

Gun control: the real issues



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Misuse or theft prohibited by law.

This was the warning printed on a milk-carrying container at the local grocery store where I work. The use of the word prohibited intrigued me, so when I got home I looked it up in Readers Digests Great Encyclopedic Dictionary. I found two definitions: 1. To forbid, especially by authority or law; interdict. and 2.

To prevent or hinder.. (1077) Now, which definition was being used in the warning? Was it possible to forbid misuse or theft by passing a law?

Certainly it was. Was it possible to actually prevent misuse or theft by passing a law? Well, not totally. If somebody was a moral, upright, and law abiding citizen he would probably not misuse or take the container.

In fact, such a person would probably not have misused or taken it in the first place.

On the other hand, if the person in question did not have such a desirable world view, if he, in fact, did not care if it was right or wrong, or if he had malicious intent, then a law would not necessarily prevent him from misusing or taking the carton. He might be dissuaded if he knew he would get caught and would suffer consequences. If, however, he did not think that he would get caught, or he knew that he would not suffer any consequences, then why would he care? On this thought I would like to turn your attention to the Second Amendment to the Constitution of the United States of America and the directly related and very relevant subject, that of gun control. I think that you will see a connection. Let us begin with the question, What does the amendment mean?. It was concerning this question that award-winning

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author, president of SoftServ Publishing, and founder of the Committee to Enforce the Second Amendment, J.

Neil Schulman contacted Roy Copperud. (Shulman 4) Roy Copperude is, among other things, a 30 year veteran newspaper writer, a 17 year veteran professor of journalism at USC, and author of the award-winning book *American Usage and Style: The Consensus*. (1) Schulman compiled several questions on the Second Amendment for Copperude. In one part of his written reply, Copperude said The right to keep and bear arms is deemed unconditional by the entire sentence.

” (2) (The entire amendment is contained in one sentence: A well-regulated Militia, being necessary for the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.) (Larson 153)

Copperude also said that there were no changes in the English language that would much affect the meaning. (Schulman 2) The entire discourse was adroitly summed up by Schulman: ...the Constitution of the United States unconditionally protects the people’s right to keep and bear arms, forbidding all governments formed under the Constitution from abridging that right.

. (3) It seems that the founding fathers meant what they said. Even ACLU lawyer and political theorist Sanford Levinson admitted, although commenting on a different amendment, that Indeed, the major debates...

arise precisely when one tries to discern a purpose, given that “ literalism” is a hopelessly failing approach to interpreting it. (3) In other words, if you take an amendment for what it says (literalism), then you have clarity of

expression (but you might not like it). If, however, you try to make it mean something else you then have problems in interpretation (although you would then be able to make it say what you want). If that is what the framers meant then why is there still an issue? Well, it goes like this: if everybody is toting around a gun on their belt then more people are going to be killed, right? We already tried that once, and we got the wild west. Since the amendment is clear, and there are many zealous defenders of it, maybe we should just infringe on the rights thereby granted. Oh, and here is where it gets good.

A textbook example of modern problem-solving! Somebody got the bright idea that, since we can't abolish guns (though that is what many want to do), they would just control the guns. What if we make it illegal for the bad-guys to have/carry guns? The faulty logic of this method was dealt with in the first paragraph. But wait...

according to our scenario, this might be effective if we make the penalties stiff enough. The following true example is a humorous and rather baffling illustration of one of the inefficiencies of such an approach. In an article by Clayton Cramer we read: In *Haynes v. U. S.*

(1968), a Miles Edward Haynes appealed his conviction for unlawful possession of an unregistered short-barreled shotgun. His argument was ingenious: since he was a convicted felon at the time he was arrested on the shotgun charge, he could not legally possess a firearm. Haynes further argued that for a convicted felon to register a gun, especially a short-

barreled shotgun, was effectively an announcement to the government that he was breaking the law. If he did register it, as 26 U. S. C.

sec. 5841 required, he was incriminating himself; but if he did not register it, the government would punish him for possessing an unregistered firearm — a violation of 26 U. S. C. sec. 5851.

Consequently, his Fifth Amendment protection against self- incrimination (“ No person... shall be compelled in any criminal case to be a witness against himself”) was being violated — he would be punished if he registered it, and punished if he did not register it.

(1) Like it or not, he won. Since this time, many control/registration laws have been sanitized. Even if you have 101 convictions of theft, rape and murder, you can walk into the police department (if you had a good lawyer and got out of prison in six weeks) and register your short barreled shot gun and they cant use it against you!! (Cramer 3) Now dont tell me that this is protecting the freedoms of law abiding citizens and decreasing the threat of violent criminals. Even if you could get by all of the legal junk and come up with a marvelously effective method of gun control , you would still be missing the real point. The real beauty of guns is that they protect the weak. People not only have a right to certain freedoms, they have the right you be able to protect their rights.

Guns can protect the virtual slave from the government. They can protect the potential victim from the rapist. They protect the property of the store owner from the thug. They could have protected the Jews, the Blacks, and any other group of people that were at one time weak and under the

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brutality of powerful systems or leaders (like Adolph Hitler)! Even AK 47s and grenade launchers would have been appropriate for the protection the freedom thirsty Chinese college students from the brutal suppression of their demonstrations in Tiananmen Square. Yet one could argue, as many have, that guns increase the potential for evil just as and maybe even more easily than they increase the potential for good.

Although there is some truth in it, I do not think that this thinking gets to the heart of the issue. There is much data that seems to support gun control, such as the fact that in England there are less guns, and also less killings and robberies with guns. It is interesting to note, though, that in England there are less stabbings with knives and less beatings with hands and feet too. (Kates 4) Perhaps the British people have fewer hands and feet than we Americans do..

.? Another fragment of fact that is well known is that a massive crime wave of the 1960s coincided with a massive increase in gun sales. (Kates 3) In response to this I can only share my opinion. I think that my opinion is logical and I feel very strongly about it as a Christian, as a citizen, and as a fellow human being who wants the truth to prevail. It was also in the early sixties that the Supreme Court ruled that there was to be no prayer in the public school.

You risk facing a law suit if you display the Ten Commandments. If you call sin, sin then you are being intolerant. Go ahead. Tell every body that there is no God. Tell them that there are no absolutes, and that the Bible, with all of its commandments like Thou shalt not kill and Be ye kind, does not apply to

our modern age. The only worth that you have is the chemicals that you are made out of.

Tell them that killing, robing, abusing, in short, that survival of the fittest, is what made us better. Dont act surprised, however, when they kill, rape, rob, have sex, or even kill themselves. There is no purpose to life. What the heck! Fellow American, we should not only stop trying to control the guns, and we should stop controlling and indoctrinating the people.

It is good if good people have guns. It is bad if bad people have guns. We dont need less guns, we need better people!

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