

A CASE AGAINST GUN CONTROL

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1. Introduction

Gun violence is a high-profile issue in politics today, heightened recently by a tragic shooting in Boulder, Colorado that left 10 people dead.¹ Tragedies such as this are often followed by hard anti-gun stances from politicians along with a push for gun control measures. President Joe Biden, shortly after the shooting, announced that he would be bypassing Congress to take executive action on Gun Control.² He said, “My job, the job of any President, is to protect the American people. Whether Congress acts or not, I’m going to use all the resources at my disposal as President to keep the American people safe from gun violence.” (Biden, 2021). Advocates of gun control are usually motivated by a concern for the safety of the American people. They believe that these laws will reduce violent crime and will take firearms off the streets, ultimately resulting in a safer country. Unfortunately, it is not that simple! Banning guns would not have the effect that advocates maintain. These controls simply do not make society safer, nor does it take these weapons off the streets. They will still be widely sold and be used to commit crimes almost regardless of how strict the laws become.³

2. Logical fallacies

Many politicians have addressed the gun violence “epidemic.”⁴ The presumption that this would occur is correct only in the unhelpful sense that it would take guns away from law abiding citizens. Essentially it would only take away guns from the people who are not committing crimes with them.⁵ Law abiding citizens are likely to hand in their guns and would stop purchasing them if they were to be banned (although this is not always the case). Gun control would not take them away from criminals though, as they don’t follow the law in any case! In order for this legislation to stop gun homicides and mass shootings, criminals must turn in their guns as well; in fact, that would be the key in making this policy effective. This idea is unrealistic and has no logical basis. A criminal who commits violent crimes with a firearm clearly has no respect for the law, so why would one expect him to abide by these laws?

¹ Cramer, Azi Paybarah and Maria. “Colorado Grocery Store Shooting Leaves 10 Dead.” *The New York Times*, The New York Times, 26 Mar. 2021, www.nytimes.com/live/2021/03/22/us/boulder-colorado-shooting.

² Kumar, Anita. “Biden to Unveil Long-Awaited Executive Action on Guns.” *POLITICO*, 8 Apr. 2021, www.politico.com/news/2021/04/07/biden-executive-actions-guns-479704.

³ For example, if government were not only to impose the death penalty for owners, but also for their families, this would indeed put a crimp in ownership. But this is more of a theoretical possibility for a totalitarian regime, not a realistic scenario for the United States.

⁴ “Joe Biden’s Plan to End Gun Violence: Joe Biden for President.” *Joe Biden for President: Official Campaign Website*, 12 Oct. 2020, <http://joebiden.com/gunsafety/>.

⁵ One highly publicized case in point is the experience of the McCloskeys in St. Louis: https://www.stltoday.com/news/local/crime-and-courts/essential-reading-on-the-mccloskeys-the-st-louis-couple-who-used-guns-to-confront-protesters/collection_5c7c90ab-c707-5398-9c51-221c2e9a7423.html#1. Another is that in the aftermath of hurricane Katrina, the New Orleans police department applied this law to the honest citizenry: <https://www.nbcnews.com/id/wbna27087738>.

3. Black markets

The idea that gun control would totally stop the sale of guns in this country is highly problematic. These weapons will never be taken off the streets for the same reason that cocaine will never be taken off the streets; Black Markets. When something is made illegal, whether it is prostitution, drugs, alcohol, or the product now under discussion, it will still be demanded and supplied. The market will look different though.

When something is made illegal, both the supply and demand curves shifts to the left. But, typically, the former effect outweighs, and far outweighs, the latter.

How do we know that? One source of information is empirical. The price of addictive drugs and alcohol, rises, not falls, when prohibited, and then falls again when legalized. What is the likely source of this phenomenon? Typically, the punishment is far greater for sellers, who have large quantities of these substances at their disposal, than for buyers, who have less in their possession.

This causes a higher price for firearms. The incurred risk of selling this illegal product is ultimately passed down to the consumer. The increased prices are exactly what incentivize people to sell illegal products on the black market; the higher the risk, the higher the price, the higher incentive to sell will be. A research paper on prohibition of drugs put it this way; "Existing analyses suggest that prohibition has raised prices dramatically, making drugs ten, twenty, or even hundreds of times more expensive than they would be if legal. {...} I estimate that the black-market price of cocaine is 2-4 times the price that would obtain in a legal market while the black market price of heroin is 6-19 times the legalized price" Miron (2003). These principles apply in the same way to the prohibition of guns.

Black markets create negative externalities that the free market protects against. Sellers do not have to document how they got the items, so some tend to be stolen goods. Neither buyers nor sellers can rely on legal protection. Thus robbery increases. To protect themselves, sellers form gangs which further denigrates a civilized order. The "War on Drugs" constitutes a pertinent example of this where gangs and violence infested urban communities in the 1970s⁶. Similar effects would occur if guns were banned in America.

Black markets are thriving throughout Latin America where private ownership of guns is either completely illegal or requires special government permits. Despite these laws, there are an estimated 2.8 to 3 million unregistered guns in Central America⁷. These weapons are smuggled into and between these countries in large numbers. Firearms are smuggled in large quantities from all over the world. An example of this; "In November 2011, a shipping container bound from Turkey to Nicaragua was seized in Lázaro Cardenas port on the Pacific coast of Mexico. Nine hundred firearms were hidden inside the container, including pistols and shotguns."⁸ (United Nations, 2012)

This has caused corruption (United Nations, 2007):

The core role of the police and military in supplying guns to criminals is not unusual – in many developing regions, unpaid or underpaid police and military officers sell or rent their firearms as a way of supplementing their income. The risk is particularly acute where there are large military stocks relative to the number of active duty military. In Honduras, all firearms sales are controlled by the military. This has not, however, prevented criminals from accessing guns.

Regardless of legality, people will supply a good if the demand is there. The more danger, *ceteris paribus*, the higher the profit will be for the supplier. In several Latin American countries, guns are possessed by thugs, gang members, and fight on almost equal terms with law enforcement officers (who are known to be corrupt). In Venezuela, where guns were banned in 2012, their number has risen from an estimated 3,250,000 in 2012

⁶ Friedersdorf, Conor. "How Drug Prohibition Fuels American Carnage." *The Atlantic*, Atlantic Media Company, 21 June 2017 www.theatlantic.com/politics/archive/2017/06/drug-prohibition-fuels-violent-crime-on-americas-streets/530895/.

⁷ Latin America country data, Geneva: Small Arms Survey, 2012. There is broad consensus on the number of illegal weapons in Central America. The Oscar Arias Foundation for Peace and Human Progress in Costa Rica estimates that there are some 2.85 million illegal firearms in Central America. A recent UNODC meeting of experts in Mexico City put the figure at 3 million.

⁸ EFE. "Mexican authorities make record arms seizure". 28 November 2011.

to 5,895,000 in 2017⁹. Over the same period, the number of these implements (both licit and illicit) rose from 850,000 to 1,171,000. It is evident that control in these countries has not stopped their importation and sale.

4. Australia and Europe

A common argument for gun control in America is that it has worked in other countries such as New Zealand and Australia. After a horrific mass shooting in 1996¹⁰, Australia decided to ban private sales of firearms, and required citizens to present a “genuine reason” to have one, and if not, were required to sell these possessions of theirs to the state. A Vox article¹¹ claimed that this program saved many lives in Australia, noting that from 1996 to 2011, the firearm homicide rate dropped by 42%. This statistic is misleading for a couple of reasons.

Firstly, the homicide rate in Australia actually increased from 1996 to 1999, from 1.95/100k to 2.05/100k¹² (both were remarkably low rates by world standards in any case). It is evident that this mandatory buyback of 1996 had no immediate impact on the homicide rate. The homicide rate has dropped notably over a 25-year period since the buy back, which leads to another reason why the statistic is misleading. The downward trend in Australia's homicide rate, starting in 2003, is nearly identical to that of the United States' over the same period. From 1993 to 2018, the U.S. homicide rate dropped from 9.45/100k to 4.96/100k¹³. That is a 62% drop in homicides without any mandatory such policy. Homicide rates in first world countries have been dropping globally, and it is evident that these countries are safer than they have been in decades, independent of gun control. For example, Asia has seen a 38% decrease in homicides from 1990 to 2015¹⁴. If anything, declining homicide rates are a product of increased standards of living in many nations. For a country with a high standard of living like Australia, homicides were not a major problem to begin with. That is likely why gun control has not led to the problems that Latin American countries have seen. Because Australia does not have a significant crime rate, the demand for guns is not high and therefore black markets have not been very prevalent. Since their ban in 1996, the number of guns in the country have not risen. They decreased slightly from 3.2 million in 1996 to 3.15 million in 2016¹⁵.

Democratic politicians have been pushing for a ban on AR-15's for a long time. In 1994, after signing a bill temporarily banning AR-15's, Bill Clinton opined “We will finally ban these assault weapons from our streets that have no purpose other than to kill.” The justification is that AR-15's are too effective at killing people in large numbers. President Biden believes that banning AR-15's would reduce mass shootings, stating “We can ban assault weapons and high-capacity magazines in this country once again. I got that done when I was a senator. It passed. It was the law for the longest time. And it brought down these mass killings. We should do it again.” Biden (2021).¹⁶

There are 20 million AR-15's in America¹⁷, so under Biden's premise, one would assume that America's mass shootings are far more deadly than countries without AR-15's. That would be quite inaccurate as many European countries have higher mass shooting death rates. The U.S. mass shooting death rate is 0.089 per 1 million residents¹⁸. That is 182% lower than Norway's rate of 1.888/1m (guns are illegal in Norway). The U.S.

⁹ Alpers, Philip. “Guns in Venezuela - Firearms, Gun Law and Gun Control.” *Gun Law and Policy: Firearms and Armed Violence, Country by Country*, www.gunpolicy.org/firearms/region/venezuela.

¹⁰ Boghani, Priyanka. “Here Are 3 Countries Where Gun Control Worked.” *The Week - All You Need to Know about Everything That Matters*, The Week, 14 June 2016, <http://theweek.com/articles/629877/here-are-3-countries-where-gun-control-worked>.

¹¹ Beauchamp, Zack. “Australia Confiscated 650,000 Guns. Murders and Suicides Plummeted.” *Vox*, Vox, 27 Aug. 2015, www.vox.com/2015/8/27/9212725/australia-buyback.

¹² “Australia Murder/Homicide Rate 1990-2021.” *MacroTrends*, www.macrotrends.net/countries/AUS/australia/murder-homicide-rate.

¹³ “U.S. Crime Rate & Statistics 1990-2021.” *MacroTrends*, www.macrotrends.net/countries/USA/united-states/crime-rate-statistics.

¹⁴ Mateus Renno Santos Assistant Professor of Criminology, and Alexander Testa Assistant Professor of Criminology & Criminal Justice. “Homicide Is Declining around the World – but Why?” *The Conversation*, 13 Apr. 2021, <http://theconversation.com/homicide-is-declining-around-the-world-but-why-125365>.

¹⁵ Alpers, Philip. “Guns in Australia - Firearms, Gun Law and Gun Control.” *Gun Law and Policy: Firearms and Armed Violence, Country by Country*, www.gunpolicy.org/firearms/region/australia.

¹⁶ Also see McWhirter and Elinson, 2021.

¹⁷ Walsh, Joe. “U.S. Has At Least 20 Million Assault Rifles. A Ban Wouldn't Reduce That Number.” *Forbes*, Forbes Magazine, 25 Mar. 2021, www.forbes.com/sites/joewalsh/2021/03/25/us-has-at-least-20-million-assault-rifles-a-ban-wouldnt-reduce-that-number/?sh=702ba38a4978.

¹⁸ *Mass Shootings by Country 2021*, <http://worldpopulationreview.com/country-rankings/mass-shootings-by-country>.

rate is also lower than those of Serbia, France, Macedonia, Albania, Slovakia, Switzerland, Finland, Belgium, and Czech Republic. AR-15's are banned in all of these countries, yet their mass shootings are more deadly.¹⁹

5. Gun control does not mean safety

In many poor countries, controls have been completely ineffective. In fact, they have led to increased violence. Venezuela is a perfect example of this. In 2012 that country banned all guns with the objective of “disarming all citizens”²⁰ with the penalty of 20 years in prison for possessing a firearm. Three years later though, in 2015, Venezuela had the worlds’ highest murder rate, where 27,875 people were killed.²¹ This is a 23% increase from 2012 before the bill was implemented. The city of Caracas had a homicide rate of 122/100k residents in 2015 as well. For comparison, Chicago, which has been dubbed as “Chi-Raq” due to street violence, had a homicide rate of only 17.5/100k residents in 2015.²² As astounding as these statistics are, they may be even worse than stated, as it is noted that “The real figures are likely higher as the Maduro regime is well known for purposely **undercounting** crime.” Kopel and Harinam (2018).

There is no positive relationship between gun ownership and violent crime. More guns simply does not equal more crime. There are an estimated 265,000,000 to 393,474,000 guns in America, which would give it a rate of 120 guns per 100 citizens²³. The homicide rate is 4.38/100k. For comparison, El Salvador has a gun ownership rate of 12 per 100 residents²⁴; and the homicide rate is 82.84/100k²⁵. The bottom line is that a gun in the hands of a law-abiding citizen has no negative effect on homicide rates.²⁶

6. Gun Free Zones

The response to mass shootings in public spaces such as schools, grocery stores, parks, and college campuses has been to create “gun free zones”. The reasoning behind this initiative is to prevent mass shooting in vulnerable areas and to make people not only feel safer but to actually make this a reality. But “Gun Free Zones” are not gun free for criminals. It is not as if a criminal who was going to shoot up an area would see the “gun free” sign and suddenly decide against it. Gun free zones are not a magical force fields that stop crime, although that appears to be the “logic” behind these proposals. The reality is that there is no better place to commit a mass shooting than a gun free zone. In fact, 98% of mass shootings occur in “Gun Free Zones”²⁷. It is only logical for a gunman to look for a place where he will face the least resistance, far away from armed

¹⁹ Ibid

²⁰ David Kopel and Vincent Harinam, opinion contributors. “In the Wake of a Gun Ban, Venezuela Sees Rising Homicide Rate.” *TheHill*, 30 Apr. 2019, thehill.com/opinion/campaign/383968-in-the-wake-of-a-gun-ban-venezuela-sees-rising-homicide-rate.

²¹ Venezuela is in some sense the world’s basket case, suffering from far more than astronomical murder rates. See on this Hanson, Christian, Walter E. Block and Rafael A. Acevedo. 2021. “Venezuela: The Downfall of Promise” (Estudios Libertarios, Vol. 4). (August).

²² Lori Lightfoot, mayor of Chicago, excuses her failure to deal with this problem on the fact that neighboring Indiana does not have as strict gun controls. See on this:

https://www.google.com/search?q=Lori+Lightfoot%2C+mayor+of+Chicago%2C+excuses+her+failure+to+deal+with+this+problem+on+the+fact+that+neighboring+Indiana+has+no+strict+gun+controls.&rlz=1C1CHBF_enUS724US724&oq=Lori+Lightfoot%2C+mayor+of+Chicago%2C+excuses+her+failure+to+deal+with+this+problem+on+the+fact+that+neighboring+Indiana+has+no+strict+gun+controls.&qs=chrome..69i57.1343j0j15&sourceid=chrome&ie=UTF-8

But this is a circular argument. It assumes the truth of the very point under contention: that gun control promotes safety. That old adage embodies more than just a glimmer of truth: “An armed society is a polite society.”

²³ Alpers, Philip. “Guns in the United States - Firearms, Gun Law and Gun Control.” *Gun Law and Policy: Firearms and Armed Violence, Country by Country*, www.gunpolicy.org/firearms/region/united-states.

²⁴ Alpers, Philip. “Guns in El Salvador - Firearms, Gun Law and Gun Control.” *Gun Law and Policy: Firearms and Armed Violence, Country by Country*, www.gunpolicy.org/firearms/region/el-salvador.

²⁵ *Mass Shootings by Country 2021*, <http://worldpopulationreview.com/country-rankings/mass-shootings-by-country>.

²⁶ There is a large literature attesting to the truth of these claims. See: Adams, 2012; Anderson, 2012; Ahle, 2013; Aziz, 2012; Baldwin, 2007; Block, 2016; Block and Block, 2000; Block and Barnett, 2001A, 2001B; Block and Block, 2000; Casey, 2018; DeCoster, 2013; DeMar 2012; Ebeling, 2015; Gilbert, 2016; Gornoski, 2019; Halbrook, 1970[2012], 2014; Hawkins, 2019; Johnson, 2016; Kates, 1979; Kerwick, 2018; Kleck, 1986, 1988, 1991, 1997; Kleck and DeLone, 1993; Kleck and Gertz, 1995; Kleck and Sayles, 1990; Kline, 2013, 2014; LaRosa, 2013; Liberty Crier, 2012; Lott, 1998, 2007; Macolm, 2012; Malnik, 2012; Masters, 2014; McHale, 2016; McMaken, 2015A, 2015B, 2015B, 2017, 2018; Mirror, 2010; Napolitano, 2016, 2018; Ostrowski, 2003; Palmer, 2016; Paul, 2018; Peters, 2012; Rappoport, 2013A, 2013B; Reynolds, 2007; Rossini, 2016; Shughart, 1999; Simpson, 2015; Sowell, 2012, 2016A, 2016B; Vance, 2018; Vatic, 2012; Victor, 2019; Wenzel, 2013; Wetson, 2018; Williams, 2018; Wright, 1998.

²⁷ Hertzbach, Joe. “Most Mass Shootings Happen In Gun Free Zones Facts Show.” *Image*, 27 Feb. 2018, <http://attorneysforfreedom.com/blognews/mass-shootings-happen-gun-free-zones>.

citizens.²⁸ If the gunman were to start shooting in an area where many armed citizens are present, he would likely be gunned down before he can kill a large number of people, if any at all. If the police were the only people armed this would be a recipe for disaster, since the average police response times are 5-10 minutes²⁹. Further, 33.5% of violent crimes have a response time of 11 minutes to an hour³⁰. In the Columbine shooting, it took 47 minutes after gunfire erupted for SWAT teams to arrive at the school³¹. The bottom line is that the police can never fully prevent violent crime, and it is unrealistic to think otherwise. The goal should be to minimize crime without infringing on natural rights. The most logical violent crime prevention is armed citizenry. A 1999 study found this to be accurate (Lott and Landes, 1999):

We analyze multiple public shootings in the United States in the time period 1977 to 1997 (and, in some cases, through 1999). As noted earlier, we define a multiple public shooting as one in which two or more people are killed or wounded in a church, business, bar, street, government buildings, schools, public transit, place of employment, park, health care facility, mall or restaurant.

These authors found that “evidence indicates that right-to-carry laws reduce both the number of public shootings and the total number of people killed or injured.” They stated ~~Stating~~ that “passage of concealed handgun laws causes the percent annual change in crime rates to decline. For murders, the estimates range from 9 to 25 percent, for injuries from 1.2 to 22 percent, and for the number of shootings from 12 to 25 percent.”

7. Other considerations

Banning guns is almost the very opposite of what is needed to promote safety and reduce crime. This is demonstrated by the policy implemented in Kennesaw, a small city in Georgia. There, not only were firearms not prohibited, they were actually *required* to be owned by the heads of each and every household.³² There was also a mandate for those who could not demonstrate proficiency with this weapon: to pass a course in gun safety and operation. And, as a result, murders, shootings, other crimes, *decreased*.³³

Also consider the fact that rifles able to shoot dozens or more bullets are not required for sport, target shooting or deer hunting. Yes, indeed, this is true. Some argue they should be banned for this reason. But the second amendment was not drawn up with this in mind (Hornberger, 2018; Kopel, 2021; Sullum, 2016; Williams, 2013.). Rather, its purpose was to have an armed citizenry in case of foreign attack, and, also, to thwart domestic totalitarianism.

Then there is the argument that at the time of the passage of the second amendment, the weaponry consisted of little more than muskets. Advocates of this viewpoint condescend and would allow modern citizens to arm themselves in this manner, but with nothing more sophisticated. The proper response is that yes, the American citizenry should allow itself to be disarmed back down to the level utilized in the 18th century – as soon as local criminals, foreigners, and the U.S. government engages in this practice too, but not a moment before.

One of the strongest advocates of gun control was Adolf Hitler (Halbrook, 2014). He urged this policy on the usual grounds of safety and the public good. Had the Jews, blacks, gays, gypsies and other non-Ayrian “vermin” been armed, they might have been better able to withstand the evil depredations of the evil Nazi regime. Maybe they might have been merely banished had they brandished their weapons, instead of being murdered en masse.

²⁸ These people are vicious and evil, but not stupid.

²⁹ P, Kim. “Study: Average Police Response Time.” *CreditDonkey*, CreditDonkey, 14 Apr. 2020, www.creditdonkey.com/average-police-response-time.html. Nowadays, with the “defund the police” movement in the ascendancy, response times can only worsen.

³⁰ Fritz, Julie. “What Is The Average Police Response Time In The U.S.?” *Safe Smart Living*, Safe Smart Living, 3 June 2020, www.safesmartliving.com/home-security/average-police-response-time/.

³¹ Sanchez, Ray. “How Columbine Changed the Way Police Respond to Mass Shootings.” *CNN*, Cable News Network, 16 Feb. 2018, www.cnn.com/2018/02/15/us/florida-school-shooting-columbine-lessons.

³² We do not say this law was compatible with natural rights. Indeed, it was not. However, it cannot be denied that it served as an almost controlled experiment.

³³ See on this: Baldwin, 2007; Hamilton and Burch. 2016; Malnik, 2012; Mirror. 2010; Vatic, 2012

Does this paeon in behalf of arming the citizenry mean we oppose all weapon control? Not at all. We are not extremists. We are moderates. We oppose private citizens, and governments too, from arming themselves with atomic or nuclear weapons. Why this exception? Is it due to the fact that they are enormously more powerful than more traditional weaponry? Yes, but that is only a part of the explanation. There are several additional reasons for this. One, traditional armaments can be individualized; they can be focused, only, on guilty parties. But nukes necessarily impact the innocent along with the guilty. Thus, they are intrinsically aggressive implements, whereas all others can also be used for defensive purposes, their impact confined to the guilty. Second, these weapons of mass destruction constitute a threat of physical violence, which is by itself, even in the absence of initiatory violence, properly considered a crime. The holdup man threatens to the innocent: "Your money, or your life."³⁴ You pay up even without a shot being fired. If a few million of us lived on a planet the size of Jupiter, and we each owned acreages of 1,000 square miles or more, then maybe, just maybe, assuming no winds, we would be able to place a nuclear bomb right in the middle of our property. But not here on Earth! (Block and Block, 2000).

8. Conclusion

The gun control debate is very one sided globally as very few countries allow private gun ownership. America is unique in this civil liberty and it should not be taken for granted. Banning guns would be a regression because it would not make the country safer, nor will it stop their sale, mass shootings, or any other violent crimes. It would simply create black markets and place guns in the wrong hands. If the U.S. continues down this garden path, it may possibly lead to the problems seen in Honduras or Venezuela. The black markets will rise, which will likely lead to even more gangs and violence in the inner cities. Other safety measures such as "Gun Free Zones" are counter-productive because they create ideal venues for mass shooters to operate and for thugs to rob. Specific bans such as of AR-15's, high capacity magazines, and bump stocks are unnecessary. These kinds of bans exist to please the emotional response to tragedy, but do not make sense. The U.S. has lower mass shooting death rates than various European countries which have had these bans for decades but have shown little effect in reducing mass shootings. People should be trusted until they prove otherwise, and not the other way around. Gun ownership is a natural right and not a privilege!

³⁴ The comedian Jack Benny famously responded, "I'm thinking, I'm thinking!"

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