath is tantamount to hazing. To be initiated as a Canadian, I am required to participate in an initiation ritual that I find disturbing and humiliating. It is a ritual that has no practical meaning and only carries what I regard as a repugnant symbolic meaning. Moreover, it is a ritual that born-Canadians are not subject to.

. . . I feel there is much value in becoming a Canadian citizen. Should this Application be dismissed and possible subsequent appeals be denied, I will likely hold my nose and shut my eyes, surrender to some hazing and unhappily take the oath of citizenship in contradiction to my conscientious beliefs as indicated above.

Disavowal Letter. Dear . . . (citizenship judge; cc: ministers of justice, immigration, some press),

In specific reference to the Citizenship Oath, the Court of Appeal for Ontario, in its decision against my co-applicants and myself (*McAteer v. Canada*, 2014 ONCA 578, paragraph 76³), had written

“...the appellants have the opportunity to publicly disavow what they consider to be the message conveyed by the oath. . . .”

As explicitly suggested by the Court, **I hereby completely disavow whatever I thought the Citizenship Oath conveyed when I took it earlier today** (though if an oath can possibly stand for more than what the oath-taker thinks it stands for, that extra bit possibly remains standing, without my awareness or consent).

I find it regrettable that I have to do this; I have done my best to avoid it. In my mind, oaths are not meant to be disavowed. But I must have misunderstood something about what oaths mean in Canada, and the courts have put me right.

In lieu of a further explanation for my distaste for the oath, I attach a copy of the letter I sent you prior to this ceremony.

There are many other residents of Canada who are refraining from taking Canadian citizenship, or are taking it with great discomfort, or have taken it with great discomfort, only because of the monarchy part of the oath. A part of the purpose of this letter and a part of the purpose of making it public is to make it widely known that a partial resolution, suggested by the courts, is to take the oath and immediately disavow its meaning. I will maintain a web site, <http://disavowal.ca>, containing the story of this disavowal and of past ones, and encouraging others to share their disavowal stories. Canada stands to gain if this will open the road for more of its residents to take citizenship with less discomfort.

Needless to say, I remain subject to the laws of Canada and to basic principles of democracy, human rights, and decency towards others. I am proud to have become a citizen of this wonderful country, and I look forward to fulfilling my duties as a citizen.

Media Letter. Dear ...

A while ago you have contacted me regarding my application to the courts, together with M. McAteer and S. Topey, to allow us to take the Canadian oath of citizenship without the part regarding the monarchy. As you may remember, our application was denied. Yet in paragraph 76 of its decision the Court of Appeal for Ontario had written: (see <http://www.ontariocourts.ca/decisions/2014/2014ONCA0578.htm>)

“...the appellants have the opportunity to publicly disavow what they consider to be the message conveyed by the oath. . . .”

Heeding their advice, I plan to partially disavow my oath immediately after taking it on Monday November 30, 2015 at 10:30AM, at the Scarborough CIC offices at 200 Town Centre Court, Suite 380, in Scarborough. My draft disavowal letter is at <http://disavowal.ca/BarNatan/Disavowal.pdf>.

Further to that, I have set up a very basic web site at <http://disavowal.ca/> (live since November 21), to inform others about the possibility of disavowal and to allow them to register their disavowals in simple yet public manner. An additional recent disavowal displayed there is by Peter Rosenthal; see <http://disavowal.ca/Rosenthal/disavow.pdf>.

¹see <http://www.ontariocourts.ca/decisions/2014/2014ONCA0578.htm>.

²see http://drorbn.net/AcademicPensieve/Projects/Citizenship/BAR-NATAN_Affidavit.pdf.

³see <http://www.ontariocourts.ca/decisions/2014/2014ONCA0578.htm>.