

# The Canadian elections and the phony gun-crime epidemic

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The terrible shooting death of an innocent bystander over the Christmas holiday has been fashioned by the media and the mainstream political parties as a key issue in the current federal election. Cynically exploiting this senseless killing, the parties and the corporate media have whipped up public alarm and advanced a common call for the strengthening of the repressive powers of the state to deal with a purported epidemic of gun crimes.

The shooting, which reportedly involved two gangs comprised of immigrant youth, took place at midday in a busy shopping district in downtown Toronto on December 26. Six people were wounded and a 15-year-old girl killed. Two men, aged 20 and 17, have been charged in connection with the Boxing Day incident, although no one has yet been charged with the shootings themselves.

Coming only days after the fatal shooting of a female Quebec police officer, which was also given national media attention, the Toronto shooting has been used to create the perception of a veritable crime wave in Canada's cities, with the Conservatives, to the applause of much of the press, charging that the Liberals are the first government in Canadian history to have failed to ensure the safety of the country's streets and the Liberals and the New Democratic Party seeking to prove their own bona fides as champions of law and order.

That the politicians should adopt such tactics is far from surprising, but it is a development which should nevertheless be exposed for its sinister implications.

The law-and-order campaign must be understood as part of an international assault on democratic rights and drive for increased police powers that is being justified on the grounds of the need to fight international terrorism and to move away from "failed" liberal approaches to crime that stress rehabilitation. As an election maneuver, the championing of the "law and order" issue must also be seen as an effort to distract attention from deepening social decline and implicitly to direct public frustration, anger and anxiety over the increasing stresses of contemporary life against poor immigrants. That such a reactionary, demagogic appeal—one

that in the last election had little resonance with voters—is now being touted by the press as a potential "wedge" issue for the Conservatives reflects the degeneration and rightward turn of official politics.

Insofar as there has been an increase in gang related violence, particularly among immigrant youth, it has been restricted to Toronto and perhaps a handful of other urban centers and is clearly linked to the dismal prospects for working class youth, especially the children of immigrant families who are disproportionately poor. Although none of the politicians and few if any of the press pundits go so far as to deny a connection between this social decay and criminal activity, their proposed solutions do little more than pay lip service to the need to provide improved job, educational and recreational opportunities for inner-city youth.

In an otherwise fractious campaign, the governing Liberals, the Conservatives, and the social-democrats of the NDP unanimously pounced on the Boxing Day shooting in downtown Toronto to try to position themselves as the more reliable "law and order" option.

Broad official support for such a campaign has largely served to strengthen the hand of Stephen Harper's US Republican-inspired Conservatives, now openly promoted by the *Globe and Mail* and other key big business mouthpieces as the next government. The Conservatives' alarmist rhetoric about citizens being randomly picked off the streets by gun-toting criminal gangs, once ridiculed by their "left" political opponents, is now propounded by them.

The Conservatives have made a raft of proposals for greater policing and harsher treatment of criminals. These include trying 14-year-olds as adults in criminal court, rather than juvenile court. (The current minimum age is 16, although provisions already exist for youth as young as 14 to be tried as adults in the case of especially violent crimes.) In addition, the Conservatives have promised to increase mandatory jail sentences for gun crimes, end statutory release of prisoners after serving two-thirds of their sentence, and to press for a constitutional amendment to bar

prison inmates from voting.

While the Conservatives have advanced the most regressive measures, NDP leader Jack Layton, to the dismay of many of his supporters, has echoed the far right on this issue. In general agreement with the Tory line, the New Democrats have taken up the call for mandatory minimum sentencing and ending the supposed “revolving door” of criminal sentencing. The NDP has also embraced the Liberal proposal of “reverse onus” legislation whereby, contrary to long established norms of jurisprudence, those accused of committing a gun crime will have to prove why they should be released before being granted bail, rather than the state having to show that there are good grounds to believe they will flee or commit another crime. The Liberals themselves admit “reverse onus” would in all likelihood be challenged under Canada’s Charter of Rights and quite possibly struck down by the courts.

While demanding greater federal funding to relieve the plight of poor inner-city youth, Layton could not resist echoing Conservative demands for “long and hard” prison time for criminals. The social democrats have also fed the underlying appeal to anti-immigrant sentiment in the Conservatives law-and-order campaign, by calling for border controls to be tightened to prevent criminal elements from entering Canada and for the arming of border guards.

In the past, the NDP has refrained from such right-wing posturing in favor of a more liberal phraseology if not policy. As on other issues in this campaign, the NDP has rushed to embrace some of the most right-wing policies advanced by its opponents, in this case leaving the separatist Bloc Quebecois to parade as the voice of the left. (Mind you, while the BQ has defended the current juvenile criminal justice system against palpably false right-wing claims that US-style penalties will deter crime, it has also touted Canada’s draconian anti-gang laws as a BQ-led initiative.)

The federal Liberals, while advancing a similar if more modest version of the Tory law-and-order platform, have adopted as their own the Ontario Liberal government’s proposal to outlaw ownership of handguns—a measure that has been ridiculed by the Tories who in turn promise to dismantle the gun registry in Canada, the so-called billion-dollar boondoggle of the previous Chrétien Liberal government, and use the money to hire 1,000 more RCMP officers.

On the local level, Toronto’s NDP-aligned mayor, David Miller, while insisting on harsher treatment of criminals, balanced his remarks with a call for “investing in young people.” He rightly pointed out, “In a lot of our communities, a lot of the social programs over the last decade have been eroded and there are many young people, whether because of discrimination or poverty, who just

simply don’t have real opportunities.”

Conspicuously absent from the abundant press coverage—ostensibly in consideration of the aggrieved families of the victims—is a sober reflection on the true state of violent crime in Canada. Despite the widely publicized number of 52 shooting deaths in Toronto last year, figures from Statistics Canada show that in 2004 the crime rate was 12 percent lower than a decade ago. Other figures show that Canada’s homicide rate did rise 12 percent in 2004, but only after hitting a 36-year low in 2003.

Gun violence in Canada is “much overstated,” observed Edward Greenspan, a well-known criminal lawyer. And the proposed law-and-order provisions, he warned, carry “a risk of innocent people not getting bail or not getting a fair trial.”

Ontario has one of the lowest crime rates in the country. If, as has been suggested, gang violence is growing in Toronto and among immigrant youth in particular, this can be attributed to the deepening social crisis in Canada’s largest urban center. Toronto is characterized by the country’s greatest extremes of wealth and poverty.

The dire situation facing Toronto’s poor can be directly traced to government actions in the latter half of the 1990s when the Harris Tory government eviscerated social programs and scapegoated the poor.

Toronto is also home to the largest immigrant population in the country with a disproportionate number living in poverty. According to Scot Wortley, a criminologist at the University of Toronto, “A very high proportion of the gang members in our studies have come from poor backgrounds and single-parent backgrounds, particularly where the father is completely absent.” It is a known fact that visible minority immigrants experience especially high rates of unemployment and underemployment.

The type of climate created in the aftermath of the Boxing Day shooting is revealed in a lawsuit launched against the Toronto police and one of its officers by black lawyer Jason Bogle. Bogle was stopped by police for no apparent reason in a December 28 incident which began when police surrounded his car in north Toronto. He and his parents are seeking \$2.2 million for “false detention, false imprisonment, racial profiling and slander” in an incident which the police have termed a case of mistaken identity.



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