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Guns Don't Kill, People Do; With Guns and Other Weapons

“Hello everyone,” I said, as I walked into the classroom. “I’m glad to see that everyone’s back. Tonight, as you may have found out from reading the course outline, our topic is gun control. I expect all of you to have done some basic reading on this issue. So, let me start with an easy question: do we have a gun problem in this country? I don’t mean whether we have constant debates about guns, but whether there is any substance to the debates.”

A somewhat perplexed Mr. Brandon immediately offered his view. “Of course, we do! But, it’s become a very polarizing issue.”

“Very well, then tell us, what makes it so divisive?”

“Needless to say, there’s the matter of the Second Amendment. There are also economic issues; many people make a living in the manufacturing, buying, and selling of firearms. You then have the politics of guns, those who frame the discussion on gun policy, the pro-gun and the anti-gun lobbies.”

“Okay, let me be more precise. What makes the gun issue so strident and so politically relevant? Is it really the Second Amendment? I can see a few people wanting to exert their constitutional rights, but millions of people arguing over the constitutionality of the right itself? I don’t think so.

“Economics? Yes, no doubt, but to an extent. It’s not as if we’re talking about the military-industrial complex! And, regarding the political lobbies, of course these groups frame the issues, and more often than not in a very polarizing fashion. Still, my guess is that something else has penetrated the psyche of the electorate.

“Let’s see, Mr. Wasserman, your boss is a key player in Congress. How do you folks on the Hill see this issue?”

“Well, Congress doesn’t get involved on issues like these unless it feels itself being drawn into them,” he replied. “And, for the last four decades or more, Congress has felt its constituencies becoming more restless over the gun issue. If I were to pinpoint the elements that have fueled this debate, I would say it’s been the reality of crime and the media. This issue is being discussed at the national level because the media has transformed crime from being a police issue

into a highly relevant political topic.”

“Are you suggesting that without the role of the media there wouldn’t be a nationwide crime debate?” I asked.

“Precisely. Now, I don’t mean to accuse the media of creating something out of nothing. I don’t think this is a bogus issue. In other words, even though there are instances of biased coverage and sensationalism, crime reporting is, I think, a legitimate media topic. But, the nature of crime is such that, no matter how it’s reported it will attract attention. It’s the coverage that has created so much political interest.”

“True, but isn’t that the case with most politically relevant issues?” I asked. “Without media exposure, nowadays issues would never become politically relevant.”

“That goes without saying,” he replied. “But I’m talking about the way crime plays in people’s lives. What defines the debate the most, I think, is the impact on our society that media coverage of crime has; it creates all sorts of fear; fear of crime, fear of guns, fear of gun control, even fear of government.”

“Interesting point, Mr. Wasserman,” I said. “You’re saying that without crime reporting there is no crime *issue*, figuratively speaking. There would be crime at the personal, the family, the neighborhood levels, but crime would remain an isolated issue. There would be no national crime awareness, as you have said, which in the end has transformed the gun issue into a contentious one. So, what I’d like for us to do this evening is to find out if the issue of crime and guns is much ado about nothing or whether it merits national attention. In other words, why does it matter so much whether we own guns or not Ms. Lewis.”

“It’s a law and order issue; people don’t like neither guns nor crime.”

“That’s a double-edged argument, Ms. Lewis,” I said. “Guns can be used to commit crime; that’s the law part. But guns can be used to protect lives; that’s the order aspect. Further, I think we’ll have to find out if what you say about people in this country not liking guns is correct or not.

“Mr. Dickerson, is there anything that makes this issue particularly American?”

“I think so. There are competitive cultural values at play. We are a nation that places an enormous value on individual rights, one of them being the right to own a weapon. This right can be traced back to our frontier culture or even further back to the historical origins of our independence.

“We also place a high value on life itself and on our own well-being; the *double-edged* sword that you spoke about. On the one hand, the misuse of guns threatens our lives and our well being. But many people feel, too, that the prudent use of weapons may protect lives.”

“Guns kill people and guns save people, is what you’re saying,” I said. “If that’s the case, we do have a problem, don’t we?”

As if he'd been waiting for the opportunity, Mr. Edson jumped into the discussion: "Ahem! Guns don't kill people, people do," he offered, somewhat sarcastically.

"Well, if you're going to get into specifics," replied Ms. Vanhurst, "we might as well add that, yes, people do kill people, but not only with guns. Sometimes we do it with other means, including our hands and feet."

"But Melanie, we can't simply push aside the fact that there would be less crime if there were fewer guns," argued Ms. Lewis.

"Or more, Ms. Lewis. It could be the opposite," I said, "and this is what we have to find out. Besides, since it would be futile to discuss regulating or outlawing people's hands and feet, knives, baseball bats, poisonous substances and other even more unconventional means of killing, we're going to stick to guns, at least for this evening.

"I think it would be useful if we can get basic information on this issue; and, I believe that Mr. Dickerson is ready to give us a presentation on homicide statistics in our country. How significant are the numbers?"

"Well, it's all a matter of perspective," he said. "For example, the National Center for Health Statistics calculates causes of death in terms of the number of years that were lost based on remaining life expectancy at time of death. According to this criterion, homicide is the 15th leading cause of death in the United States, well behind heart disease, cancer, stroke, respiratory diseases, accidents, diabetes, suicides, liver disease, and stillbirth."¹

"Yes, but we have to make distinctions as to how people die," I suggested. "There's a difference between diseases and accidents, which properly are *not* attributed to malice, and homicides, which are. In other words, any harm that befalls citizens on account of unlawful behavior, I suppose has to be regarded with greater concern."

"That's true," he replied. "Nonetheless, whether the causes of death are unintentional or not, government, in its pursuit of ensuring the well being of its citizens has legislated policy geared toward the cure for the various diseases and causes of death. This has meant improving automobile safety, and, take a guess! reducing crime. This is how gun control enters the political picture. No crime, no gun issue."

"Very well, in that case, why don't you provide us with a perspective on crime?" I asked.

"Yes. Let's start with violent crime," he said as he pointed to a poster he'd prepared. "For example, in 2006 there were 5.8 million incidents of violent crime in the country affecting 6.3 million people. These crimes included rape and sexual assault, robbery, and aggravated assault. The numbers, mind you, refer to people who survived the criminal incident, although badly injured."²

"In addition, in 2006, the FBI reported a total of 15,972 homicides."³ That's .25 percent of all victims of violent crime. These numbers, by the way, do

not include justifiable, meaning self-defense, homicides. As we can see, in principle, less than one-half percent of all violent crime shouldn't make homicide a significant issue."

"Wait a minute!" yelled Ms. Lewis. "Sure, if we keep talking about percentages we dilute the significance of these lives. We're talking about 15,972 human beings being killed willfully and unnecessarily by other human beings in one year alone! That's nearly four times the number of American soldiers who lost their lives in the Iraq war!

"Well, yes, point accepted," replied Mr. Dickerson.

"And how were these people murdered, Mr. Dickerson?" I asked.

"You can see on the chart right here, 68 percent were killed with firearms and 77 percent of the firearms were handguns, a three percent decline over 2203."⁴

"So, I was right!" claimed Ms. Lewis.

"Not necessarily," I insisted. "All we can say at this time is that most murdered victims were killed with firearms. We will need additional information to really make concrete observations. Mr. Dickerson, please go on."

"Of the 5.8 million incidents of violent crime, 67.4 percent did not involve firearms. Only about 8.8 percent of all violent crime incidents, excluding murders, were committed with firearms."⁵

"Even taking into account that we're talking about human lives, as Ms. Lewis has reminded us, these are not huge numbers."

Obviously provoked, Ms. Lewis pressed the issue: "But Mr. Dickerson, tell me, would you go and tell each of the victims' relatives that we should put up with these numbers because they are not huge, that their lives were insignificant?"

"You know very well that he wouldn't say such thing," I said. "All he's trying to do, Ms. Lewis, is to place the issue of crime and guns into a reasonable perspective.

"Even if we set aside victims of firearms in 2006, over 5,000 persons would still have been murdered (over 13 persons per day), and another 3.8 million (about 10,410 persons per day) would still have been victims of violent crimes. Would that be a fair statement to make at this time?"

"I guess," said Ms. Lewis, sheepishly, "but I still think there's something callous in numbers."

"And, I agree, if it's any consolation to you, Ms. Lewis. But let's not forget that a bit of rationality and an apparent cool demeanor in this instance doesn't mean we are throwing our hearts and our values out the window."

"Understood," she replied.

"Go on Mr. Dickerson, please," I said.

"Okay. Let me provide you all with additional data. Firearms do play a role in other types of violent crimes, but less than we might expect. In 2006, there

were 255,630 cases of rape and sexual assaults. Well, in 71.6 percent of these incidents, no weapons whatsoever were used; that's 183,031 victims of sex crime that took place, but were *not* gun-related.⁶

"Next, we go to robberies, and for this category I rely on incidents that were reported to the police. In 2006, there were 447,403 cases of robbery involving residences, groceries, gas stations, banks, and others, causing losses estimated at \$567 million. Perhaps, not surprisingly, firearms were involved in 42.2 percent or 188,804 cases. And, once again, that leaves us with 258,599 robbery cases in which guns were not involved.⁷

"And, finally, the last of the violent crime categories: assaults. There were 4.1 million incidents in 2007. Most of these—75 percent or 3,053,000—had nothing to do with firearms, while 5 percent or 201,880 incidents did involve firearms.⁸ If we focus on aggravated assaults alone, since these incidents produce the most serious injuries, in 2007, there were 720,652 incidents, of which 21 percent were firearm-related. And, talk about killing with parts of one's body, 26 percent of these aggravated assaults were committed with hands, fists, and feet.⁹

"Oh, before I forget, these figures do not include property crimes. There were 9,843,481 incidents reported in 2007. These are occurrences involving larceny, theft, arson, and auto theft, in which the purpose is to take money or property without force or the threat of force.¹⁰

"Cases of property crimes, however, do not play a role in our discussion since, in most if not all instances, offenders do not get to confront their victims, the exception, perhaps, being purse-snatching incidents. If weapons had been used during these incidents, these cases would have been considered violent crimes, according to the FBI's Uniform Crime Reporting Handbook."¹¹

"Mr. Dickerson," Ms. Lewis called out, "if you don't mind me asking, do you know how many accidental deaths there were in that year that were gun-related?"

"Not too many. Let's see," he replied, looking at his data. "The figures I obtained from the National Safety Council indicate there were 789 unintentional firearm deaths in 2005, fifty-nine more incidents than in 2003."¹²

"That's a lot, don't you think! What does that tell you?" she badgered.

"Well, it tells me that there were 789 regrettable accidents committed by careless people that led to unnecessary suffering, many of which could have been prevented if care had been exercised," he answered.

"Is it a lot? Well, again, from the standpoint of human suffering, one accidental death is one too many! And I realize where you're coming from, Ms. Lewis, but think of this, in 2007, there were 41,259 automobile-related deaths, the majority of these cases also were unfortunate and preventable accidents that we, as human beings cause all the time. And yet, these fatalities are

almost three times as many as victims of gun-related murders in 2006.¹³

“Let me go further, according to the National Safety Council, the statistical odds of a pedestrian being killed accidentally is 1 in 48,816 while the odds of dying from a firearm accident is 375,801. Further, there were 117,809 unintentional deaths in 2005. This means that the 789 fatalities that were firearm-related constituted less than 1 percent.¹⁴ Do you see my point?”

“Um, I think so,” she said.

“Okay, let’s go on,” I said. “First, let me ask, given Mr. Dickerson’s presentation, do we think this topic qualifies as a moral issue or not?”

“I think it does. No, I’m sure it does!” exclaimed Mr. Radusky. “After all, we’re talking about weapons that kill lives.”

“As well as weapons that may save lives,” Mr. Dickerson reminded us. “This isn’t a one-dimensional issue.”

“It seems that positions have been taken and verbal weapons have been drawn,” I said, “and I assume that both of you are moral beings and law-abiding citizens. Therefore, I think we might infer that, both the taking of a life as well as saving a life, qualifies this topic as having a moral political value. So, let’s ask ourselves, what is the debate about? What should we do about firearms?”

“Do you mind if I go first, sir,” asked Mr. Dickerson.

“No, I don’t. But you will have to argue the opposite of what you believe,” I reminded him.

“Well, I sort of had already programmed myself for this discussion!” he complained. “I don’t think you have any idea what you’re asking my brain to do, sir.”

“Oh, but I do! This exercise creates an element of dissonance within you. All of a sudden, you are at a loss. It makes you feel weird all over, like when someone screeches an old blackboard with a chalk and you begin to squirm and wiggle. Yes, I think, I do know how it feels.

“But at the same time, it makes you take a hold of yourself. Arguing in line with your convictions is rather easy, and one-sided. But remember what I said at the beginning of this seminar? We’re here to challenge our convictions, not to confirm them. So, you still want to go first, Mr. Dickerson?”

“No. I think I’ll need some time.”

“Very well, how about you, Ms. Lewis, you seem to feel very strongly in favor of banning guns. Can you handle the opposite view?”

“I’ll try, but mind you, I hate weapons, okay,” she said, still hesitant. “I guess that if someone likes firearms, and the Second Amendment supposedly grants the people the right to own them, the government can’t and shouldn’t infringe that right.”

“That’s quite a broad statement, Ms. Lewis. But it’ll do for an opener,” I said. “Captain Francis, would you argue against her view?”

"Ahh, hmm, I think war is easier than this," he mumbled in a low voice. "Sure! I'd think that it's the government's responsibility to look after the well-being of its citizens, and, let's face it, guns kill, guns maim, guns are used in the theft of property, guns even lead to accidents. We're talking about a dangerous instrument!"

"If I may sir, I can provide additional information," said Mr. Dickerson.

"Go ahead," I said.

"Let's bear in mind that in 2006, 1,830 of all homicide victims were killed with knives, 841 with fists and feet, and 618 with blunt objects such as clubs or pipes, while 137 were strangled!"¹⁵

"Thank you, Mr. Dickerson," I said. "Now, Captain, please tell me, how would government manage to begin regulating hands, feet, knives, two-by-fours, and other dangerous instruments?"

"Well, it's obvious that government can't regulate any of these "weapons, sir. All government can do in these cases is to wait until after the crime is committed and then bring the offender to justice, simply because there's no other alternative. Still, my point is, if there are clear alternatives do prevent those incidents, why turn them down?"

"If we ban all firearms, think how many thousands of lives could be saved? How many accidental deaths could be prevented? How many violent crimes committed with guns could be avoided. As Mr. Dickerson said, one life cut short by crime is one life too many.

"Again, to place this issue in a proper perspective, we went to *war* in Afghanistan on account of the 3,000 lives that were lost to terrorism on 9/11. So, wouldn't we all think that 16,000 lives and over 300,000 victims in one year should be enough to make us want to curb the use of firearms?"

"Well done, Captain," I said. "Are you beginning to persuade yourself?"

"I don't know, sir, but I'm beginning to see aspects I didn't see before."

"Good! How about you, Ms. Lewis? Don't you have anything to say on behalf of a libertarian use of guns?"

"I'll try. Captain, the Second Amendment of the Constitution grants all citizens the right to bear arms to protect themselves against oppression. You seem to be questioning the wisdom of the Founding Fathers. Don't you see a purpose to the Second Amendment?"

Captain Francis remained silent for a few long seconds, and then countered, "Ms. Lewis, let's get rid of a myth right away. The wisdom of the Founding Fathers was extraordinary, but it's best appreciated, not in its individual components, but in the whole framework they legated to us.

"The wisdom of the parts has been questioned since the beginning through constitutional amendments, numerous judicial decisions, and even more congressional legislation that the courts have upheld.

"We have tinkered with the system many times, seeking to adapt it to changing circumstances through mechanisms created by that same wisdom.

“Yet, no one can say that the system has been overhauled, that our constitutional system is something entirely different than what it was when it was created.”

“So, you would have no qualms about overturning the Second Amendment?” she asked.

The captain pondered. “Suppose, Ms. Lewis, that circumstances that we could not even dream of today, would turn us into a modern version of the Wild West,” he said. “Suppose that guns were to threaten the social fabric and the well being of the society. Don’t you think there would be overnight support among the people to ban all guns, assuming that doing so would facilitate the police and government officials to bring about peace, security, and law and order? You better believe that guns would be banned!”

“And I suppose that the courts would stand idle and allow the Second Amendment to be infringed upon!” she answered.

“If the courts have any sense left in them at the time, they would not stand idle,” Captain Francis sustained emphatically. “I’d like to think they would consent in order to deal with extraordinary circumstances. Lest we forget, during our civil war, the national government temporarily *disarmed* an entire section of the country over an issue that threatened the unity of the entire nation. And, during the 1950s and the 1960s the national government predominated over state politicians and their local law enforcement in order to implement integration policies. As I said, those were extraordinary circumstances, and the national government prevailed.”

I interjected, “Captain, the examples you have given us relate to what the Executive was able to do through force. What the courts can do is quite different. The Supreme Court’s decision on gun control in 2008 tells us that, according to what you just said, it will require either more common sense or an infusion of liberal-leaning justices to overturn its decision.”

“I agree, sir, although personally I cannot complain about the decision.”

“Well, don’t forget that you’re arguing a view that is opposite to the one you hold personally,” I said. “So, let me ask you do you believe that Justice Scalia arrived at his ruling through something of a stretch? The way I see it, he sought to protect the right to self-defense through a loose reading of the amendment while indicating, through a more strict interpretation, that the court is not empowered to do away with the amendment.

“Let’s go ahead and briefly explain what took place in this decision, Captain.”

“Sure. The court found a District of Columbia law banning possession of hand guns kept in the home as well as a requirement that firearms be made nonfunctional while in the home, to be in violation of the Second Amendment. I think it is very telling that this decision did not pass the political microscope test, as it has happened on acute ideological issues. The justices were divided along ideological lines, like they have done before.”

“What were the questions Justice Scalia addressed in his decision,” I asked.

“Well, in the past, there have been question marks regarding whether this amendment applies to the states or only to the national government; whether individuals having the right to bear arms may do so independently of a *well-regulated militia*; whether the term *the people* means individual citizens, and so forth. Only one of these issues was addressed through the majority decision.

“In *District of Columbia et al. v. Heller* (2008), Scalia sought to find out if an individual’s right to self-defense is contained or inherent in the right to keep and bear arms. The obstacle that he needed to overcome, however, was to find out whether in the Second Amendment the framers intended or not to, literally and perpetually, justify the right to keep and bear arms no matter the circumstances.

“Justice Scalia, after etymologically dissecting the amendment, inferred from the historical record—although not from the framers writings—that the right to keep and bear arms directly relates to the right of individuals to self-defense, independent of the need to expedite the organization of a well-regulated militia. In effect, he unlinked the preface of the amendment—‘A well regulated Militia, being necessary to the security of a free State’—that many see as the condition for what follows: ‘the right of the people to keep and bear arms shall not be infringed,’ which many think the framers had linked together.”

“You seem to have a problem with that, Captain,” I remarked.

“Again, personally, I can’t say I dislike the decision, but I cannot see how the Justice can assert that the preface plays a secondary role; that is, that it does not condition the right to keep and bear arms.

“We may all agree that this right is pre-ordained and not created by the constitution; that self-defense is among man’s natural rights, arms being, perhaps, the most efficient way of defending oneself. But that should not be the point. It seems obvious, at least to me, that the framers had a distinct motive in linking the preface to what comes afterward, *the right to keep and bear arms*. In fact, Justice Scalia formulated the wording as it might have read had the framers were writing in our times: *Because a well regulated Militia is necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed*. A strict reading suggests that the motive was to keep the militia in a state of readiness to cope with any threat to the security of the nation.

“That’s all the Second Amendment states; that men should not be disarmed, not because arms are essential for self-defense purposes or hunting, but because if they become disarmed the security of the nation would be at risk, since a well-regulated militia could not be then effectively organized.

“Instead, Justice Scalia said that the Second Amendment asserts and

ratifies the right to keep and bear arms for individual purposes beyond the need to defend the security of the nation. It is here where one may find kind of a loose reading of the constitution.”

“What are the consequences of Justice Scalia’s way of interpreting this amendment, Captain?” I asked.

“In first place, he affirms a right that, in my opinion should exist, although he does it through a dubious interpretation. He goes beyond his doctrine of *Originalism*, the justice’s approach to interpreting the constitution based on the *intent* of those who wrote it. Attributing intent to the way that others acted at that time does not mean that the framers were acting in the same manner. Such poetic license, of course, justifies the opposition doing the same thing.

“Another point is that Justice Scalia is accepting as valid the circumstances surrounding the existence of a militia even when both the circumstances and the concept are obsolete.

“Far more significant are the reasons Justice Scalia gave for implicitly validating a militia. He provided three: to defend against a foreign enemy; to quell down an insurrection; and to resist domestic tyranny. The first reason assumes that the militia would be under a governmental authority; not so with the other two.

“An insurrection, as we all know, may be the preface to resisting domestic tyranny, and if that were to happen we should not expect the militia to be under constitutional authority. We may remember that time of our history when several states perceived the Federal Government and its president, Abraham Lincoln, as the tyrannical enemy. They organized themselves in militias and engaged the constitutional government in a deadly civil war.”

“But that was then,” I snapped back. “Surely, you’re not suggesting that this could happen again!”

“Let us hope not, sir. Nonetheless, the election of President Obama is slowly polarizing the country. Look around, cries that Obama is bringing socialism to America—as ridiculous as that sounds even to me—is on the rise. Supposedly responsible public officials and pundits in one or two states are advocating secession. Distrustful individuals are spreading the unfounded rumor that the president wants to disarm the population.

“Politically and culturally, we as a nation are walking down new trails, and, in effect, the majority in the court has given new life to the concept of the militia. But, as Justice Scalia said at the very end of his decision while adhering to his strict interpretation of the constitution, *it is not the role of this court to pronounce the Second Amendment extinct*. In other words, let the people do it through the democratic process.”

“But Captain, surely you agree with Justice Scalia that it is not the role of the court to declare a constitutional amendment null and void,” I interjected.

“Of course, however, that does not mean that present circumstances

should be set aside. We need to ask ourselves if there is a need for a militia today.”

Ms. Lewis immediately took up her role as devil’s advocate, “But Captain, suppose that circumstances change, is it difficult to envision that one day we could be facing a tyrannical authority in our country?”

“Suppose were right, Ms. Lewis, and oppression were to take place. If that happens, the government would have all the arms while the people wouldn’t have any. Nonetheless, can we be so naïve as to believe that with handguns and rifles, we would be capable, today, of deposing a tyrannical government, whether of our own making or a foreign power?”

“We could have done it at the time of the American Revolutionary War, but not today. At the same time, if the unfortunate were to happen one day and our government would turn against its people, I’m afraid that the national government simply has too much firepower and sophisticated intelligence to be defeated by guns, rifles, and militias. And, should we want to take this discussion a step further, I don’t think the majority of the population is ready or willing to equip itself with the type of firepower that could rival our government.”

“Are you suggesting that we should put up with tyranny?” I asked the captain.

“I think the best means we have against oppression, that is, against a government that no longer allows itself to be questioned through constitutional means is to prevent an oppressive system from taking over. We do this by educating our citizens, including our soldiers, in the values of a civil society, and ensuring the continued subordination of the military to civilians that can be held accountable to the people and its laws.

“We have to realize that the role of the militia has vanished, and to that extent, the significance of the Second Amendment has been considerably reduced.”

“But, Captain, since the right to keep and bear arms is linked to a supposed necessity to allow for a *well-regulated militia*, if the court were to separate the two it might pave the way to restrictions on handgun possession.”

“It would open the door, no doubt, but that might not be such a bad idea.”

“Ms. Lewis, your turn,” I said.

She looked firmly into the captain’s eyes and spoke, “Captain, if that happens how would people defend themselves, not against tyranny, but against crime? We would be rejecting a classical view of self-defense.¹⁶ Wouldn’t that be a reasonable principle to uphold?”

“I would not argue against the possibility that such a view may have been instrumental in establishing the Second Amendment,” said the captain. “But, my point is that, nowadays, people who favor banning firearms are not going to be persuaded by any type of classical philosophical views.

“The way I see it, reaction against guns nowadays is being driven by a frame

of mind. Mr. Wasserman referred to this earlier: fear of crime and fear of guns. Many people attribute crime to guns, even though most crimes, as we have learned here tonight, are not committed with guns. And, just as well, many people are also afraid of guns, even in the hands of law-abiding citizens, because, as they say, accidents do happen, although the rate of accidental deaths by firearms has been shown to be negligible.

“I’m not saying this frame of mind is necessarily rational or irrational for that matter. I believe there are elements of both. But, the frame of mind is very real and very strong. This means that, regardless of whether the Second Amendment grants citizens the right to own firearms for protection or to enhance their sense of security, many people are getting fed up with crime and are blaming firearms for it.

“And, I think because of this, the time may come when all three branches of government will pay more attention to current circumstances than to circumstances that prevailed more than two hundred years ago.”

“I understand, Captain,” said Ms. Lewis, “but you’re talking about depriving the people of their right to self-defense. This is the primary law of nature, and it’s very much in line with our Judeo-Christian tradition. As a matter of fact, some people claim that refusal to defend that which God gives us—our lives—is insulting to God Himself.¹⁷”

“Mr. Dickerson,” I said, “I hope that by now you’re ready to argue against your beliefs. Do you have an answer for Ms. Lewis?”

“I’ll give it a try. I don’t think that government would infringe upon such an important constitutional right if it weren’t for significant reasons such as, perhaps, life, liberty, and the pursuit of happiness, and we can’t enjoy any of these if we are injured or dead.

“I mean, Ms. Lewis’s argument suggests that those who are in favor of banning guns are against defending their own lives, and obviously that’s not the case. What these people believe is that the social advantages of banning firearms outweigh their possession.

“Now, let me tackle the religious aspect,” he continued. “I see a problem with relying on our Judeo-Christian tradition to uphold the right of citizens to bear arms to defend themselves. This tradition is extremely ambiguous. The Old Testament, as we know, tells us about a God who at times used and condoned violence as a means to show his people obedience to his commandments. He relied on war to punish his people as well as to deliver them from their enemies. “But in the New Testament, we see a turnabout. It’s as if we’re talking about two different Gods, or perhaps, the same God who happened to change his mind or maybe his approach to teaching his often rowdy children.

“What we see in Jesus are different guidelines on moral behavior, sometimes the opposite of what we read in the Old Testament. That is why I don’t believe we can make an easy case either way when it comes to the issues of violence, self-defense, and guns.”

"You don't think it's that clear-cut even in the case of Jesus?" asked Ms. Williamson, mystified by Mr. Dickerson's statement.

"Ms. Williamson," said Mr. Dickerson, "I see Jesus as a peaceful man, but not necessarily someone who would recommend pacifism as a virtue, if by this term we mean the absolute and total rejection of violent means to help others.

"As we know, Jesus chose to die for his beliefs. But, this is the same person who days before became extremely angered at merchants who had turned the synagogue into a den of thieves, got hold of a whip, and went after them for being so disrespectful. Imagine, if that were to happen today in our society, Jesus would have been arrested for aggravated assault. Justifiable? Perhaps, in his own mind, but an act of violence, nonetheless.

"Jesus called on those who were offended to turn the other cheek, but never said anything about not protecting one's life or your loved ones from one's enemies. He said also that love of one another was part of the greatest of all commandments, the one that eventually became the nexus of the Christian message: love of God and love of neighbor."

"Mr. Dickerson, I think you lost me," said Mr. Edson, who strangely enough had remained rather quiet so far. "What does love have to do with violence?" he asked.

"Ask yourself," replied Dickerson, "wouldn't many, if not all of you, use violence if necessary to defend your loved ones from those who would harm them?"

"Although I strongly believe that Jesus' teachings command those who believe in him to strive for peace and to abhor violence, he delegated to his followers the moral right to decide for themselves those instances in which life ought to be defended, mindful that violence would be a last recourse, not the initial one, or even the intermediate one."

"Killing in the name of love, Mr. Dickerson?" said Ms. Williamson. "That's quite a radical departure for a Christian!"

"Not really, Ms. Williamson," I said, intervening in the discussion. "This view certainly won't score popularity points in our society, I think, because of our tendency to outsource the so-called dirty jobs to soldiers and to the police whom we refer to as *heroes* when they defend us.

"It's not a matter of killing someone in the name of love, Ms. Williamson, but of using any means necessary to defend those you love; there's a difference. Imagine yourself in a situation in which the alternative to your children being killed is to kill their attacker. What would you do? Would you let him kill your children? Would you allow a murderer to kill your husband or your parents, even when you could prevent it by shooting the offender? What would you do?"

She became exasperated. "I know what you're saying. I would do anything to protect my family. But, I just don't know if I could kill someone."

Mr. Brandon spoke up. "Dr. Planas, you mentioned something that hit a

chord with me. Many people have this negative image in their minds of people who own weapons for self-defense purposes as being uncivilized barbarians who have little or no respect for the law.

"Many of us might look at our Wild West as the Dark Ages of American history, and yet we still love a good cowboy movie. Gun owners, I think, face a stereotype, like motorcycle riders sometimes evoke among some people, of being vulgar, or outlaws."

"Well, there are many motorcycle riders who fit that description because they have brought it upon themselves," said Ms. Williamson.

"Agreed," said Mr. Brandon, "but there are others who are decent, law-abiding citizens who don't fit into that image, so why would you stereotype them?"

"I realize what you're saying, and you're right, I shouldn't judge them without knowing them. It's just that I think guns are creepy, and gun owners tend to be creepy people, too."

"Perhaps, you might be referring to criminals who possess guns, Ms. Williamson," I pointed out. "Criminals can be quite intimidating, the more so with a gun in their hands."

"No doubt about it," she argued, "but don't you at least have this image of a person with a gun as being violent?"

"Hardly in my case, Ms. Williamson," I replied. "In the spirit of full disclosure, I must tell you that I own a gun. So in your eyes I must be one of those creepy people."

"You have a gun!" she exclaimed. "A real one? I don't believe it. You're probably just trying to get me to react."

"No, I'm not," I said, cutting her short. "And yes, it's a real gun, a 9mm Smith & Wesson. I bought it some years ago."

There was laughter in the room as Ms. Williamson became obviously embarrassed by her suggestion that I, too, could be a creepy person.

"I didn't mean to make you uncomfortable, Ms. Williamson, but I thought I owed it to the entire class to provide that piece of information," I said.

"I am a peaceful man; don't even enjoy hunting. Not that those who hunt are necessarily violent. What I'm saying is that if I ever have to defend my family, my friends, or any other potential crime victim, I would do whatever is necessary to do so."

"I see," she said, sounding a bit cocky this time. "You must belong to the classical liberal tradition that regarded armed men as virtuous, as a test of one's moral character, no doubt. I've read that at one point, being armed was essential to the preservation of a democracy."¹⁸

"Your recollection of the classical liberal tradition is correct," I said. "I'm sure you're aware that our beloved Thomas Jefferson, an enlightened and peaceful gentleman, even advised his teenage nephew that making his gun his walking companion would help him to develop moral character."¹⁹

“But we all realize that society nowadays would be outraged if the President of the United States were to advise a youngster to carry a gun. These are different times. Also, as Captain Francis remarked, perhaps it was necessary for citizens to bear arms in the Eighteenth Century in order to preserve a free society. Today, that advice is, in my view, an exaggeration and totally unnecessary.

“And unless you are prepared to say that policemen and soldiers who shoot bad people are uncivilized individuals themselves, how could you possibly have that image about citizens who may find themselves in similar situations? I would not forgive myself if I were to fail to do whatever it takes to defend an innocent victim from harm at the hands of a criminal, whether I use a weapon or my hands. I think I owe others that much.”

“Let me just say, sir, and with all due respect, I don't envy the company you keep,” expressed Ms. Williamson. “I have read comments by National Rifle Association (NRA) executives and others who support the gun lobby that are an embarrassment to any civilized society.”

“Why are they an embarrassment, Ms. Williamson?” I asked.

“Allow me to quote what some of them have said, if I may, and ask for your reaction,” she said as she took out her iPad.

“This is how Wayne LaPierre, NRA's Executive Vice President, once referred to gun control advocates:

if you infiltrate school boards and churches and legislatures and foundations to advance an anti-freedom agenda of any kind—the fact that you were born on American soil won't mask the fact that you are an enemy of freedom and a political terrorist.

“Mr. LaPierre is telling me that I am a terrorist and an enemy of freedom, simply because I oppose guns? Who died and made him king, for Pete's sake!

“Jeff Cooper, an NRA Board of Directors member, and someone who includes himself among *the decent people of this country*, endorsed the following recommendation to deal with inner city crime:

... the mass drowning of street punks. Every month in a different big city we should sew up a thousand of them in a huge sack and dump it into the Mississippi.

“Another NRA Board of Directors member, Ted Nugent, made the following generalization on South Africans, showing to the world the extent of his knowledge about the country as well as his contempt for American principles of government:

Apartheid isn't that cut and dry. All men are not created equal. The preponderance of South Africa is a different breed of man. I mean that with no disrespect. I say that with great respect. I love them because I'm one of them. They are still people of the earth, but they are different. They still put bones in their noses, they still walk around naked, they wipe their butts with their hands ... These are different people. You give 'em toothpaste, they fucking eat it ... I hope they don't become civilized. They're way ahead of the game.²⁰

“Assuming I’m not misquoting any of these individuals—I’m relying on an anti-gun group for my information—I ask you, sir, do you feel yourself to be in good company? What is it exactly that you share with these individuals?”

“Well, hmm, I’m guessing that, perhaps, the only similarity we share is that we own guns; I can’t think of any other. And, to answer your first question, I wouldn’t enjoy being in the company of these individuals you mention. In my view, their comments give a bad name to guns and to the values of defending others and oneself from merciless and wanton criminal acts.

“What concerns me about these NRA individuals is that they appear to be promoting a culture of hatred and revenge-killing rather than the Jeffersonian model of self-defense.”

“It sounds as if these people would not hesitate to shoot an intruder who comes in to steal your TV!” said Ms. Williamson.

“Ms. Lewis, please, can you counter Ms. Williamson’s remark?” I asked.

“My problem with her argument is that from the standpoint of the victim, how do I *know* that the robber comes only for the TV and not for my children?” said Ms. Lewis. “How do I know that the robber won’t kill us in order not to leave any witnesses? How do I know it’s only a robber and not a murderer who has escaped prison or someone on drugs?”

“Fine,” said an infuriated Ms. Williamson, “set aside this method of arguing against your convictions for just one second and tell me, would you shoot the intruder?”

I could see Ms. Lewis becoming disconcerted. “I don’t know! I don’t even have a gun!”

“What if you were to have one?” Ms. Williamson pressed.

Ms. Lewis paused for a long while, nodding her head, torn by mixed emotions. “I probably would brandish the gun at the intruder. I don’t know whether I would shoot at first sight. But I don’t think I’m going to ask him what he’s doing in my house in the middle of the night! It makes me mad to be placed in these situations, and the more I think about it, that person has no right to be in my house,” she said, gaining momentum. “I don’t know what his intentions are, and I damn will try to protect my family if I can!”

“Ms. Williamson,” I asked, “What would you do?”

“I couldn’t shoot anyone,” she replied.

“Couldn’t or wouldn’t, Ms. Williamson? Is it fear or conviction?”

“I don’t know. It might be both, and that puts me in two separate categories at the same time. If it’s fear, I’m a coward, and if it’s conviction, I’m stupid for letting someone take advantage of me and my family.”

“Ms. Williamson,” I said, “cowardice may refer to an unwillingness to overcome fear, but quite often it’s simply a conditioned reflex as fear overtakes the mind and paralyzes behavior. Sometimes, cowardice is a bad attribute, but quite often it’s simply part of being human.

“Cowardice pops up in the gun-control literature and in remarks by some

who zealously defend their right to own guns. I remember having read a piece in which the author makes a strong case for owning a gun for self-defense. He argued that we can't criticize crime in our society without the intended victims assuming some degree of moral responsibility. The author asserted, *crime is rampant because the law-abiding, each of us condone it, excuse it, permit it, submit to it. The defect is there in our moral character.*²¹

"I don't believe we can dismiss this view so easily. Yes, there are legal, educational, civic, religious, economic, sociological considerations that relate to crime. But individual responsibility is also an important aspect in lowering the crime rate.

"We can't possibly demand twenty-four-hour police protection. There aren't that many police officers! And, if we wanted that much protection, there wouldn't be enough money left in our pockets after we pay the local taxes for our security! So, in my view, the author has a strong point.

"What troubles me is the author's viewpoint regarding our character deficiencies," I said. "He ends that paragraph by asserting that, *We are a nation of cowards and shirkers*. Now, I do have a problem with someone who is unable to accept human limitations and proceeds to judge others so harshly. Most people who live in relatively peaceful communities and lead rather quiet, ordinary lives will react with fear when confronted by someone who intends to harm them. Most of us are not trained, and have not been raised, to be soldiers or cowboys throughout our lives.

"People are not cowards because they *want* to be cowards, and this isn't necessarily a flaw in our moral character. So, I'm troubled by someone who argues that if we're not ready to shoot a criminal offender, then we're not worthy of being moral citizens. I'm troubled by someone who boasts of never surrendering their guns, arguing with silly bravado, *You can have my gun when you pry it from my cold, dead hands*. I think that any organization, any individual, that embodies a Wyatt Earp attitude is detrimental to the concept of armed self-defense. This attitude detracts from a principle that, at least in my view, is solidly grounded.

"Do we think that individuals walking into a public restaurant flaunting their guns will contribute to a rational discussion of self-defense? Gun ownership for defensive purposes needs to be based on a simple realization: our lives and the lives of others are worth being protected, and we should try to do whatever we can to do so. Contrary to what Ms. Williamson believes, many gun owners are educated, affluent individuals who dislike violence."²²

"I happen to believe that those who represent the gun lobby need to go a step further and show they are emotionally stable, instead of projecting a trigger-happy, extremist attitude. They need to show respect toward those who oppose their views, instead of classifying them within 'we conservatives are good, liberals are scum' categories.

“Yes, Mr. Dickerson, go ahead.”

“I came upon an extensive survey that deals with the issue of defensive gun use (DGU), people who have used their weapons to defend themselves when threatened. According to this survey, only about 25 percent of gun owners have done so.²³ I would think that this percentage has increased somewhat today. At the same time, a 2003 survey indicated that, already, we are the most heavily armed country in the world. Americans own between 238 and 276 million firearms.²⁴”

“So, what does being the most heavily armed nation in the world tell us? Could it be that we are becoming uncivilized?” asked Mr. Hunt.

“Uncivilized or fearful?” posed Ms. Vanhurst. “What it tells me is that many Americans perceive that we have a crime problem. It tells me that people are afraid, and they tend to seek security, whether real or not, by owning guns.”

“But, do we know whether all these millions of guns are owned because people are afraid?” I asked. “Perhaps, many of these weapons are used for hunting or target practice, as a hobby.”

“Well, that’s true,” she replied. “However, given the number of aggravated assaults, robberies, and what have you, I wouldn’t be surprised if millions would own weapons for their protection. As a society, we have yet to come to grips with crime by developing a more aggressive, multi-pronged approach bringing together conservatives and liberals. I don’t believe crime is uni-dimensional. It’s not a matter of having tougher laws and tougher judges alone. People need to be educated on this issue.

“The government’s approach to crime is as disjointed as its solutions are to other social and economic problems. It tends to leave many elements out of the picture, such as family, religion, social institutions or economic development. There is no unified approach, but only independent approaches. The result is that if there’s crime and people are genuinely afraid, what are they going to do? Many will find security in guns; and if that is how they feel, that is how they are going to react.”

“Would you, sir, shoot someone who’s not armed with a gun and wants to steal your car?” demanded Ms. Lewis.

“More than likely, No,” I said.

“But you’re still a firm believer that a gun is the proper answer to dealing with crime,” inquired Ms. Bynum.

“It’s not the proper answer,” I said. “It’s one alternative, a personal one, to be used as a last recourse to save a life. Believe me, I don’t fancy guns, and I don’t regard myself as a vigilante. From a social standpoint, however, I think the question we have to ask ourselves is whether guns are an appropriate or effective means of self-protection.”

“I have information that may help us to determine just that,” said Dickerson.

“While doing research on this issue, I ran into a very interesting academic study, and assuming the results are empirically correct, it might persuade many that guns can be an effective means to protect themselves.

“In 1993, a professor of Criminology at Florida State University conducted an extensive survey on the nature of *Defense Gun Use* (DGU). The method he employed has been widely regarded, even by some who favor gun control laws, and to the best of my knowledge, the study's conclusions have not been seriously questioned academically.

“At the beginning of class this evening Ms. Lewis presented the proposition that there might be less crime if there were fewer guns, and Dr. Planas replied, *maybe more*. Well, let me summarize the results of this survey.²⁵ “The study estimated that in 1993, while there were approximately 554,000 fatal and non-fatal violent crimes, in which offenders used guns, there were anywhere between 2.2 to 2.5 million people who defended themselves against offenders through the use of a firearm, including 1.5 to 1.9 million with hand- guns. Not all of these 2.2 to 2.5 million had been victimized with guns. As a matter of fact, offenders had any type of firearm only in 18% of DGU incidents. In 52% of the cases, offenders threatened their victims with no weapons at all, while in other cases offenders used knives and sharp or blunt objects to threaten their victims.”

Ms. Lewis interrupted. “Well, do you believe that in instances in which offenders are not armed at all, that people should use a weapon to defend themselves?”

“Ms. Lewis,” I said, “if you feel that you don't have either the physical ability or the courage to face off someone who threatens to hit you with their hands or with a bat, what would you do? How would you confront your assailant, assuming that calling the police or running away is out of the question?”

“Moreover, while you have the choice to defend yourself or not do so, what about defending members of your family? And even if you decide to defend yourself, why run the risk of getting injured or killed by confronting the offender unarmed? It's not as if you're the one threatening the offender. It's the other way around; you're the victim! And, the fact that you carry a weapon doesn't mean you're going to shoot your assailant.”

Mr. Dickerson pointed out that, according to the survey, defenders fired their guns, wounding or killing the offender only in 8 percent of the cases.

“Were all defenders able to fend off their attackers? I mean, how successful were they?” asked Ms. Lewis.

“According to the study, no defender was killed, and only 5.5 percent of defenders were injured while defending themselves,” said Dickerson. Further, in only 11 percent of the cases were offenders able to get away with money or property. So, I would say that, overall, defenders did a pretty good job.”

Ms. Lewis asked again, “What about instances in which people who rely on

guns for self-defense feel they are empowered to be bullies, and when opponents react, the bullies then become defenders. Isn't something likely to happen?"

"Yes, I'm sure there will be always instances like the ones you mention," replied Mr. Dickerson. "The author's study points out that in 15 percent of the cases, defenders were the first ones to threaten or use force, although circumstances surrounding the incidents were not described well enough to know what had happened. Offenders, on the other hand, used or threatened force first in almost 85 percent of cases."

"If I may pursue this further, does the study indicate how many of these DGU incidents involved family quarrels?" she asked.

"Indirectly. The survey does show the relationship of offender to defender. In 73 percent of the cases, both were strangers; in 1.3 percent they were neighbors, and in 3.6 percent they were husband and wife or son and daughter; in 7.3 percent of the cases the relationship was unknown."

"Much lower percentages than I had anticipated," replied Ms. Lewis.

"Well, let me surprise you even more," he added. "Among the 2.2 to 2.5 millions that used a firearm for defensive purposes that year, 53.7 percent were female! Now, the author believes that the numbers are high, likely because the number of men involved in DGUs could be seriously underestimated, which, naturally would tend to increase the number of females. Still, pretty amazing numbers, I think.

"I was as stunned with the results as you seem to be, Ms. Lewis," continued Mr. Dickerson. "The first thing I wondered, of course, was if other surveys would confirm these results, and apparently they have. Although I have not read them all, according to the author, five more national surveys completed by mid-2000 confirmed estimates similar to his survey.²⁶

"Mind you, there are other ways to analyze the survey's results. For example, remember that I had said earlier that in 2006 there were 5.8 million victims of violent crime. Well, if we rely on the author's 1993 estimates, we could say that, had it not been for firearms used as self-defense weapons, there could have been 7.6 to 7.9 million victims instead, many of them possibly killed.

"Also, according to the 1993 study, 15.7 percent (345,000 to 392,000) indicated that circumstances were such that defenders perceived that someone would have died, other than the offenders, had their guns not been used for protection. The author himself, choosing to be very conservative in his estimate, said that even if only 10 percent of defenders were accurate in their perceptions, 34,500 to 39,200 defenders might have been otherwise killed. Something else, I mentioned that in 2006 there were nearly 16,000 people murdered. Well, based on the survey's estimates, we may extrapolate and suggest that there would have been two and a half times more murders had it not been for defensive gun use."

"All this sounds too unreal," said Ms. Lewis. "It's like an argument in favor of guns galore!"

“One would think so,” I said, “and in a way, I don’t like it any more than you do, because it gives the impression that a firearm is the one indispensable approach to combat crime.

“Captain Francis, please, go ahead,” I said.

“Based on what is being presented here, it doesn’t seem to make sense to argue on behalf of outlawing all firearms in order to save thousands of lives; not when firearms seem to save even greater numbers of lives. But suppose that ninety percent of the adult population, 18 and above, would own and carry guns for protection, what would our society be like? It would be the equivalent of Mutual Assured Destruction at the individual level; in other words, individualized personal deterrence. Social relations would definitely change overnight; talk about having to be politically correct. Respect for others would be replaced by fear of others.”

“Unfortunately, at least in Florida, what sounds irrational is already a reality, as you all may know,” said Ms. Williamson. “Florida approved legislation that anyone may carry a gun or another weapon and use it if they feel threatened by someone else. Is this what you favor Dr. Planas?”

“Would you be surprised if I say, No, Ms. Williamson? I’m very concerned about this law. On its face, the law seems reckless to me because feeling threatened can be quite subjective. I think Captain Francis might be right; Floridians are going to have to be extra cautious. One would think that people should be trained to handle guns as well as situations they might encounter.”

“If I may bring another viewpoint, sir, I think that, regardless of whether one may like guns or not, the Constitution supports one’s right to bear arms,” said Mr. Radusky. “It’s the law. So, if I’m a law-abiding citizen, why should my rights be curtailed? This seems to be a win-lose proposition. If my freedom to bear arms is curtailed, the offender wins and I lose. I don’t think it’s realistic to have a crimeless society. After all, should we ask government to curtail the use of our hands and feet so that we may not commit crimes with our limbs? My concern is that, when you begin to trample on individual rights, you begin to suffocate our democratic way of life, and . . .”

“Gentlemen, I believe we are talking in black and white terms,” warned Ms. Vanhurst. “The nature of the discussion seems to be either guns galore, as someone said, or no guns at all. The banning of firearms sounds neat, but given what we’ve heard here tonight. It’s not very logical.

“Given the millions of guns out there, banning these weapons will be difficult if not outright impossible. Sure, the government can regulate the production of bullets as a means to regulate gun use, but there are many bullets out there, too. But, one alternative that we have not discussed, however, is gun control. Why not?”

“Mr. Dickerson,” I called out.

“Ms. Vanhurst has a point. In terms of sheer numbers and the danger they

pose, we may want to compare automobiles with firearms. Automobiles were responsible for over forty-two thousand deaths in one year, four times the number of people killed with firearms; probably hundreds of thousands injured. I realize that people don't use vehicles to kill people on purpose. Nonetheless, society's response hasn't been to ask government to ban the automobile. Instead, government has tried to improve the safety of the automobile itself, to regulate its use in terms of age, speed, drinking, and to insure that drivers are properly trained in driving vehicles. So, Ms. Vanhurst's view isn't radical. Meaningful gun control laws might be a solution."

"Captain, you probably own a gun, maybe even two," I said. "I realize you are in favor of gun ownership, but tell us, would you oppose gun control laws?"

"I am not against sensible gun control," replied the captain. "I'm against symbolic or illogical laws, however."

"I'm afraid you would have to provide us with examples of what you mean by sensible, symbolic or illogical laws," I said.

"By *sensible* laws, I mean laws that effectively regulate the sale, ownership, and use of firearms, laws that can be implemented without infringing my right to own a gun. As to what are *illogical* laws? Laws that would punish gun makers for manufacturing guns despite the fact that the government and the Constitution allow for the sale and ownership of guns."

"And what about symbolic gun control laws, Captain; what would you regard as symbolic?" I asked.

"Oh, without doubt, the assault weapons ban. Initially, I was in favor of restricting these weapons. I heard both sides of the argument and found out that Congress had created loopholes as big as a volcano crater, which allowed similar weapons to be sold with very little regulations.

"I remember listening to a radio interview of the owner of one of the largest independent gun stores in the nation. This person had come out in favor of the assault weapons ban in detriment to his business. But he found out that the ban didn't make much of a difference, because the laws were not detailed and specific enough. He was quoted as saying; *every politician in America knew it [the ban] wasn't going to work.*

"He said that throughout the years the ban was in effect, he still was able to sell assault-type weapons legally, and did so because others were doing the same. In other words, the law was a joke!²⁷"

"If you wouldn't support the assault weapons ban because of the loopholes, what would you have instead? Nothing?" I asked.

"How about electing new members of Congress with courage and enough dignity to stop deceiving the American people!" he replied. "In my mind, no law is better than a bad law. Having no law forces legislators to put their efforts behind coming up with a sound one. Enacting bad laws makes a mockery of the legislative branch, and it's insulting to the people. It's obvious that we need to rein in those weapons! What needed to be done was not to have let the law die,

but to close the loopholes.”

“Now, Captain, the NRA and those members of Congress who were against the ban argued that only 1 percent of crime was being committed with these weapons,” I remarked.

“One percent, right? Okay, let’s see, that’s 58,000 more of our citizens being victimized, and about 160 additional murders being committed every year. Yeah, that’s right, it’s almost nothing! These individuals are so generous with other peoples’ lives.”

“Anyone else,” I inquired.

“May we further discuss gun control laws?” asked Ms. Vanhurst.

“Sure, what else do you have in mind?” I asked.

“Well, you all know that the gun lobby is against gun control legislation. Its representatives claim that gun control doesn’t work, and Captain Francis has given us a good example with regard to the assault weapons ban. The NRA, for example, claims that crime could be reduced if only the courts would enforce current gun laws.”

“In other words, the courts are not doing their job,” I replied. “What about this argument, is it a fair assessment of the situation, Mr. Edson?”

“Frankly, I don’t understand the logic of the gun lobby, sir. If the courts don’t do their job, of course, crime will continue rampant! But the argument is so simplistic, it’s like saying that to reduce automobile accidents all we have to do is assess heavier fines and incarcerate bad drivers. The problem with this argument is that it’s reactive. We have to wait until someone without a license or someone driving under the influence kills someone else. In the meantime, forget about driver education in the schools, forget about making cars safer, forget about having to pass tests to get a license, don’t bother to sensitize the population about drinking and driving.

“In other words, there’re no preventive mechanisms. Yes, we need the courts to aggressively punish crime offenders; but we also need to be proactive; we need mechanisms to prevent crime, too. This way we would be attacking the issue from both ends. It makes so much more sense!”

“Could it be that the gun lobby is afraid of the slippery slope effect?” asked Ms. Lewis. “Today, gun control, tomorrow, the government bans all fire-arms.”

“I understand that fear of the extreme is sometimes the enemy of what is reasonable. But we’re talking about human lives!” Mr. Edson yelled. “The gun lobby can’t be so arrogant and insensitive as not to compromise. I think they’re digging their own graves because they’ll end up alienating the majority of the people.”

“Okay. Then, let me ask, what would we look for in gun control objectives? Mr. Wasserman, go ahead.”

“The most obvious objective would be to keep firearms away from the hands of criminals,” he said. “Such was the intent of the Brady Law, to allow law enforcement authorities to conduct extensive background checks of buyers prior to guns being sold.

“Another important consideration would be to prevent someone who becomes emotionally unstable or angry from following through with his impulses on the spur of the moment. Think about the Virginia Tech massacre and the fact that medical records that could have prevented the sale of firearms to this mentally ill student were not available!”

“On the other hand,” I said, “the NRA likes to cite examples of the opposite being the case, for instance, the female who has been threatened by her husband, who fears for her life, tries to buy a gun to protect herself but is murdered while awaiting authorization from the law enforcement personnel.”

“Oh, no doubt that something like that could very well happen, and that’s horrible,” said Mr. Wasserman. “I realize that there have been cases, too, in which the victim tries to alert the police and the police won’t take the case seriously.

“My impression is that neither side is being objective. Each side is presenting examples that favor their cause. That’s why I think it’s so important to deliberate these issues with utmost impartiality.”

“Very well,” I said. “Are there any other considerations that ought to be pursued in gun control legislation?”

“Yes,” said Captain Francis. “It’s not only a matter of keeping guns away from criminals and angry people. It’s very important to monitor gun circulation: who buys them, who sells them, how many, what types. This process will aid the government in tracing guns used in crime, stolen guns, guns that are sold illegally, and so on.”

“Very well, that’s reasonable, I suppose,” I said.

“I believe someone said that safety needs to be considered,” said Ms. Lewis. “It’s not just a matter of allowing people to own guns any more than letting people drive simply because they are able to purchase a car.”

“Very well, why don’t we try to come up with ideas that are *sensible*. I believe that is the term Captain Francis used,” I said.

“Ms. Lewis, Ms. Williamson, I just want to make sure where we stand on the issue. While I realize that you are both strongly opposed to the possession of firearms, at the very least, try to come up with mechanisms that could minimize gun-related crime.”

“Understood,” said Ms. Lewis.

“Well, then, let me start by asking, when we talk about gun control, which rules of thumb should we follow?” I asked.

“We have to be realistic,” replied Mr. Wasserman. “Gun control legislation will not always help to keep guns away from the potential criminal because we simply don’t know who that person will be. Criminals are not born

criminals; however, there's always a first time."

"Anyone else? Captain, any sensible ideas?" I asked.

"I think one would need a lot of training to be able to carry a firearm responsibly," answered the Captain "We get a lot of training in the Armed Forces, for sure. I just don't think it's too realistic to pretend that your average Joe or Jane will get all that training as private citizens. Besides, conditions are very different. In the battlefield you are always on the edge, expecting to react at any minute. Is that what we're asking of gun owners, to be on the lookout at every moment?"

"It's a good point!" I said. "In the battlefield you are always assuming that you're always being threatened by the enemy. But, we can't afford to have this predisposition in our cities; the type of training will have to be different"

"We haven't talked about permits or licenses," said Mr. Radusky. "One would think that's the most important aspect of gun control. I think that issues such as criminal records or histories of mental illness could be looked at whenever permits are renewed."

"As long as I can keep my gun, I have no problems with permits," said Captain Francis. "If you are a law-abiding citizen, it should not matter if the government runs a background check and issue you a permit?"

"Not only that," replied Mr. Wasserman, "but knowing how dangerous they are, the government should require some training before purchasing a gun. Same principle as getting a driver's license. You can't drive a car legally without a valid driver's license. So, why not treat a gun the same way? No store should be allowed to sell a weapon unless the buyer has passed a test administered by government personnel."

"I'm all in favor of that, however, isn't that too cumbersome?" asked Mr. Edson. "Captain said that one criterion for gun control was that it had to be sensible."

"Mr. Edson, to me, *sensible* means that there has to be some logic or practicality between the means and the ends," replied the captain. "I admit that these regulations would make purchasing a gun burdensome. But, is it more so than going through the ordeal of buying a house? No. Or more so than getting a driver's license, tag and registration at the local DMV? Certainly not. And, remember, automobiles are more forgiving today than guns are."

"Any thing else?" I inquired.

"What about the whole concept of gun safety?" asked Mr. Radusky. "You know, safety locks, personalized guns?"

"Gentlemen," called out Mr. Dickerson. "It's all fine and dandy that you want to control guns, yet controlling gun access may destroy the whole purpose of self-defense, which is immediate access to the weapon. Personalized guns are not a bad idea, but then we should know that these methods limit their access to only one person in the home. That means that your spouse or your twenty-one-year old son or daughter can't have access to the weapon for

self-defense. Same thing with safety locks. I'll admit that locks might prevent unwelcome users from misusing the weapon, but I can tell you that whether we're talking about combination or key locks, it will take more than five seconds to have that weapon ready, more so if you get nervous. And then, hope and pray that you don't lose the key."

"What you're saying is correct, Mr. Dickerson," said Mr. Hunt. "However, how do we address the issue of gun safety at home?"

"Just like you would address other dangerous situations you're likely to find in your house," he said. "Are we aware that among the leading causes of unintentional fatalities in the home, firearm-related accidents are way down the list? Poisoning, falls, suffocation by ingested objects, and fires are the first four leading causes of death. Accidents will always happen, and we have to try to avoid them. Legislation is enacted to reduce unintentional, meaning accidental, deaths at home. But in the end, the case for or against gun ownership has to be evaluated within a trade-offs framework. In fact, no one has brought up the issue of gun-related suicides. Granted, suicides can't be said to be accidental. Sometimes suicides are willful acts; sometimes, as when mental illness is the cause, suicides are not considered acts of volition. And yet, over fifty percent of the more than 30,000 who committed suicide in 2004 did so with guns.²⁸

"I'd be the first one to agree that over 15,000 gun-related suicides represent an alarming number, although no more alarming than the 30,000 who felt strongly that their own lives was not worth living. Also, we have to take into account that, in some cases, gun-related suicides are accompanied by acts of homicides; for example, when a parent kills his children or a spouse before killing himself.

"Nonetheless, we said it at the beginning that the argument about gun control should involve the question of whether more lives may be saved through personal possession of guns than the number of lives lost by accidents or homicides, or even suicides. It's just the same as with keeping medications at home. Despite the risks, are we suggesting we don't keep medications in the home? Gun ownership is a very personal matter that needs to be discussed among all adult members of a household."

"May I add something else?" asked Ms. Lewis.

"Go ahead," I said.

"What about the so-called taser guns or less lethal weapons, those that shoot rubber bullets? I think that technology should be able to provide citizens with reliable guns that in case of accidents won't prove to be that deadly but could stop someone from attacking you."

"I agree this is something that government should look into more," said Mr. Wasserman. "These weapons exist, and they are being refined more and more as we speak. However, they are still at the experimental stage in many ways, meaning that they are not as reliable as an old-fashioned handgun. But this may be

the wave of the future in terms of self-defense. And, I can bet that those who are concerned about people carrying guns would be less so once they learn that these weapons will be able to incapacitate an offender without necessarily killing him.”

“All these ideas require gun regulations,” said Mr. Hunt. “This is going to be a tough sell in Congress, wouldn’t you say? The NRA doesn’t like any regulations when it comes to the sale of guns.”

“Mr. Hunt,” called Ms. Vanhurst. “Need I remind you that, although the NRA may own Congress, the NRA doesn’t dictate to society. Admittedly, the NRA has done a better job at selling its views and intimidating a lot of members of Congress, but the views of the NRA don’t reflect the majority of the American people.”

“Do we have any information that would either confirm or reject Ms. Vanhurst’s assertion, Mr. Dickerson?” I asked.

“Yes,” he replied, while searching through his notes. “Let’s see here, I’m relying on a December 2001 survey on gun policy by the National Opinion Center and the University of Chicago. The survey indicates that *large majorities back most general measures for controlling guns, policies to increase gun safety, laws to restrict criminals from acquiring firearms and measures to enforce gun laws and punish offenders.*²⁹

“As a matter of fact, many of the suggestions we have been discussing here tonight are very much in line with the results of the survey. For example, 87.9 percent approve of gun buyers having to take gun-safety courses; 79 percent approve of police permits before guns may be purchased; 77.5 percent are in favor of background checks for private sales; 76.9 percent support mandatory registration, and 73 percent support mandatory 5-day waiting period; and this one, 76.7 percent favor keeping guns from criminals, even if it becomes harder for law-abiding citizens to acquire guns.

“An overwhelming majority, 69.8 percent, support regular re-registering of handguns like you do with automobiles. 62.7 percent favor training handgun owners. However, only 11 percent favor a total ban on handguns. In other words, handguns are acceptable as a means of self-defense but should be subject to a strict gun-control policy. This is what the American people are saying.”

“What did the survey say about who should be denied gun ownership?” asked Ms. Bynum.

“Oh, very interesting, 94.7 percent favor denying weapons to anyone convicted of brandishing a gun in a threatening manner, I guess in an offensive, not a defensive manner. Also, anyone convicted of carrying a concealed weapon without a permit, anyone with an assault and battery record, even when it doesn’t involve a lethal weapon, and anyone convicted of driving under the influence of alcohol. A slight majority, 54.6 percent, would favor penalizing those engaged in selling guns illegally, too.”

“Let me understand what you’re saying,” said Mr. Edson. “According to this survey, the majority of the American people seem to want a strict gun-control policy. This attitude is certainly not reflected in Congress. I mean, Congress seems to be acting *against* the views of the American people! What gives?”

Mr. Hunt said, “This has been going on for years, now. The majority of the American population is not against banning these weapons, but they *do* favor gun-control. Much has been said about the issue of political contributions. It’s true that the overwhelming majority of those who receive money from the gun lobby vote against a restrictive gun legislation. But, don’t we think the anti-gun lobby contributes to candidates who favor gun control?”

“What I’m trying to say is that I don’t think it’s an issue of money alone. I think that what’s most unfortunate is that most who oppose gun control are the same ones who say they stand for family and moral values: conservatives and Republicans. These members of Congress either don’t have the courage to stand and be counted or else they follow their convictions by voting against gun-control legislation, and their constituencies don’t seem to care.

“Ultimately, it’s the citizens who decide on the issue. If the voice of the majority, who supposedly favors strict gun-control legislation isn’t loud enough, well, then those who cry the loudest will be heard the most.”

“I agree,” said Mr. Brandon, “but let me add something else. Many people who favor gun control or don’t like firearms tend to blame the NRA for the violence in our streets and in our homes. But, as the old saying goes, they’re barking at the wrong tree. I may not agree with some of the views and attitudes of NRA members, but we know quite well that the NRA isn’t doing anything illegal.

“The NRA is one among thousands of organizations that exist in our country with a particular message. It operates within the law, so what are we asking here, to silence it, simply because we don’t like its views? What about the views of those who oppose guns, aren’t some of their views pretty extremist, too? If the American public is in favor of gun control and Congress doesn’t pay attention, why take it against the NRA? Blame Congress! The last I heard, the NRA was not in charge of making laws. Congress is.”

“Mr. Wasserman, could you give us a ‘confidential view’ of the debate in Congress?” I asked.

“Hmm, this issue tends to divide Congress along party lines. “Republicans believe that gun control laws alone will not reduce crime. They insist that gun control legislation is ineffective because the issue of crime isn’t about guns but about a culture of guns and violence; that’s why they are hesitant in supporting gun regulation.

“Democrats agree, and yet, neither party is able to come up with a workable solution on how to destroy that culture of violence. Deep down, the NRA has been able to intimidate key members of Congress, in both houses, and these elected officials apparently are more interested in keeping their jobs than risk

losing them by defying the gun lobby.”

“There’s also a new development. The gun lobby has used the election of President Obama, coupled with control of both houses by the Democrats, to instill fear among the American public that the Democrats will seek to take away their guns; same fear the colonists had about the king of England, except that this time around such fear is unfounded.

“If we take a look at a 2009 public opinion poll by the Pew Research Center, we notice this fear among the population. The questions in this survey, however, did not involve gun control legislation. The two contesting issues were protecting the right of Americans to own guns versus controlling gun ownership. According to the survey, in 2007 Americans favored more control of gun ownership over protecting the right to own guns by a margin of 60 percent to 32 percent. By April 2009, the percentages had changed to 49 percent and 45 percent respectively.³⁰

“Let me say something before we end up for the evening,” I said. “Just like the anti-gun lobby seeks to present a picture of gun owners being uncivilized, the gun lobby is just as bad in trying to poison the well. I don’t think it’s fair, it’s not honest, to equate a pro gun policy with freedom. The term *freedom* is too rich, too vast to be circumscribed by gun ownership.

“Citizens own guns not because they are humanly free. We own guns because the courts allow it. This *right* is more political than constitutional. To my knowledge there’s no natural right to own a gun anymore than there is a natural right to kill someone we don’t like.”

“In that case, then, the right to own a gun isn’t absolute,” remarked Mr. Hunt. “The *shall not be infringed* clause in the Second Amendment doesn’t mean that the process of how guns are sold, bought, owned, and used may not be regulated. I would offer that the amendment means that the right to bear arms may not be regulated to the point where doing so would deprive citizens of that right. And no one here is suggesting that guns be banned.

“Freedom isn’t a one-way street. Dr. Planas’ freedom to own and use a gun in self-defense needs to be balanced against Ms. Williamson’s need to feel safe from an unrestricted gun policy that may result in someone violating her freedom to stay alive.”

“Good point, Mr. Hunt,” I said. “Okay, ladies and gentlemen, that’s all for this evening. You know your assignment for next week, so have a good night.”

“Oh! Before we break up, sir, may I ask one last question?” said Ms. Lewis.

“Yees.”

“If social reality should change in the future; if you were to be shown that statistics change, so that self-defense through gun use results in more accidents than the crime guns are supposed to prevent, would you change your views? Would your attitude change?”

“Of course, Ms. Lewis,” I said. “Not to do so would make me a prejudiced ideologue. That wouldn’t make sense.”

“Thank you, sir.”

Endnotes

- ¹ Center for Disease Control and Prevention, National Center for Health Statistics, *National Vital Statistics Reports*, Vol. 57, No. 14, April 2009.
- ² *Criminal Victimization, 2006*, National Crime Victimization Survey, Bureau of Justice Statistics, August 2008, Table 26.
The survey does not include homicide victims. While there is still some skepticism among some researchers regarding the accuracy of other aspects of this study, namely that figures for defensive use of guns are well underestimated, the figures on violent crime victimization, to my knowledge, have not been highly criticized. On questions regarding the reliability of the NCVS, see Kleck G, Gertz M, *Armed Resistance to Crime: The Prevalence and Nature of Self-Defense with a Gun*, 1995. On line.
- ³ U.S. Federal Bureau of Investigation, *Uniform Crime Reports: Crime in the United States, 2007*, Table 12, http://www.fbi.gov/ucr/cius2007/data/table_12.html.
- ⁴ *Ibid*, Table 7. Data submitted by Florida and Washington, D.C. were not included because they did not meet FBI-required guidelines. Limited data was received from Illinois.
- ⁵ *Criminal Victimization, 2006*, Table 66.
- ⁶ *Ibid*.
- ⁷ *Crime in the United States, 2006*, Section on Robbery.
- ⁸ *Criminal Victimization, 2007*, Table 7.
- ⁹ *Crime in the United States, 2007*, Table 15.
- ¹⁰ *Crime in the United States, 2007*, Section on Property Crime, *Overview*.
- ¹¹ Federal Bureau of Investigation, *Uniform Crime Reporting Handbook, 2007*, U. S. Department of Justice.
- ¹² National Safety Council, *What Are the Odds of Dying? 2005*, NSC.org.
- ¹³ National Center for Statistics and Analysis, *Fatality Analysis Reporting System (FARS)*, National Highway Traffic Safety Administration, U.S. Department of Transportation.
- ¹⁴ National Safety Council.
- ¹⁵ *Crime in the United States, 2006*.
- ¹⁶ Kates, DB, The Second Amendment: A Right to Personal Self-Protection, in Kleck G. and Kates DB, *Armed: New Perspectives on Gun Control*, (New York: Prometheus Books, 2001).
- ¹⁷ *Ibid*.
- ¹⁸ *Ibid*.
- ¹⁹ *Ibid*.
- ²⁰ NRA leader.com.
- ²¹ Snyder, JR, Nation of Cowards, *The Public Interest*, Fall 1993.
- ²² *Ibid*. See also Kleck and Gertz.
- ²³ Kleck and Gertz.
- ²⁴ Graduate Institute of International Studies, Geneva, *The 2003 Small Arms Survey*, Canadian Broadcast Company, CBC News, on line at <http://www.smallarmssurvey.org/PressCoverage2003ybk/CBCWorldstream.09.07.2003.pdf>.
- ²⁵ Kleck and Gertz.
- ²⁶ Kleck G. and Kates DB, Chapter 6.
- ²⁷ National Public Radio, *All Things Considered*, September 8, 2004.
- ²⁸ Suicide Rates Higher in States With the Most Gun Owners, in Science Notebook, *The Washington*

Post, April 16, 2007

²⁹ Smith, Tom W, *2001 National Gun Policy Survey of the National Opinion Research Center: Research Findings*, University of Chicago, December, 2001.

³⁰ Pew Research Center Publications, *Public Takes Conservative Turn on Gun Control, Abortion*, April 30, 2009.
