

# **Political violence: What can happen when First Amendment free speech meets Second Amendment gun rights**

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The Trump administration's blaming of the Kirk assassination on "radical left" rhetoric points toward a deeper level of cultural editing.

Trump and other conservatives have not cited speech that advocated violence against Kirk. Instead, some conservative activists, spurred on by Trump administration officials, called for harassing and punishing critics of Kirk's statements and actions.

But such criticisms of Kirk, whatever their merits or lack thereof, fall within the scope of ordinary political debate.

Kirk was not a government official, but he had strong influence in the Trump administration. Robust democratic discourse requires space for people to criticize such powerful figures. Large-scale cultural editing of those criticisms, amounting to suppression of left-leaning views, would hurt the public's ability to discuss and resolve political disagreements.

However, Trump and others who push for suppressing harsh political rhetoric might argue that the stakes of verbal attacks have increased. They might say that U.S. political culture can no longer indulge political invective because political violence has become more common.

## **Political violence and guns**

That argument for suppressing harsh political speech ignores an independent cause of political violence: gun proliferation.

Most political violence in the U.S. involves guns. Guns make political violence easier by erasing the distance between extremist ideas and lethal action. Hate or fanaticism can end a life in an instant, hundreds of yards from the victim.

The U.S. has by far the highest number of civilian guns and rate of civilian gun ownership in the world. Since 2008, when the Supreme Court declared an individual Second Amendment right to keep and bear arms, annual U.S. gun purchases have increased from about 9 million to about 16 million.

Governments often find regulating speech easier, even though less effective, than tackling underlying problems. At times, federal and state governments have addressed political violence by regulating guns. The 1994 federal assault weapons ban exemplifies regulatory efforts to curb overall gun violence.

But the Supreme Court's Second Amendment cases now appear to bar strong gun regulations.

People in a democratic society need freedom to make harsh, even extreme political statements with a minimum of cultural editing. The Second Amendment protects access to lethal weapons. This combination of free speech and gun rights makes the growing problem of political violence much harder to solve.

Gregory P. Magarian does not work for, consult, own shares in or receive funding from any company or organization that would benefit from this article, and has disclosed no relevant affiliations beyond their academic appointment.

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