Gun Registry

**Bibliography**

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**Gun Control: An Overview**

Gun control has been an issue of debate since the nineteenth century. Guns in Canada have historically been tools for hunting, law enforcement and, in rare instances, personal protection. Nevertheless, the general consensus about guns is that ordinary citizens are better off when not carrying firearms. However, some gun owners are upset over gun control legislation that they feel is draconian and ineffective. The Inuit in the Canadian North, in particular, have been drawn into the debate, as the use of firearms is an integral part of their survival.

In the latter part of the twentieth century, the debate became more heated, when new legislations were passed. The most vehemently debated aspect of Canada's gun control legislation is the gun registry program, a project that has reportedly exceeded its initial budget estimate by nearly $1 billion. Within this program, registration of a firearm, in principle, works similarly to registration of a car. Registration data specifies who owns the gun, as well as some basic facts about the type of weapon. Opponents of the registry contend that it is a violation of privacy and freedom, as well as a needless bureaucratic exercise. Proponents believe that the gun registry has been valuable to law enforcement and could potentially save lives.

[**Understanding the Discussion**](http://web.b.ebscohost.com/pov/delivery?sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03&vid=3&ReturnUrl=http%3a%2f%2fweb.b.ebscohost.com%2fpov%2fdetail%2fdetail%3fvid%3d2%26sid%3dee954236-3e73-40be-857a-1e046d32e87e%2540pdc-v-sessmgr03%26bdata%3dJmxhbmc9ZW4tY2Emc2l0ZT1wb3YtY2Fu#toc)

**Firearm:**A gun, or any weapon that has a barrel and fires a projectile. Typical examples include pistols, rifles and shotguns.

**Gun registry:**A government project intended to be a centralized database of all guns in Canada and included information on make, model, and ownership.

**Long gun:**A class of firearms including shotguns and rifles, which have a longer body than handguns.

**Royal Assent:**The formal signing of legislation into law by the Governor-General on behalf of the Crown.

**[History](http://web.b.ebscohost.com/pov/delivery?sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03&vid=3&ReturnUrl=http%3a%2f%2fweb.b.ebscohost.com%2fpov%2fdetail%2fdetail%3fvid%3d2%26sid%3dee954236-3e73-40be-857a-1e046d32e87e%2540pdc-v-sessmgr03%26bdata%3dJmxhbmc9ZW4tY2Emc2l0ZT1wb3YtY2Fu" \l "toc" \o "History)**

During the nineteenth and twentieth century, stories about heroes and outlaws in life beyond the frontier, or what has become known as the Wild West, were popular worldwide. Regardless of their popularity with the Canadian public, scenes of shootouts on a dusty street were not a part of the country's reality. Before 1892, anyone carrying a handgun could be arrested and jailed for six months. Rare exceptions were made for people who had reason to fear assaults against their lives or property. In 1892, Parliament introduced its first Criminal Code, which required citizens to have a "certificate of exemption" in order to carry a firearm. Anyone caught carrying a gun unlawfully could be sent to jail for three months, and it became illegal for anyone under the age of sixteen to carry or purchase a gun.

A law requiring gun owners to acquire a permit for all firearms was overturned in 1921 and permits for handguns were only required of immigrants, all British subjects were therefore exempt. By the 1930s, Canada was no longer the frontier wilderness it once was. Towns and cities were being developed across the country. This led to stricter firearm regulations. In 1934, Parliament enacted the first gun registry, which required only handgun owners to register. This law was passed in the hopes of dealing with alcohol smugglers and fears of unrest involving labour movements. In 1951, the gun registry for handguns was merged into a central, federal record instead of the local registries that existed beforehand.

The 1960s and 1970s witnessed some of the most significant changes to gun laws in Canada. Guns were now categorized into three types: firearm, restricted weapon, and prohibited weapon. The government then began to impose different requirements on different makes and models of guns. Police were given broad authority for the search and seizure of firearms. The largest change during this was a Royal Assent to a bill that introduced Firearms Acquisition Certificates (FAC). An FAC document allows a Canadian citizen the privilege of acquiring a firearm. Fully automatic weapons, however, were prohibited.

On December 6, 1989, Marc Lepine entered the École Polytechnique school in Montreal with a legally obtained semi-automatic rifle. He walked into a classroom, separated the men from the women, and began shooting female students. By the time it was over, Lepine had rampaged across three floors of the university, shooting and ranting about his hatred of feminism, and leaving fourteen women dead. Lepine killed himself as well. The country was in a state of shock over the massacre, and the event became a symbol of violence against women. In addition, the tragedy provoked calls for the government to introduce laws to further control firearms.

Under Kim Campbell, the minister of justice at the time, requirements were introduced requiring new gun owners to submit to a training and certification process encouraging responsible gun ownership. In addition, storage requirements were imposed on firearms and ammunition, and applicants were also required to undergo a screening process before receiving a firearms licence. The events in Montreal also inspired the creation of the advocacy group the Coalition for Gun Control, which continues to lobby for a periodic renewal system for all firearm permits, a cost-effective gun registry, a complete ban on assault weapons, stricter controls on the sale of ammunition, and further restrictions on handguns.

In 1993, the Liberal Party unseated Kim Campbell and the Progressive Conservatives from power. Two years later, Liberal legislation on gun control received Royal Assent. Arguably the most controversial gun control measure in Canadian history, Bill C-68, also known as the Firearms Act, imposed steeper penalties for violent crimes involving guns and introduced the gun registry program. The Liberal Party had introduced these ideas during the 1993 election as part of its campaign, which is believed to have clinched the election for the party. Gun owners were outraged over the proposal and, in 1998, Bruce Hutton founded the Law-abiding Unregistered Firearms Association (LUFA). The group joined a coalition that challenged the Firearms Act before the Supreme Court of Canada. The Court found in favour of the government and the legislation, but the LUFA remained an important voice of dissent for gun owners opposed to the registry.

The Firearms Act was phased in starting in late 1998, and by 2001 all gun owners were required to obtain a licence to own a firearm. All guns were to be registered by 2003 under the Canadian Firearms Program. Since that time, the government has introduced and extended many amnesty programs to allow gun owners more time to comply with the regulations. Despite these opportunities, however, a large portion of firearms in circulation are not registered. In 1976, the government estimated that 10.5 million guns were in Canadian homes. By January 2008, less than 2 million guns were enrolled in the registry program.

Debate flared up about the cost of the Canadian Firearms Programs. At the time the Firearms Act was passed in 1995, it was estimated that the cost to taxpayers would be approximately $2 million. It was reported that, by 2002, that cost had risen to $629 million, causing an uproar among opponents to the program. Auditor General Sheila Fraser stated that Parliament was unaware of the escalating costs. She predicted the costs of the program to reach $1 billion by 2005.

[**Gun Control Today**](http://web.b.ebscohost.com/pov/delivery?sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03&vid=3&ReturnUrl=http%3a%2f%2fweb.b.ebscohost.com%2fpov%2fdetail%2fdetail%3fvid%3d2%26sid%3dee954236-3e73-40be-857a-1e046d32e87e%2540pdc-v-sessmgr03%26bdata%3dJmxhbmc9ZW4tY2Emc2l0ZT1wb3YtY2Fu#toc)

With a Conservative government in power since 2006, Canada's position on gun control and the registry changed significantly. As part of the criticism against the Liberal government of the late twentieth and early twenty-first centuries, John Dixon, a former adviser in the Ministry of Justice, accused the Liberal gun control plans of being a political weapon to galvanize urban voters against conservative sentiments in the rural west.

In 2006, another shooting took place in Montreal, this time killing one woman and injuring twenty others. At the time, Prime Minister Stephen Harper took the position that the gun control system could not have prevented the tragedy and that more effective and practical laws must be passed in the future. The Harper administration's most substantial initiative was to remove the long-gun registry requirement. This meant that rifle and shotgun owners would not be required to register their firearms. This move prompted critics to accuse the government of attempting to dismantle gun control in Canada.

In the North, gun control regulations have also created a problem for the Inuit and their traditional way of life. Many Aboriginal peoples and others in that area acquire the majority of their food through hunting and fishing. It is not unusual for families to allow younger members to carry and shoot firearms on hunting expeditions. In addition, Inuit commonly loan their guns to friends, but, under gun control laws, loaning a firearm to an unlicensed person is a criminal offense. There have been isolated reports that some Inuit have had their guns confiscated by law enforcement and thus been unable to provide for their families.

The Canadian Firearms Program had registered nearly two million firearm licences as of March 2009, representing approximately 5.5 per cent of the Canadian population. In 2006, Bill C-391 was introduced, which proposed a repeal of the long-gun registry, meaning that owners of rifles and shotguns would no longer be required to register these weapons. Some physicians' group expressed concerns about the bill, citing that most suicides in Canada that occur with firearms involve a shotgun or rifle. Their position was that gun control was not an issue of crime, but rather one of public health and safety. They argued that if registration were no longer required for long guns, that those suffering from depression may be affected. The bill was defeated in a third reading in 2010. However, in April 2012, the Harper government succeeded in its push to end the long-gun registry. With the passage of Bill C-19, the Ending the Long-Gun Registry Act, owners of unrestricted firearms like rifles and shotguns were no longer required to register them. Additionally, existing non-restricted firearms records were destroyed. The Quebec government objected to the new legislation and was granted a leave to appeal and motion for a stay by the Supreme Court of Canada, meaning that registration of non-restricted firearms, and the maintenance of registration records would continue in the province until a final ruling by the Court.

In early 2015 Quebec sought access to those federal records relating to long-gun ownership among Quebecers in order to help start its own provincial long-gun registry. The province argued in a court challenge that it should have access to the data because it had helped to collect the information. That April, after the Supreme Court of Canada ruled against the province, Quebec officials announced that they would still create their own database without the existing data. In June, a federal court in Ontario required that the Royal Canadian Mounted Police submit a backup of the Quebec records, which were sealed, pending further legal challenges. Although nearly 70 per cent of Quebecers polled in April 2016 favoured the long-gun registry, hunters and gun enthusiasts opposed as the provincial registry as a waste of government funds and asserted that licensing is sufficient. Even some gun control advocates argue that because of lack of verification measures, guns can still fall into the wrong hands.

The Harper government continued its efforts to relax firearms regulations in 2014, announcing a plan to introduce the Common Sense Firearms Licensing Act. This act would, among other things, combine the possession and acquisition licences, loosen restrictions on transporting firearms, and allow those whose firearms licences have lapsed a grace period in which they cannot be arrested for continuing to own and use guns. However, it would also tighten restrictions on gun ownership for those who have been convicted of an offence involving domestic violence.

In September 2016, a petition for Parliament to reclassify the restricted Armalite AR-15, a model derived from the M-16 military firearm, as non-restricted circulated online and gained over twenty-five thousand signatures. The Canadian Shooting Sports Association supported the move. However, the Liberal government under Justin Trudeau deferred to police regarding the AR-15 classification, a decision the Coalition for Gun Control praised. A number of Conservative MPs continued to push for a removal of the restriction over the next several years. Many people, including several Liberal MPs, stated that they considered this continued pressure to be an especially poor idea in light of the multiple mass shootings conducted with AR-15s in the United States between 2016 and 2018.

In March 2018, the government revealed a proposal to tighten gun control based on data that showed that gun crime rose by 30 per cent between 2013 and 2016. This proposal included a reinstatement of the federal long-gun registry.

Point: Gun Regulation is Good for Society

**Thesis:**Maintaining an intensive gun registration system is the best long-term strategy for reducing gun-related crime, deaths, and accidents in Canada.

**Summary:**Canada has required the registration of handguns, which are often associated with crime and illicit practices such as vigilante justice, since 1934. The additional requirement of registering so-called "long guns" (such as rifles and shotguns) through the Canadian Firearms Program (CFP) was initially viewed by critics as an infringement on the rights of law-abiding rural citizens who owned those guns for practical purposes like hunting and exterminating pests. Rifles and shotguns, however, are dangerous enough through accidental discharge, suicide attempts, or criminal use that the strict regulation of all firearms is justified. Strict gun control is consistent with traditional Canadian social and political values.

### [Introduction](http://web.b.ebscohost.com/pov/command/detail?vid=4&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

The Conservative Party of Canada has twice announced plans to dismantle the expensive long-gun registry program created by the previous administration of the Liberal Party, which had also considered an absolute prohibition on handguns. The modest results and great expense of the CFP led the administration to conclude that hiring more law enforcement officers and imposing stricter criminal sentences for gun offenses would be more effective.

Renewed efforts at regulating the availability of firearms in Canada, Great Britain, and Australia are largely responses to specific incidents of deliberate mass murder. Neither gun control nor the carrying of concealed firearms by civilians is likely to prevent individuals from committing mass murder. The latest such incident in Canada was performed by a young man with no criminal record and a registered weapon. Suicide is a far more common cause of death by gunshot in Canada than homicide. These unfortunate facts alone scarcely count as evidence of the failure of Canada's gun control policy.

An apt analogy for gun registration would be laws requiring the use of seat belts and other restrictions placed on automobile use: cars are inherently dangerous, and the regulation of their use is a means by which the inevitable damage caused by traffic accidents can be minimized. Credible authorities, including police chiefs and provincial premiers, have lobbied to maintain the long gun registry as a useful tool for tracking guns once they exit the realm of legal possession. Law enforcement officers are estimated to consult information collected by the CFP between 2,000 and 5,000 times each day.

### [Rural Alberta and Urban Quebec: Two Solitudes?](http://web.b.ebscohost.com/pov/command/detail?vid=4&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

Gun-induced homicide and suicide rates are especially high in Alberta and Quebec. These two provinces seem to embody the rural and urban attitudes that characterize the conflict over the long-gun registry. Prior to the implementation of the CFP, public support for strengthened gun control was about 90 percent in Quebec and about 70 percent in Alberta. Initial reports of cost overruns and the inefficiency of the new system produced early public and private resistance, but levels of public support in Quebec and Alberta seem to have stabilized at 70 percent and 50 percent respectively. Quebec maintains a similar but independent firearm registry system, and Quebec Premier Jean Charest's provincial government has announced that it wants to assume all available resources from the CFP if the national system is dismantled. Most politicians in Quebec strongly support the CFP and other measures of gun control. The provincial governments of Alberta and Saskatchewan are the strongest opponents of the CFP. Alberta and Quebec have often resisted the imposition of national policy from Ottawa, but the current resistance in Quebec takes the form of supporting an older national policy.

The number of gun-related deaths in Canada is less than half of that in the United States, but is twice the number in Australia and more than eight times greater than in England. The imposition of stricter gun regulations in England is met with minimal public resistance. Public support for the CFP in Ontario is nearly as high as in Quebec, and the provincial government of Ontario has affirmed the importance of the program. Resistance to stricter measures of gun control, by contrast, is higher in Alberta and the United States. These figures suggest that gun control, if enacted, can only have a minimal impact on the regional economic and social factors that probably determine rates of homicide and suicide. Rates of gun ownership and gun-related suicide in the Northwest Territories and the Yukon are extremely high.

The specific criticism directed at the CFP, however, asserts that illegal handguns are used more often in violent crimes than registered long guns. A study of gun-related crime in Alberta in the 1990s reveals three distinct and disturbing trends: almost half of the guns used in crimes were long guns, compared with a lower percentage of airguns and a significantly lower percentage of handguns; legal long guns figured very prominently in domestic violence against women; and the rate of child death from gunshot was twice the national average of Canada, Israel, or Northern Ireland. Stricter gun control seems to be the only measure capable of addressing these problems short of absolute prohibition. The requirement that guns be stored separately from ammunition, for example, addresses the second and third of these three issues.

Jean Charest, in an emotional response to a specific gun-related death in Quebec, has stated that the billion dollar price tag for the CFP is worthwhile if it saves lives. The results of gun-related crimes and accidents are so severe that strict preventative measures are justified.

### [The Analogy Between Strict Firearm Regulation and Illicit Drug Prohibition](http://web.b.ebscohost.com/pov/command/detail?vid=4&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

The analogy between attempts to prevent gun-related crime and to combat illicit drug use is also apt. The black market for illicit weapons and illicit drugs are certainly analogous and overlap to some degree. Attempting to prevent societal damage from the misuse of both weapons and drugs is preferable (and cheaper) to using law enforcement and health-related resources to resolve those problems once the damage has occurred. Both the ownership of weapons and illicit drug use are permitted under certain circumstances.

It is frequently argued that well-executed prevention and treatment programs directed at illicit drug use would be substantially cheaper and more effective than the conventional law enforcement and health care resources that are expended on drug use and drug trafficking. A 2006 Swiss study of Canada's gun registry argues that up to $1.4 billion may have been saved each year in medical expenses and other societal costs since the establishment of the CFP. Between 1997 and 2000 there were about 750 hospitalizations for non-fatal gun related incidents in Canada each year, whereas in 1993-1994 the corresponding figure was more than 1,100. Gun-related injuries and deaths in Canada are estimated to result in an overall cost of $6 billion each year.

It is unlikely that the CFP will pay for itself outright through licensing fees and drastic reductions in law enforcement and heath care expenditures, but alternative measures might be even less effective. The Conservative Party's plan to introduce stricter criminal charges (in the form of new mandatory minimum sentences and consecutive sentences) for gun offenses has been opposed by the Canadian Criminal Justice Association. That organization argues that all the available evidence suggests that those sorts of measures will not prevent gun-related crime. Furthermore, the penal system has been overburdened for several decades. These problems are exactly parallel with those of the illicit drug issue. The administration's other proposition is to hire more law enforcement officers; its first attempt to dismantle the CFP merely resulted in a short-term suspension of some fees and registration requirements. The second attempt was tabled in November 2007. Unsurprising, the Conservative Party of Canada is largely comprised of a national political movement that originated in Alberta.

Gary Mauser, a Canadian proponent of self-defence with firearms whose research has been funded by the American National Rifle Association (NRA), claims that the analogy between gun control and the prohibition of illicit drugs is accurate in the worst possible way: he claims both are a utopian form of theorizing without foundation in practice. Arming individuals with concealed handguns to fend off criminals is suggestive of a society in which governmental authority has been dissolved and either anarchy or civil war replaces the rule of law. Legal justification for the use of violent action in self-defence from an immediate threat already exists in Canada and the United States, but Mauser's proposition seems to be a movement toward state-sanctioned vigilante justice.

Mauser, a professor of business administration, also claims that gun control regulations actually result in an increase in violent crime and scoffs at the fact that charges can be brought for minor infringements like improperly storing a weapon. The creation of additional gun regulations results in different kinds of criminal offenses to be enforced, thereby adding to the total number of crimes that are reported. It stands to reason that areas with high rates of crime that impose more gun regulations will have a higher rate of reported gun offenses due to the enforcement of those laws. Enacting gun control, however, cannot be said to generate criminal activity.

The 2002 Report of the Auditor General of Canada seemed to announce the inevitable demise of the CFP. The CFP's financial problems had been resolved even more satisfactorily than expected by the time the 2006 report appeared, but administrative issues related to the accuracy of information are still unresolved.

### [Conclusion](http://web.b.ebscohost.com/pov/command/detail?vid=4&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

The principle of thorough firearm regulation is compatible with the Canadian tradition of placing the good of society before individual choice. Federal registration of firearms is a proven and effective was to promote responsible gun ownership and prevent gun violence.

### [Ponder This](http://web.b.ebscohost.com/pov/command/detail?vid=4&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

1. Do you agree with the author's assertion that Gary Mauser's support for firearms use for self-defence amounts to state-sanctioned vigilante justice? Why or why not?

* 2. In your opinion, is banning shooting ranges for handgun use a legitimate alternative to banning handguns altogether? Explain your answer using examples from the text.
* 3. Aboriginal people in Canada have been granted privileges like free university tuition and extended hunting rights. Do you think Aboriginals should be exempted from long gun registration as well? Why or why not?
* 4. Do you think that the author's analogy between gun control measures and the prohibition of illicit drugs is apt? Why or why not?

Counterpoint: Gun Regulations are Unconstitutional and Unfair

**Thesis:**Gun control in Canada has cost billions of dollars, has arbitrarily criminalized hundreds of thousands of law-abiding Canadians, and has proven useless in preventing crime and violence.

**Summary:**Gun control legislation in Canada is unconstitutional and ineffective. It has become a conglomeration of poorly enforced laws that infringe on the constitutional rights of all Canadians as defined by the Charter of Rights and Freedoms. It has also made criminals of a large number of Canadian citizens who support lawful and responsible ownership of firearms. Canada's gun control laws should be replaced by a logical, reasonable system that is effective in combating the crime-related use of firearms while safeguarding the lives, rights, and property of law-abiding Canadians.

[**Gun-related Crime, or Crime-related Guns?**](http://web.b.ebscohost.com/pov/command/detail?vid=6&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

To be effective, gun control legislation must be entirely divorced from emotion and false perceptions. In truth, a firearm is nothing more than a tool, in the same sense that a hammer is a tool. It does nothing by itself and must be used by a person.

It is not the tool, but the person holding the tool who commits the crime. As a society we decry acts of violence involving firearms, but have blamed firearms rather than people for those acts, even though many violent acts of murder, rape, and abuse have been committed in the complete absence of a firearm at the scene. Gun control legislation has prevented the reasonable use and deterrent value of firearms in preventing such crimes.

[**How Canada Views Gun Control**](http://web.b.ebscohost.com/pov/command/detail?vid=6&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

The main problem in the gun control issue faced by Canada is the ignorance of the Canadian population itself in the matter. Many Canadians think of "the right to bear arms" in the context of the US Constitution of 1776. For Canadians, however, this is a considerably older right that was written into the Common Law of England a hundred years before the US declared its independence from British rule. It is not generally realized that the US Constitution, with its claim of the right to bear arms, was in fact modeled after the English Bill of Rights of 1689.

More importantly for Canadians, the right to bear arms, as one of the five most fundamental auxiliary rights of British citizens and part of the Common Law of Britain, also became the Common Law of Canada (a British colony). With Confederation in 1867, the British North America (BNA) Act established the government of the new Dominion of Canada according to the model and principles of the British government. In so doing it officially transferred the Common Law of Britain to Canada. Canadians have thus had an entrenched legal and constitutional right to bear arms, unrelated to any regular militia, for at least 300 years. It has been accompanied for at least that long by a similar right to possess property.

Canadian laws concerning firearms should not be influenced by the historical experience of the US. Nevertheless the US news and entertainment media have projected an image of firearms and firearm violence that has come to be seen by many Canadians as the norm rather than a reflection of the differences between the US and Canada. As a result, gun control legislation in Canada has been implemented more in response to American realities than to Canadian realities.

[**The Tradition of Firearms in Canada**](http://web.b.ebscohost.com/pov/command/detail?vid=6&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

The firearms tradition in Canada began with the first European colonists. Firearms have been an integral aspect of Canadian life since that time, in various pursuits such as hunting and target shooting. Rifles and shotguns, collectively known as long guns, are the tools of choice for these pursuits due to their greater accuracy, lower likelihood of personal injury if accidentally discharged, and the improbability of carrying them in concealment.

Handguns, while useful and easily carried for surviving in the wilderness, have been more prominent in urban settings. A valuable weapon for law enforcement and for shooting sports in compact indoor ranges, the handgun is also easily concealed and often used in criminal activities.

Firearms have been a significant contributor to the economy of Canada since the days when every town and village in the country had at least one resident gunsmith. In 1996, the last year for which Statistics Canada actively surveyed the economic value of sport hunting and related outdoor activities, surveys determined that at least 1.2 million Canadians aged fifteen and over took part in sport hunting activities. The combined expenditure of this group was $824 million. Greater economic benefits accrued as this expenditure rippled down through the economy and foreign citizens visited Canada for those same purposes.

[**The Crazy World of Gun Control**](http://web.b.ebscohost.com/pov/command/detail?vid=6&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

The criminal element is the major driving force behind prohibitive firearms laws in Canada (and elsewhere). In 1934, federal laws in Canada laid out severe penalties for the use of firearms in the commission of a crime, required the registration of all handguns, and restricted the possession of certain weapons. It must also be noted that these laws, while preventing some individuals from owning specific firearms, did not infringe upon the right to own firearms in general.

Following World War I and World War II, the growing population of Canada was subject to rapid urbanization and began to lose touch with the tradition and heritage of firearms ownership. The aftermath of those wars also made firearms much more accessible to the population as war surplus, and the criminal element wasted no time in capitalizing on that availability. Meanwhile, politicians increased efforts to win the votes of the urban gun control movement by adding more laws and restrictions at the expense of law-abiding rural voters and other Canadians who favoured effective enforcement of existing firearms laws.

The courts, however, were taking a more lenient approach to the sentencing of persons convicted of offenses involving firearms, in part due to challenges of the propriety and constitutionality of some existing laws. Court cases were dragging on and piling up, and law enforcement agencies found it increasingly difficult to make arrests and secure convictions. The rising visibility of firearms crimes in the media fuelled calls for further restrictions on the availability of guns rather than stricter enforcement of existing laws, culminating in the 1990s with the strictest gun control legislation in Canadian history: Bill C-68, the Firearms Act.

[**The Problems With The Firearms Act**](http://web.b.ebscohost.com/pov/command/detail?vid=6&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

Prior to enactment of Bill C-68, anyone who wanted to legally own a firearm in Canada had to go through a rigorous process of qualification, examination, a police check of social, psychological, and employment history, a police interview, and a mandatory twenty-eight-day waiting period before a certificate allowing the acquisition of firearms could be issued by the federal government. To participate in hunting required a separate mandatory training program in firearms operation and safety, and written and practical tests to satisfy provincial laws. In addition to these requirements, there were numerous laws and regulations governing the storage, transportation, and use of firearms and ammunition.

Stricter enforcement of these laws, especially in regard to crimes involving the use of firearms, was supposed to effectively deter crime as well as protect law-abiding citizens who owned firearms. Instead, their enforcement was lax, prosecutions were weak, and sentencing was lenient. There were also challenges before the courts regarding the constitutionality and the propriety of some of those regulations and their application.

Bill C-68 put more restrictions than ever on legal handgun ownership, but did nothing to address illegal handgun ownership. Handgun registration had already been mandatory since 1934 and was patently ineffective at preventing crimes involving handguns. Bill C-68 also instituted a long gun registry, requiring gun owners to submit to intrusive, unconstitutional, and discriminatory investigations in order to obtain a firearms license; to register their ownership of a weapon in a federally administered database; and to pay registration fees that in many cases exceeded the actual dollar value of the firearm. It criminalized non-registration of those firearms, turning several hundred thousand Canadians who refused to register their firearms into indictable felons. It required significant fees for licensing beyond mere ownership and even made it mandatory for someone to have a valid firearms license in order to purchase ammunition for firearms they may have already owned for many years prior.

[**The Numbers Don't Lie**](http://web.b.ebscohost.com/pov/command/detail?vid=6&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

New Zealand had instituted a national firearms registry for long guns, but had discontinued it by 1983 after determining that it was not only ineffective at preventing or solving crimes but was actually contributing to crime by diverting police resources away from more important police work.

Australia has had a strict firearms registration policy for decades prior to the advent of Bill C-68 in 1995, yet today almost half of all firearms in that country remain unregistered.

The United Kingdom had instituted very strict gun controls in 1988, including a complete ban on handguns, only to see the number of violent crimes skyrocket. Today residents of England have a 53 percent likelihood of being robbed in their own homes, compared to 44 percent in Canada and only 13 percent in the US, where the ownership of handguns and other firearms is less restricted.

In the US, a survey of some 2,000 convicted felons in ten state prisons revealed that 43 percent of them had at one time or another consciously decided not to commit a crime because they thought the intended victim was armed. In addition, various cities experimenting with the Swiss model have passed bylaws that not only permit carrying a concealed handgun, but in some cases make firearm ownership mandatory. Those cities experienced an immediate and significant decrease in the incidence of violent crime.

In Switzerland, and in Israel, where the presence of a firearm in the home is required due to mandatory participation in the military, violent crime is essentially non-existent.

[**A Registry of What?**](http://web.b.ebscohost.com/pov/command/detail?vid=6&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

Under Bill C-68, all long guns were to be registered in a central database to facilitate rapid identification of the source of any long gun used in the commission of a crime. The initial cost of the long gun registry was forecast to be $2 million, but it has cost over $2 billion. Yet perhaps as many as two-thirds of the long guns in Canada have not been registered, and at least 300,000 resident owners of firearms have not applied for the requisite license for legal ownership of firearms and are thus effectively criminalized. It has also been demonstrated that the registration of a long gun does not prevent its use in either suicide or crime. Handguns continue to be smuggled into Canada from the US at an alarming rate, and illegal unregistered handguns are almost exclusively the only firearms associated with crime in Canada.

The current system of gun control in Canada is a dismal failure that has been shown to be unconstitutional in both its makeup and its intent. Only by repealing all existing gun control laws in Canada and replacing them with a system based on the principles of constitutional rights, the respect of property, and the duties of responsible ownership can the situation be corrected.

[**Ponder This**](http://web.b.ebscohost.com/pov/command/detail?vid=6&sid=ee954236-3e73-40be-857a-1e046d32e87e%40pdc-v-sessmgr03#toc)

1. Do you agree with the author's assertion that gun control legislation in Canada is a reaction to the issue of gun violence in the United States? Why or why not?

* 2. The author states that Canadians have enjoyed the right to bear firearms for at least 300 years. What bearing, in your opinion, should this fact have on the current discussion regarding gun control?
* 3. Do you think the statistics cited in the section titled "The Numbers Don't Lie" are relevant to a discussion of gun control in Canada? Why or why not?
* 4. In your opinion, does gun control legislation contribute to an increase or decrease in violent crime? Explain your answer using examples from the text.