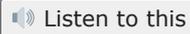


Firearms Control Amendment Bill meets widespread resistance

By Ivo Vegter - Jun 25, 2021



Across the length and breadth of the country, crossing racial and socio-economic divides, the opposition against the extraordinary proposal by minister Bheki Cele to prohibit guns for self-defence has gathered steam.

'Let us commemorate and remember that the blood that was spilled in Boipatong should not have been in vain... This is part of the reason why we should NEVER give up our right to bear arms... Amandla!!'

Thus wrote private security expert and MK veteran [Themba Kubheka](#) on Facebook on 17 June 2021, the anniversary of [the massacre](#) in which 32 people lost their lives at the hands of members of the Inkatha Freedom Party, while the South African Police looked the other way.

The taxi associations oppose the amendment, because the majority of taxi drivers carry legal firearms to protect themselves from crime in what can be a very dangerous job.

Eyewitness News (EWN) collected [several anonymous vox populi quotations](#). A woman in Cape Town told the station: 'In the locations there are too many crooks and skollies. If you are going to work, you are scared, waking up in the morning you are fearful. So if I had the opportunity to buy a gun, I would. If you are using a gun for self-defence, I don't think it's fair for it to be taken away from you.'

A man told EWN: 'When are the police going to come? If you have a gun, you can defend yourself.'

Another said: 'We can't allow this. This is totally wrong of the government to come back at us now for failing the people out there. They can't handle the crime that is happening with firearms in the Western Cape or Johannesburg, and all over South Africa. Now they think banning firearms will stop this thing.'

Firearm Summit

A multitude of lobby groups are campaigning against the proposed amendment.

On Tuesday, Andrew Whitfield, a member of the Parliamentary Portfolio Committee on Police, convened an online summit to discuss the amendment, under the auspices of the Democratic Alliance (DA). Supporters of the amendment, especially the minister himself and anti-gun lobby Gun Free South Africa, were invited to participate, but they declined.

Girls on Fire, a campaign of Gun Owners South Africa, views firearm ownership as an essential means to empower women to defend themselves against crime and gender-based violence.

Lynette Oxley, founding member of the campaign, told the summit that prohibiting gun ownership for self-defence would be a significant contributor, if not the direct cause, of the second wave of gender-based violence of which President Cyril Ramaphosa has spoken.

She believes women are most vulnerable to crime in South Africa, and have the added responsibility of needing to protect their children at home. Rendering them defenceless would be a travesty.

She also pointed out that when an attack happens on a woman, it is the attacker who chooses the time and the place, making sure that there is nobody around to defend their intended victim. In such a situation, there is rarely even time to alert an armed security company, or call the police, let alone wait for them to arrive. If women are not permitted to use effective means to defend themselves, they are destined to be victims, at the mercy of thieves, rapists, abusers and murderers.

Rural protection

The Western Cape minister of agriculture, Ivan Meyer, told the summit of the unique circumstances in which farmers and agricultural workers find themselves, living and working in remote areas, sometimes without even having mobile phone coverage, which makes them far more vulnerable than urban residents.

On farms, the nearest police station is often tens, or even hundreds of kilometres away. Even help from neighbouring farms often comes too late. Legal firearms are usually the only thing standing between farmers, their families and their employees, and vicious bands of well-armed attackers.

The South African Agricultural Initiative echoed these fears. The organisation believes that farmers will simply refuse to be disarmed. The same is likely true for other gun owners, who would rather become illegal firearm owners able to defend themselves than legally compliant disarmed citizens without a hope of defending themselves against crime and violence.

The summit also heard from hunters and sports shooters, all of whom, like gun collectors and movie armourers, strongly oppose the Bill in its entirety.

Legal basis

A number of the panelists pointed out that the state has a very weak legal basis for disarming citizens. It has little or no evidence of its primary claim, that legal firearm ownership increases the supply of illegal firearms which are then used in the commission of crimes.

More importantly, the Constitution of South Africa, while not explicitly providing for the right to own firearms, does codify the right to life and bodily integrity.

Lereshin Naicker, who completed his Masters Degree in Advanced Criminal Justice at the University of KwaZulu-Natal, told the summit that legal precedent has long held that killing in self-defence is lawful. Without the means to defend one's life and bodily integrity, the right to life and bodily integrity (and property, for that matter) becomes essentially meaningless.

This would be true even if the police were effective in defending the inherent rights of citizens. The fact is, however, that they are not. The police commissioner, General Khehla John Sitole, has publicly admitted that the police service is unable to execute its mandate. It is unable to protect South Africans from crime. This makes it all the more perverse to deny people the sole effective means of self-defence they have: their own firearms.

The chairperson of the Portfolio Committee on Police, Tina Joemat-Pettersson, issued [an extraordinary statement](#) denouncing Whitfield and the DA summit, in which she accused him of 'politicising' the issue.

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According to Joemat-Pettersson, Whitfield had raised the point that nothing had been done to convene the Firearms Summit that the Portfolio Committee itself had promised to convene in 2020. She denied this, claiming that Covid-19 had intervened, and the summit would be held in July 2021.

This is a sneaky dodge, however. While a Parliament-led summit would indeed be very beneficial, holding it *after* the 5 July 2021 deadline for comment submissions on the draft Bill defeats its purpose. Frankly, such a summit should have been held before the amendment was even drafted, and Joemat-Pettersson has no right to criticise Whitfield for taking matters into his own hands.

The perversity of Bheki Cele strutting around with a phalanx of heavily armed guards, kicking bikini-clad women off beaches instead of defending people from rape, robbery and murder, offends our sense of justice. To add injury to insult by disarming citizens caught in a storm of violent crime has united South Africans from all walks of life in opposition to the government as few political issues have done in the past.

Get involved

Nicholas Lorimer, an analyst at the Institute for Race Relations (IRR), has [put together a short paper](#) in which he effectively counters the arguments for civilian disarmament. The IRR's Gabriel Crouse also hosted [a panel discussion on YouTube](#) on the subject of guns and liberty last night.

A copy of the Firearms Control Amendment Bill can be found [here](#). Comments are to be emailed to comments.fcabill@csp.gov.za by 5 July 2021. Alternatively, sign up to the IRR's submission to [Stop the Ban](#).

[Image: [kahlh](#) from [Pixabay](#)]

The views of the writer are not necessarily the views of the Daily Friend or the IRR

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Ivo Vegter is a freelance journalist, columnist and speaker who loves debunking myths and misconceptions, and addresses topics from the perspective of individual liberty and free markets. As an independent researcher, he is the author of the recent report from the Institute of Race Relations (IRR) – South Africa's Minibus Taxi Industry, Resistance to Formalisation and Innovation – which assesses the potential for innovation and modernisation in this vital transport sector.