

WHY HANDGUNS MUST BE OUTLAWED

Nan Desuka

In spite of attempts to place restrictions on the free sale -- being sold like groceries -- of lethal weapons, more guns are in circulation (and in use) in the United States than in any other country in the world. American citizens, and especially young Americans, are killed by firearms at a rate unheard of in civilized countries. One city councillor trying to get a gun control ordinance passed discovered that anyone regardless of criminal record or medical history could buy a gun but that the local sheriff tried to screen out angry wives who might use the guns to shoot their husbands. The councillor's initiative, like many before and after, was defeated after an organized campaign by the National Rifle Association. Nan Desuka, the author of the following article on gun control, was born in Japan but came to the United States with her parents when she was two. She knows how to listen, how to take in what people on the other side of an issue have to say.

“Guns don’t kill people--criminals do.” That’s a powerful slogan, much more powerful than its alternate version, “Guns don’t kill people--people kill people.” But this second version, though less effective, is much nearer to the whole truth. Although accurate statistics are hard to come by, and even harder to interpret, it seems indisputable that large numbers of people, not just criminals, kill, with a handgun, other people. Scarcely a day goes by without a newspaper in any large city reporting that a child has found a gun, kept by the child’s parents for self-protection, and has, in playing with this new-found toy, killed himself or a playmate. Or we read of a storekeeper, trying to protect himself during a robbery, who inadvertently shoots an innocent customer. These killers are not, in any reasonable sense of the word, criminals. They are just people who happen to kill people. No wonder the gun lobby prefers the first version of the slogan, “Guns don’t kill people--criminals do.” This version suggests that the only problem is criminals, not you or me, or our children, and certainly not the members of the National Rifle Association.

Those of us who want strict control of handguns--for me that means the outlawing of handguns, except to the police and related service units--have not been able to come up with a slogan equal in power to “Guns don’t kill people--criminals do.” The best we have been able to come up with is a mildly amusing bumper sticker showing a teddy bear, with the words “Defend your right to arm bears.” Humor can be a powerful weapon (even in writing *on behalf of* gun control, one slips into using the imagery of force), and our playful bumper sticker somehow deflates the self-righteousness of the gun lobby, but doesn’t equal the power (again the imagery of force) of “Guns don’t kill people--criminals do.” For one thing, the effective alliteration of “criminals” and “kill” binds the two words, making everything so terribly simple. Criminals kill; when there are no criminals, there will be no deaths from guns.

But this notion won’t do. Despite the uncertainty of some statistical evidence, everyone knows, or should know, that only about 30 percent of murders are committed by robbers or rapists. For the most part the victims of handguns know their assailants well. These victims are women killed by jealous husbands, or they are the women’s lovers; or they are drinking buddies who get into a violent argument; or they are innocent people who get shot by disgruntled (and probably demented) employees or fellow workers who have (or imagine) a grudge. Or they are, as I’ve already said, bystanders at a robbery, killed by a storekeeper. Or they are children playing with their father’s gun.

Of course this is not the whole story. Hardened criminals also have guns, and they use them. The murders committed by robbers and rapists are what gave credence to Barry Goldwater’s quip, “We have a crime problem in this country, not a gun problem.” But here

again the half-truth of a slogan is used to mislead, used to direct attention away from a national tragedy. Different sources issue different statistics, but a conservative estimate is that handguns annually murder at least 15,000 Americans, accidentally kill at least another 3,000, and wound at least another 100,000. Handguns are easily available, both to criminals and to decent people who believe they need a gun in order to protect themselves from criminals. The decent people, unfortunately, have good cause to believe they need protection. Many parts of many cities are utterly unsafe, and even the tiniest village may harbor a murderer. Senator Goldwater was right in saying there is a crime problem (that's the truth of his half-truth), but he was wrong in saying there is not also a gun problem.

Surely the homicide rate would markedly decrease if handguns were outlawed. The FBI reports that more than 60 percent of all murders are caused by guns, and handguns are involved in more than 70 percent of these. Surely many, even most, of these handgun killings would not occur if the killer had to use a rifle, club, or knife. Of course violent lovers, angry drunks, and deranged employees would still flail out with knives or baseball bats, but some of their victims would be able to run away, with few or no injuries, and most of those who could not run away would nevertheless survive, badly injured but at least alive. But if handguns are outlawed, we are told, responsible citizens will have no way to protect themselves from criminals. First, one should remember that at least 90 percent of America's burglaries are committed when no one is at home. The householder's gun, if he or she has one, is in a drawer of the bedside table, and the gun gets lifted along with the jewelry, adding one more gun to the estimated 100,000 handguns annually stolen from law-abiding citizens. (See Shields, *Guns Don't Die--People Do*, 1981.) Second, if the householder is at home, and attempts to use the gun, he or she is more likely to get killed or wounded than to kill or deter the intruder. Another way of looking at this last point is to recall that for every burglar who is halted by the sight of a handgun, four innocent people are killed by handgun accidents.

Because handguns are not accurate beyond ten or fifteen feet, they are not the weapons of sportsmen. Their sole purpose is to kill or at least to disable a person at close range. But only a minority of persons killed with these weapons are criminals. Since handguns chiefly destroy the innocent, they must be outlawed--not simply controlled more strictly, but outlawed--to all except to law-enforcement officials. Attempts to control handguns are costly and ineffective, but even if they were cheap and effective stricter controls would not take handguns out of circulation among criminals, because licensed guns are stolen from homeowners and shopkeepers, and thus fall into criminal hands. According to Wright, Rossi, and Daly (in *Under the Gun*, 1983), about 40 percent of the handguns used in crimes are stolen, chiefly from homes that the guns were supposed to protect.

The National Rifle Association is fond of quoting a University of Wisconsin study that says, "gun control laws have no individual or collective effect in reducing the rate of violent crime" (cited in Smith, 1981, p. 17). Agreed--but what if handguns were not available? What if the manufacturer of handguns is severely regulated, and if the guns may be sold only to police officers? True, even if handguns are outlawed, some criminals will manage to get them, but surely fewer petty criminals will have guns. It is simply untrue for the gun lobby to assert that all criminals--since they are by definition lawbreakers--will find ways to get handguns. For the most part, if the sale of handguns is outlawed, guns won't be available, and fewer criminals will have guns. And if fewer criminals have guns, there is every reason to believe that violent crime will decline. A youth armed only with a knife is less likely to try to rob a store than if he is armed with a gun. This commonsense reasoning does not imply that if handguns are outlawed crime will suddenly disappear, or even that an especially repulsive crime such as rape will decrease markedly. A rapist armed with a knife probably has a sufficient weapon. But *some* violent crime will almost surely decrease. And the decrease will

probably be significant if in addition to outlawing handguns, severe mandatory punishments are imposed on a person who is found to possess one, and even severer mandatory punishments are imposed on a person who uses one while committing a crime. Again, none of this activity will solve “the crime problem,” but neither will anything else, including the “get tough with criminals” attitude of Senator Goldwater. And of course any attempt to reduce crime (one cannot realistically talk of “solving” the crime problem) will have to pay attention to our systems of bail, plea bargaining, and parole, but outlawing handguns will help.

What will the cost be? First, to take “cost” in its most literal sense, there will be the cost of reimbursing gun owners for the weapons they surrender. Every owner of a handgun ought to be paid the fair market value of the weapon. Since the number of handguns is estimated to be between fifty million and ninety million, the cost will be considerable, but it will be far less than the costs--both in money and in sorrow--that result from deaths due to handguns.

Second, one may well ask if there is another sort of cost, a cost to our liberty, to our constitutional rights. The issue is important, and persons who advocate abolition of handguns are blind or thoughtless if they simply brush it off. On the other hand, opponents of gun control do all of us a disservice by insisting over and over that the Constitution guarantees “the right to bear arms.” The Second Amendment in the Bill of Rights says this: “A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.” It is true that the founding fathers, mindful of the British attempt to disarm the colonists, viewed the presence of “a well-regulated militia” as a safeguard of democracy. Their intention is quite clear, even to one who has not read Stephen P Halbrook’s *That Every Man Be Armed*, an exhaustive argument in favor of the right to bear arms. There can be no doubt that the framers of the Constitution and the Bill of Rights believed that armed insurrection was a justifiable means of countering oppression and tyranny. The Second Amendment may be fairly paraphrased thus: “*Because* an organized militia is necessary to the security of the State, the people have the right to possess weapons.” But the owners of handguns are not members of a well-regulated militia. Furthermore, nothing in the proposal to ban handguns would deprive citizens of their rifles or other long-arm guns. All handguns, however, even large ones, should be banned. “Let’s face it,” Guenther W Bachmann (a vice president of Smith and Wesson) admits, “they are all concealable.” In any case, it is a fact that when gun control laws have been tested in the courts, they have been found to be constitutional. The constitutional argument was worth making, but the question must now be regarded as settled, not only by the courts but by anyone who reads the Second Amendment.

Still, is it not true that “If guns are outlawed, only outlaws will have guns”? This is yet another powerful slogan, but it is simply not true. First, we are talking not about “guns” but about handguns. Second, the police will have guns--handguns and others--and these trained professionals are the ones on whom we must rely for protection against criminals. Of course the police have not eradicated crime; and of course we must hope that in the future they will be more successful in protecting all citizens. But we must also recognize that the efforts of private citizens to protect themselves with handguns has chiefly taken the lives not of criminals but of innocent people.

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