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FIREARMS CONTROL

A gang that couldn't shoot straight

The Liberals' gun registry program was pointed at Kim Campbell, not crime. That's why it shot itself in the foot, says former justice adviser JOHN DIXON

We now know that the government's gun-control policy is a fiscal and administrative debacle. Its costs rival those of core services like national defence. And it doesn't work. What is less well known is that the policy wasn't designed to control guns. It was designed to control Kim Campbell. When Ms. Campbell was enjoying a brief season of success in her re-election bid in the summer campaign of 1993, Mr. Chretien was kept busy reassuring what he called the "Nervous Nellies" in his caucus that Ms. Campbell's star would soon fall. To bring her down, the Liberals planned to discredit her key accomplishment as minister of justice, an ambitious gun-control package.

Those measures -- enacted in the wake of the Montreal Massacre -- included new requirements for the training and certification of target shooters and hunters. We got new laws requiring: the safe storage of firearms and ammunition, which essentially brought every gun in the country under lock and key; screening of applicants for firearms licences; courts to actively seek information about firearms in spousal assault cases; the prohibition of firearms that had no place in Canada's field-and-stream tradition of firearms use.

I was one of the department of justice officials involved in that earlier gun-control program. When the House of Commons passed the legislation, Wendy Cukier and Heidi Rathgen of the Coalition for Gun Control, which had been part of the consultation process, supplied the champagne for a party at my Ottawa home.

So what were the Liberals to do, faced with a legislative accomplishment on this scale?

Simple: Pretend it hadn't happened, and promise to do something so dramatic that it would make Ms. Campbell look soft on gun control. The obvious policy choice was a universal firearms registry.

The idea of requiring the registration of every firearm in the country wasn't new. Governments love lists. Getting lists and maintaining them is a visible sign that the government is at work. And lists are the indispensable first step to collecting taxes and licence fees. There is no constitutional right to bear arms in Canada, as is arguably the case in the United States.

So why not go for a universal gun registry? The short answer, arrived at by every study in the Department of Justice, was that universal registration would be ruinously expensive, and could actually yield a negative public security result (more on this in a moment). Besides, in 1992 Canada already had two systems of gun registration: the complete registry of all restricted firearms, such as handguns (restricted since the 1930s) and a separate registry of ordinary firearms.

This latter registry, which started in the early 1970s, was a feature of the firearms acquisition certificate (or FAC) required by a person purchasing any firearm. Every firearm purchased from a dealer had to be registered to the FAC holder by the vendor, and the record of the purchase passed on to the RCMP in Ottawa. So we were already building a cumulative registry of all the owners of guns in Canada purchased since 1970.

The FAC system was a very Canadian (i.e. sensible) approach to the registration of ordinary hunting and target firearms. If you were a good ol' boy from Camrose, Alta., and didn't want to get involved, you didn't have to -- as long as you didn't buy more guns. Good ol' boys die off, so younger people in shooting sports would eventually all be enrolled in the system.

After the Montreal Massacre, the then-deputy minister of justice, John Tait, asked me to review the gun-control package under development. One thing I immediately wanted to know was how many Canadians owned Ruger Mini-14s (the gun used by the Montreal murderer). The Mini-14 came into production about the time the FAC system was introduced, so the FAC should have a good picture of the gun's distribution.

But when our team asked the RCMP for the information, we couldn't get it. Computers were down; the information hadn't been entered yet; there weren't enough staff to process the request; there was a full moon. After a week, I said I didn't want excuses, I wanted the records. Then a very senior person sat me down and told me the truth.

The RCMP had stopped accepting FAC records, and had actually destroyed those it already had. The FAC registry system didn't exist because the police thought it was useless and refused to waste their limited budgets maintaining it. They also moved to ensure that their political masters could not resurrect it.

Such spectacular bureaucratic vandalism persuaded my deputy and his minister to concentrate on developing compliance with affordable gun-control measures that could work. A universal gun registry could only appeal to people who didn't care about costs or results, and who didn't understand what riled up decent folks in Camrose.

Which is precisely why it appealed to those putting together the Liberal Red Book for the pivotal 1993 election. If the object of the policy exercise was to appear to be "tougher" on guns than Kim Campbell, they had to find a policy that would provoke legitimate gun-owners to outrage. Nothing would better convince the Liberals' urban constituency that Jean Chretien and Allan Rock were taking a tough line on guns than the spectacle of angry old men spouting fury on Parliament Hill.

The supreme irony of the gun registry battle is that the policy was selected because it would goad people who knew something about guns to public outrage. That is, it had a purely political purpose in the special context of a hard-fought election. The fact that it was bad policy was crucial to the specific political effect it was supposed to deliver.

And so we saw demonstrations by middle-aged firearm owners, family men whose first reflex was to respect the laws of the land. This group's political alienation is a far greater loss than the \$200-million that have been wasted so far. The creation of this new criminal class -- the ultimate triumph of negative political alchemy -- may be the worst, and most enduring product of the gun registry culture war.

John Dixon is a hunter, and president of the B.C. Civil Liberties Association. From 1991 to 1992, he was adviser to then-deputy minister of justice John Tait.