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Gun, baby, gun! :)

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[Andrea Pagliaricci](#) · a month ago 🔒

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.

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.

I would like to know, since the Second Amendment, how is it that in America there is free sale of guns?

Given that the US Army, US Navy, US Air Force, National Reserve, FBI, CIA, NSA, etc., have been formed, I think that the free sale of guns is unconstitutional and that only makes the interests of manufacturers of guns.

These interests are against the interests of the American people, I think! :)

The propaganda says that guns are used to defend one-self... but by whom?
From those who have guns!!!

I think the smartest and wise thing to do is to limit the sale guns, or ban it completely.
Alternatively, it would be wise and intelligent follow closely the Second Amendment.
The two things coincide... :)

Because Americans only know the half part of the Second Amendment?

Why do Americans forget this thing, that is the *well regulated Militia* has been created many, many years ago?

Because nobody says that the most of the victims were 'good people' who were hoping to defend themselves, or people who are accidentally injured?

Because nobody says that most of the violence in the U.S. is generated by a serious lack of a welfare state?

A Militia is not about an individual, but many individuals.

If a group of citizens decided that the U.S. territory is under attack, it has the right to organize and

defend themselves?

If the group of which I speak is a group of white racists, like the Ku Klux Klan, which says that the dirty blacks and Hispanics infect America, they have the right to have guns in 1000 each?

If the group of which I speak is a group of white racists, like the neo-Nazis, who want Arian superiority and kill the Jews, which the banks that kill the good Americans, they have the right to have guns in 1000 each?

If the group of which I speak is a group of smugglers bikers, Sons of Anarchy, who traffics drugs, which can not withstand the Hispanics and blacks, they have the right to have guns in 1000 each?

If a group of well organized Italians, with boss Tony Soprano, wanted weapons to eliminate competition in the Russian, Chinese and Hispanic other well organized groups?

If a group of blacks in Harlem or the Bronx wants guns, because they thinks that whites are pure evil?

If the natives want to recover their land, and expel the descendants of the Irish, the British, the French, the Italians, the Polish, the Chinese, the Russians, the Japanese, the Hispanics, and so forth?

Obviously, the answer is no!

And who does these things, is likely to be many years in prison!

Here we talk about criminal activity, not only to the possession of weapons...

The thing that I really can not understand is what you can do with a gun so different to shoot another person...

Do you know if you can write a book with a 357 Magnum?

Perhaps, it is too big; then, we can try with a Beretta 9mm...

The point is: what is a well regulated Militia? who has the right to create a well regulated Militia? there can be several Militiae? may have different purposes?

http://en.wikipedia.org/wiki/United_States_Constitution

http://en.wikipedia.org/wiki/Second_Amendment_to_the_United_States_Constitution

http://en.wikisource.org/wiki/United_States_Bill_of_Rights

http://www.law.cornell.edu/constitution/second_amendment

<http://www.italiausa.org/index.php?c=costituzione-usa>

↑ -4 ↓ · flag



David E. Johnson · a month ago

I would like to ask what article or amendment in The Constitution states or implies that citizens should not be allowed to own firearms.

I do think we should have better regulation (background checks, mental health checks, training, etc.) but, I don't think firearms should be taken away.

Andrea Pagliaricci

In the lists of groups you use to illustrate your point of view you only use "bad" people, why?

↑ 0 ↓ · flag



Robert Prince III · a month ago

Hey there Andrea, is not the answer Congress? Constitution...interpretative in the literal form? Well, anyway I support the 2nd Amendment and the law that swears in Americans to protect this great land. I have never signed in under the service and never will. Just stating that for the record. I ask for your pardon and to please excuse me for entering this conversation so late. I thought that I could add a new notion.

The Constitution should be read and followed traditionally or through other means? I find more freedom but more mistakes with interpretation past Madison's' first ten. What thoughts do you have..

↑ 0 ↓ · flag



Andrea Pagliaricci · a month ago

David, I illustrate my point of view with bad people, because if a gun is detained by Mary Poppins, there is no problem...

If a gun, o 100 guns, are detained by Tony Soprano before his first condemnation, there is a great problem!

I think that, as a pencil is used for writing, a gun is used to shoot, only to shoot...

What you need to do with a gun if no one can have a gun and if the person who owns a gun illegally end up in jail immediately?

Nothing!

↑ -2 ↓ · flag



Andrea Pagliaricci · a month ago

Robert, protecting America from whom?

Am I wrong, or are there are armed forces, the police, FBI, CIA, NSA?

Protect America from whom?

By the Americans with guns?

Exactly, because the Militia, indeed the Militiae, there are, what good is a citizen, not a military, own a gun or 100?

Protect America, by whom?

↑ -1 ↓ · flag



David E. Johnson · a month ago

Andrea Pagliaricci

I don't expect us to agree on the subject of guns in the United States. But are you saying that law abiding citizens should not be able to have firearms because we have law enforcement and military to protect us? How do you propose we take firearms away from the "bad" people? Maybe we should take over-the counter drugs away as well, we do have medical professional to take care of us and people do abuse those drugs. Maybe we should not allow private ownership of automobiles, we do have public transportation in most major cities and thousands of people die every year in automobile accidents.

Why do people only focus on the second amendment when it comes to owning firearms? You compare pencils to guns and now Mary Poppins to Tony Soprano. Did you see the fictional character the Joker in the movie The Dark Knight? Silly argument, right?

"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."

Whether for or against gun rights for individuals, show me where The Constitution or any amendment explicitly or implicitly bans individuals from owning firearms. Some individuals own guns to protect themselves, some to hunt, some to intimidate or harm others, does that merit taking away firearms from everyone?

/ps I expected the down votes but it would be nice for you to come out of the shadows and say why? I can't defend myself otherwise. Use anonymous if you have to.

↑ 2 ↓ · flag

Anonymous · a month ago 🔒

David,

As a former European I have to warn you that you are engaging in a futile exercise. When it comes to the second amendment, the only people who could agree to its proposition (irrespective to the appropriate level of regulation) it's the Swisses because they have a people's army for the same reason we have a second amendment.

"Government always knows best" is a well established European dogma. One would expect that Italians, of all people (given that their ancestors had to endure Mussolini) would be among the most welcoming to the premise of the second amendment. Nothing could be further from the truth.

↑ 2 ↓ · flag



Andrea Pagliaricci · a month ago

David, I'm not in shadow and I'm not in anonymus mode.
Do you want that I'm get out from shadow for shoot me? :)

I've use Mary Poppins and Tony Soprano for arguments in top-down mode... do you know this technique? :)

Not allow private ownership of automobile?
I think that is reasonable way for many motivations... :)

David, I think that american people do protect against you... :)

↑ -2 ↓ · flag



David E. Johnson · a month ago

Andrea Pagliaricci

The call to come out of the shadows was for people ticking the down arrows but not commenting, I assume that if you only get one vote per comment like the rest of us.

I would not shoot you for your comments sir.

I still don't realistically see taking firearms away in the United States.

↑ -1 ↓ · flag

Anonymous · a month ago

Andrea,

I am not David. I am a different poster. I was born and raised in Western Europe. I know the caricature of the second amendment that the media over there usually makes of it. Truth to be told, when I immigrated to the United States I was fearful that that caricature would be true. However, the reality of the places that I have lived in are like the one Lori explains below. No mass shootings, not street violence (street violence is concentrated in a few places where extreme poverty and organized crime are more to blame for the situation than the second amendment).

The US has a gun ownership culture that can be traced back to the founding of the Republic. Similarly, it has a free speech tradition that can be trace back just as far. Several European countries (not Italy) have laws that make the denial of the holocaust a crime. However well intentioned said laws are, they do not fit the traditional understanding of the first amendment in the US: government should not be able to ban speech, however hateful it is, unless said speech is likely to incite imminent violence against particular people (in other words, even the defense of violence in the abstract is constitutionally protected).

With the second amendment it is the same story. People since the beginning of the republic have understood that owning arms is a basic right of Americans as a basic tool to protect society against tyranny or government intrusion in their lives.

On both cases, I can surely point to situations in which a government intervention would have prevented pain, like people who lost their jobs at MSNBC for making insensitive remarks or some gun violence. I am less convinced though that a massive anti gun legislation would have much effect on mass shootings. The people who commit these are sick psychopaths who find their way to commit them no matter what. There have been several mass shootings in Europe in places like Norway or Finland that have very strict gun laws.

Unless you come to the US to live a couple of years, you will not be able to see the point of the second amendment (even if you are still for gun regulation).

Here is one of the best exchanges I have seen between the "European view" and the "American view",

<https://www.youtube.com/watch?v=BHIQtxLCgrM>

↑ 2 ↓ · flag

octavio rezende Signature Track · a month ago

Militias and guns are not necessarily evil in a democratic system with a Strong and simple Constitution, like the US. Of course there will Always be the distortions in any society, like the maniacs that go on shooting sprees from time to time around the Country, in general América is a very safe place to be if you compare it with countries in Latin América, ASia and África. If you have good and simple laws combined with good schools and a general sense of justice, militias and guns can became good tools to help combating crime and increasing the sense of partnership among citizens.

↑ 0 ↓ · flag



Robert Prince III · a month ago

Good series of friendly discussion so far. Has anyone decided to pull statistics? God I hadn't in several years; but I recall states with rights to bear arms have lower crime. I am now writing in the here and now with compacted thoughts and shall dimensional shift in thought process pattern. My English education is that of unorthodox Sophomore status. At least that is regulated from a Governmental system that strictly monitors all criminal activity and has harsh punishments set in place. Then again, there is the good Country of Switzerland. Always neutral and not menacing in Global affairs. I thought that the last time I read up on them in 2009, I read that every citizen was required to have two years of military service(unless it is considered training and disciplinary pre-planned actions). Nonetheless, I am attempting to avoid any US States that have bad crime that has declined throughout the years, while

avoiding major cities that are in bad condition.

↑ 0 ↓ · flag

Peter A. Zitko Signature Track · a month ago

Hi Robert,

I spent the better part of last year investigating the relationship between gun laws and crime in the United States. Unfortunately, statistical analyses was confined primarily to correlation as it is impractical, not to mention unethical to conduct true experiments. Nevertheless, the correlation is interesting and does indicate results that would likely surprise both the gun rights and gun control factions. In essence, I posit there is a middle ground and identify this in a lengthy thesis titled *Resolving the Gun Policy Paradox: Protecting Second Amendment Rights While Instituting National Firearm Legislation to Reduce Gun Violence*. The following will summarize some of the findings.

As you may know, violent crime in the United States has been declining quite precipitously in the United States. Total firearm-related deaths, including homicides, legal interventions, suicides, accidents and unknown factors, have declined from a high of 39,595 in 1993 to 31,672 in 2010 even as the U.S. population has risen by nearly 50 million people.

My research study applied statistical regression analyses to compare several independent variables like gun regulation (categorical) and median income (quantitative) to dependent variables, namely types of death and injury attributed to firearms. While it is important to understand that this approach is limited as it cannot make definitive causal determinations, it is still quite intriguing. In each of the analyses, the independent variable on the x-axis is suspected to have some influence on the dependent variable on the y-axis. In no analytical model that I employed was the assumption made that other confounding variables were controlled for, thus making the independent variable the exclusive determinant of the dependent variable. In fact, quite the opposite is true. In every instance there are unquestionably many lurking variables that influence the relationship between x and y . Consequently, great caution must be taken whenever researchers or policy experts assert that a particular law or amalgamation of laws can definitively reduce gun violence.

The following analyses are excerpts from the paper. The graphics were removed because I am not sure they would transfer properly on this Coursera interface. Anyone interested in the complete paper with tables charts and graphics can email me. It is important to note that while the results may seemingly indicate a relationship between gun regulation and reduced firearm violence there are undoubtedly other factors that influence this relationship. Geography, culture, gang violence, and regional economics are among the many factors that influence this relationship and should not be taken lightly.

Analysis #1: *All Violence- Related Firearm Deaths from 1999 -2010 Compared with the Brady Campaign State Scorecard 2011*. This first analysis uses the most current CDC data

on fatal injuries from the Web-based Injury Statistics Query and Reporting System (WISQARSTM) and compares it with the Brady Campaign rating system. All of the WISQARSTM data utilized in this research paper strictly complies with the CDC "Data Use Restrictions."^[1] The results of this inquiry are depicted in Figure 1. It should be noted that violence related firearm deaths include homicide, suicide and legal intervention.

In this first analysis, there is a negative correlation ($r=0.59$, $p<0.0001$) between gun regulation and the crude death rate (CDR). The correlation is far from perfect; nonetheless, with the exception of California (8.98 CDR) and Maryland (11.31 CDR), the states with scores above 40 had considerably lower CDRs. When the eight states with Brady scores above 40 are removed from the analysis, the correlation becomes fairly insignificant ($r=0.28$, $p<0.0681$) (see Appendix). Removing these eight states from the dataset is interesting because they represent regions that are very similar politically, socio-economically and geographically (See Table 6).

Notably, there are no southern or conservative states included in the top eight most highly regulated states. The lack of conservative leaning states is not unexpected as they tend to favor less firearm regulation. Iowa (6.43) and New Hampshire (6.45) also show a relatively low CDR. This may indicate a strong demographic, ideological or socioeconomic element to the association between regulation and firearm deaths. California, which has the most stringent firearm laws of all fifty states, also has an unexpectedly high CDR if firearm regulation is the only variable influencing firearm deaths. It is likely that other factors such as the presence of large urban areas (Los Angeles, San Jose, Oakland, San Francisco, etc.), organized crime,^[2] gang violence^[3] and a fairly high percentage of illicit drug use^[4] contribute to the moderately high firearm death rate in California.

The ten states with CDRs above 14 per 100,000 persons include: Alabama (15.80), Alaska (16.83), Arizona (15.07), Arkansas (14.39), Louisiana (17.72), Mississippi (16.05), Montana (14.63), Nevada (15.91), Tennessee (14.43) and Wyoming (14.66). Only Alabama scored above 10 on the Brady scorecard for CDR, with Tennessee the next highest among this grouping at eight. The fact that democratic leaning states have more firearm regulations is not surprising. Moorhouse and Wanner found "empirical evidence that the probability of adopting more gun regulations is positively related to the proportion of Democrats in the state legislature."^[5] This does not prove that gun regulation reduces the firearm death rate. Nevertheless, there is an intriguing difference between the ten states that scored low on the Brady scorecard when compared with the ten highest scoring states. From an ideological perspective, nine of the ten states with the worst CDR may be regarded as Republican disposed, whereas the ten best scoring states are often considered to be Democratic Party strongholds.

Analysis #2: *Accidental Firearm Deaths from 1999-2010 Compared with the Brady Campaign State Scorecard 2011.* When compared with suicide and homicide, the number of accidental firearm deaths each year is relatively small. The states with the most gun regulation show a significantly smaller number of unintentional gun deaths each year, although the association between the Brady score and accidental gun deaths ($r=0.466$, $p=0.0006$) is smaller than in Analysis #1 (see Fig. 2).

There is a noticeable cluster of eight states to the right of the regression plot which indicates a reasonably low CDR for accidental gun deaths (see Fig. 2). However, the 15 states with the highest crude death rates for accidental deaths may be more significant. While it appears that gun regulation is somehow correlated with accidental firearm deaths, other factors affect both variables. State culture and socioeconomic conditions may influence accidental deaths as much as regulatory policy.

The eleven states with the highest CDR include: Alabama (0.79), Arkansas (0.63), Kentucky (0.63), Louisiana (0.82), Mississippi (0.77), Montana (0.51), South Carolina (0.49), South Dakota (0.53), Tennessee (0.59), West Virginia (0.67) and Wyoming (0.50). Geographically, these states form two significant pockets—eight states in the South East and three states in or near the Northwest Pacific region. What this signifies is unclear; yet there is reason to believe culture and poverty may influence accidental firearm deaths. With the exception of Wyoming, all of these states fall well below the national median income average of \$50,054 (2011 dollars).^[6] More notably, Kentucky, Louisiana, Mississippi, Montana, Arkansas and South Carolina have the lowest median income of all fifty states.

By contrast, the 23 states with a CDR of less than .20 for accidental firearm deaths are more affluent. These states include: California, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Hampshire, New Jersey, New York, Ohio, Utah, Vermont, Virginia, Washington and Wisconsin. Curiously, with the exception of Utah, all of these states could be depicted as "blue states." It is conceivable that state culture and dominant ideology may beget stronger firearm regulations. This brings up a plausible question as to whether firearm regulation or culture and socioeconomics are stronger predictors of firearm-related deaths. It is also reasonable to propose that people with higher incomes have the means to properly secure their firearms (e.g. gun locks and safes).

Analysis #3: *Suicide Deaths from 1999-2010 Compared with the Brady Campaign State Scorecard 2011.* This third inquiry into the relationship between gun regulation and firearm deaths is fairly convincing. The strongest correlation of all the analyses conducted shows a negative association between gun laws and higher suicide rates ($r=0.7432$, $p<0.0001$) (See Fig. 3). The nine states with the toughest firearm regulations clearly have the lowest rate of suicide by firearm. Coincidentally, these nine states are predominantly "blue states." They include: California (4.08), Connecticut (2.86), Hawaii (2.20), Illinois (3.42), Maryland (4.30), Massachusetts (1.71), New Jersey (2.00), New York (2.26) and Rhode Island (2.47).

There are a number of factors that may contribute to the comparatively low suicide rate in these nine states; nonetheless, there is a strong correlation between gun regulation and suicide deaths by gun. It is conceivable that states with stronger gun regulations make it more difficult for people who wish to commit suicide to do so with a firearm. What is less clear is whether these same individuals will simply choose an alternative method such as suffocation or poisoning to end their lives. Like the analysis for accidental firearm deaths, the states with

the least suicides and the strongest gun regulations are indicative of affluence and comparable geographic locations. Five of the nine states with the lowest firearm suicide rates are among the top 10 wealthiest states, while none were among the poorest states.[7] Although, when the CDR for firearm suicide is plotted against median income as the predictor variable, the correlation is less significant ($r=0.48$, $p = 0.0004$) than when the Brady score is used as the independent variable ($r=0.7432$, $p<0.0001$).

Analysis #4: *Homicide Deaths by Firearm from 1999-2010 Compared with the Brady Campaign State Scorecard 2011.* Perhaps the most compelling analysis of all is the comparison between firearm homicides and stringent gun laws. It is not remarkable because of its strong correlation value; rather, it is the weakest association between variables encountered in this study ($r=0.0458$, $p = 0.7499$) (see Fig. 4).

Simply stated, there is no appreciable correlation between the Brady score and firearm related homicides. As previously avowed, this type of statistical analysis cannot determine causation; likewise, this analysis does not mean firearm policies do not help reduce homicide deaths. What this data does lend credence to is the idea that criminals, who by very definition are not inclined to follow the law, may continue to commit firearm-related crimes and homicide regardless of state or national firearm policy. If this premise is true, national firearm policies may be less likely to prevent violent firearm deaths than accidental deaths and suicides. This also warrants further investigation into the legitimate defensive usage of firearms and public policy that does not place law-abiding citizens at risk.

Analysis #5: *Violence-Related Death from Firearms Compared with LCPGV Regulatory Grade Score.* As previously noted, the Brady Campaign scorecard is only one possible method of assessing the efficacy of state firearm laws. The Law Center to Prevent Gun Violence (LCPGV) is a different gun control organization that rates the fifty states based on the strength of their firearm regulations. The LCPGV rates the states on their implementation of 29 different firearm policies and assigns up to a possible 210 points. The LCPGV then gives each state a grade using the standard "A" through "F" model of academia. These grades were transposed to a point system for the purposes of evaluating the LCPGV grade with firearm-related deaths. Analysis #5 compares the LCPGV grade with all violence-related firearm deaths (See Fig. 5).

The negative correlation between LCPGV grade and firearm related deaths ($r = 0.67$, $p<0.0001$) is even greater than the same comparison using the Brady score ($r=0.59$, $p<0.0001$). This may be a byproduct of the manner in which the two organizations weight similar policies. In addition, the LCPGV has supplementary categories such as a requirement for "mental health reporting", banning "Fifty Caliber Rifles," and "duty to retreat" laws.[8] Similar to the previous analysis of firearm homicide compared with the Brady score, when correlation is sought between the LCPGV grade and homicide there is no association ($r=0.105$, $p=0.4767$).

Analysis #6: *All Violence-Related Firearm Deaths from 1999-2010 Compared with the Zitko Firearm Law Scoring.* As discussed in the methods section, the original scoring system used in this and the following analyses compare firearm deaths with an original gun law appraisal measure.

While the Brady scorecard and the LCPGV grades were significantly biased in favor of gun control advocacy, this innovative scoring methodology meets the criteria set forth in this research paper.[9] Analysis #6 is similar to Analysis #1 with a notable exception—it uses a different scoring system to compare gun regulation with firearm-related death rates. When the state gun laws in Analysis #6 were compared to all violence-related firearm deaths ($r=0.58$, $p<0.0001$), the results were nearly identical to those in Analysis #1 ($r=0.59$, $p<0.0001$) (See Fig. 6). In essence, the gun policies embraced in this research study correlated the same way that the more extreme Brady Campaign inspired regulations did with respect to violence-related firearm deaths.

Analysis #7: *All Accidental Deaths from Firearms 1999-2010 Compared with the Zitko Firearm Law Scoring.* Like the previous analysis, this comparison ($r=0.47$, $p=0.0005$) proved to be nearly identical to the outcome in Analysis #2, which compared accidental firearm deaths to the Brady score ($r=0.466$, $p=0.0006$) (graph not shown). This is not entirely unexpected as the laws which should help prevent accidental firearm deaths, like child safety locks and safety training, were evident in both analyses.

Further comparisons of suicide deaths and homicide indicated comparable results. Using the scoring system created for this study, the negative correlation between firearm regulations and self-inflicted firearm deaths ($r=0.70$, $p<0.0001$) was very similar to the results of Analysis #3 ($r=0.7432$, $p<0.0001$), although the Brady score was slightly better. Homicide deaths by firearms did not show any correlation with gun regulation in any of the analyses conducted for this research study.

Analysis #8: *Firearm Suicides from 1999-2010: All Races Age 0-21 Compared with the Zitko Firearm Law Scoring.* Firearm regulation was correlated with CDR for firearm suicides for all ages and races up to 21 years of age ($r=0.55$, $p<0.0001$) (see Appendix). While lack of firearm regulation was a predictor for suicide in this age bracket, the combination of low regulatory score coupled with geographic location was prevalent in six of the seven states with the highest rate of suicide among young people. All six states were located in the western part of the United States, with five of the six in the North West quadrant.

Alaska represents a particularly egregious outlier with a CDR of 7.24 per 100,000 persons. Indeed, the firearm suicide CDR for persons over 21 in Alaska is even greater at 16.39 with an average of 13.11 CDR for all age groups combined. In all instances the CDR for suicides of persons up to the age of 21 was lower than the average firearm suicide for a given state (See appendix). It is worth noting that some states like California (4.08:0.78), Illinois (3.42:0.84), Massachusetts (1.71:0.35) and New Jersey (2.00:0.38), which currently have child safety lock laws, show a significantly better CDR ratio between the overall number of suicides and suicides by persons under 21 years of age when compared to states without these regulations, like Wyoming (13.25:5.08) and Alaska (13.11:7.24). Nevertheless, this may be related to numerous other factors including a culture of high firearm suicide rates.

Comparing the Results

Upon reviewing numerous statistical analyses, it is apparent that there is a lack of comprehensive data to adequately assess how firearm regulations affect firearm death rates. In most cases, the predictor variables that indicated a negative correlation between gun

regulation and firearm violence are isolated to a group of relatively homogenous states with fairly strict gun laws rather than states with few gun laws. It is difficult, if not impossible, to determine the effect of comprehensive background checks, when, for instance, only two states require this on all firearm purchases. Most of the gun laws advocated by the Brady Campaign and/or the LCPGV are theoretical, with little empirical evidence to support the efficacy of specific gun laws supported by these special interest groups. Many of the fringe policies desired by the Brady Campaign and the LCPGV show little benefit in reducing firearm violence when compared to the more amiable policies used in this thesis' regulatory scoring methodology. Although, socioeconomic conditions, crime, law enforcement practices, income and numerous other variables confound any attempt to isolate and definitively identify effective gun policy. Even so, the associated trends that link gun regulation, in some capacity, to lower firearm death rates cannot be ignored. The analytical research conducted for this paper found meaningful correlations, lending credence to the notion that firearm regulations do decrease overall firearm death rates, accidental firearm deaths and especially suicide by firearm.

Equally important, the analyses conducted in this study revealed no link between firearm regulations and a reduction in gun-related homicides. While Fleegler et al. suggested a very small correlation between gun regulation and firearm homicides,[10] the Task Force on Community Preventive Services[11] and Rosengart et al.[12] did not find any evidence that gun regulations decreased firearm homicide rates. These findings are consistent with this research study and others like that of Swanson et al., who assert there is "little evidence that the Brady Act prohibitions serve to reduce the risk of violent crime." [13]

More ominously, the Swanson et al. study found that having a criminal record which precludes a person from legally owning a firearm is in itself a strong indicator for further firearm violence and illicit activity. Criminals who wish to obtain firearms for nefarious purposes simply do not "patronize a federally licensed gun dealer and undergo a background check; other ways, means, and suppliers abound for those willing to exploit them." [14] As discussed previously, Ludwig and Cook also found that background checks, along with waiting periods, did not reduce gun homicide rates.[15] These findings are consistent with the prison survey by Wright and Rossi which affirmed that criminals do not normally use legal channels to obtain their weapons[16] and studies conducted by Gary Kleck who concluded criminals typically steal guns or obtain them from cohorts.[17] These unfortunate conclusions by numerous scholars are congruent with the original statistical research conducted for this study; there is simply no evidence that gun regulations, such as they are, prevent criminals from perpetrating gun crimes.

[1] Note: All data is used strictly for the purposes of conducting valid research associated with this project—statistical reporting and analysis only. Relating to sub-national geography, "death counts of 9 or fewer or death rates based on counts of nine or fewer (in figures, graphs, maps, tables, etc.)" will not be presented or published. No attempt has or will be made "to learn the identity of any person or establishment included in these data." In addition, "Disclosure or other use of the identity of any person or establishment discovered inadvertently" will not be made, nor has any such discovery been made.

[2] Ron Rokhy and John C. Klemack, "Feds Nab Key Dealers, \$20M in Meth in Massive Los Angeles Bust of Mexican Drug Cartel," NBC Southern California, August 22, 2013, accessed August 25, 2013, <http://www.nbclosangeles.com/news/local/Mexican-Mafia-LA-Eme-Drug-Bust-Meth-La-Familia-Los-Angeles-D...> Note: There is a large presence of organized crime such as the "Mexican Mafia" in California. Recently, federal law enforcement arrested eight gang members and seized about \$20 million in drugs. Along with the illegal drugs, "police seized an array of handguns and other firearms..." (Rokhy & Klemack, 2013). This is not uncommon in a state like California that shares a border with Mexico. The prevalence of sanctuary cities such as Los Angeles may further contribute to the drug and illegal firearm problem.

[3] "2011 National Gang Threat Assessment: Emerging Trends," FBI, June 25, 2010, accessed August 17, 2013, <http://www.fbi.gov/stats-services/publications/2011-national-gang-threat-assessment>. Note: The FBI rates California among the states having the highest number of gang members at 6+ per 1,000 people (p. 13).

[4] "State-by-State Data Trends in Substance Use, Mental Illness," Samsha.gov, July/August 2010, accessed August 17, 2013, http://www.samhsa.gov/samhsanewsletter/Volume_18_Number_4/StateDataTrends.aspx. Note: The Substance Abuse and Mental Health Services Administration (SAMHSA) rate California moderately high for percentage of persons using illicit drugs. In one month SAMHSA estimates between 8.68 and 9.35 Californians will use illegal drugs.

[5] John C. Moorhouse and Brent Wanner, "Does Gun Control Reduce Crime or Does Crime Increase Gun Control?," *Cato Journal* 26, no. 1 (Winter 2006): 121, accessed June 12, 2013, EBSCO.

[6] "Income," State Median Income, September 24, 2012, accessed August 21, 2013, <http://www.census.gov/hhes/www/income/data/statemedian/>.

[7] Les Christie, "America's Wealthiest (and Poorest) States," CNNMoney, September 16, 2010, accessed August 21, 2013, http://money.cnn.com/2010/09/16/news/economy/Americas_wealthiest_states/index.htm.

[8] "Grading State Gun Laws," Law Center to Prevent Gun Violence, 2012, accessed August 12, 2013, <http://smartgunlaws.org/gun-laws-matter-2012-understanding-the-link-between-weak-laws-and-gun-violen...>

[9] Note: The laws supported by this research paper must be constitutional, practical, effective, widely embraced by the public and not infringe upon the rights of law-abiding citizens who choose to own firearms.

[10] Eric W. Fleegler et al., "Firearm Legislation and Firearm-Related Fatalities in the United States," *JAMA Intern Med.* 173, no. 9 (March 6, 2013): 735, accessed July 21, 2013, doi:10.1001/jamainternmed.2013.1286.

[11] R. Hahn et al., "Firearms Laws and the Reduction of Violence: A Systematic Review," *American Journal of Preventive Medicine* 28, no. 2 (2005): 40.

[12] M. Rosengart et al., "An Evaluation of State Firearm Regulations and Homicide and Suicide Death Rates," *Injury Prevention* 11, no. 2 (2005): 77, doi:10.1136/ip.2004.007062.

[13] *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis* (Baltimore, MD: Johns Hopkins University Press, 2013), Kindle, 44. Note: Chapter 3 is written by Jeffrey W. Swanson, Allison Gilbert Robertson, Linka K. Frisman, Michael A. Norko, Hsiu-Ju Lin, Marvin S. Swartz, and Philip J. Cook. Funding was provided by "the National Science Foundation, with additional support from the Robert Wood Johnson Foundation Program on Public Health and Law Research" (p. 50).

[14] Ibid., 45.

[15] Jens Ludwig and Philip J. Cook, "Homicide and Suicide Rates Associated with Implementation of the Brady Handgun Violence Prevention Act," *JAMA* 284, no. 5 (August 2, 2000): 585, accessed July 28, 2013, http://home.uchicago.edu/~ludwigj/papers/JAMA_Brady_2000.pdf.

[16] James D. Wright and Peter H. Rossi, *Armed and Considered Dangerous, A Survey of Felons and Their Firearms* (New York: Aldine De Gruyter, 1986), Google Books, 191.

[17] Gary Kleck, *Point Blank: Guns and Violence in America* (New Brunswick, NJ: Aldine Transaction, 2005), Google Books, 45.

↑ 0 ↓ · flag

Anonymous · a month ago

Quick comment to fellow anonymous regarding gun legislation in Finland. It would be wrong to claim that Finland has very strict gun laws. Even after two tragic school shootings the legislation in Finland is hardly strict, especially in an European context.

↑ 0 ↓ · flag

[+ Comment](#)

Joel Kovarsky · a month ago

How many threads on the 2nd amendment do we need in this course? It is nearly impossible to track them all now.

https://class.coursera.org/conlaw-001/forum/thread?thread_id=1562

https://class.coursera.org/conlaw-001/forum/thread?thread_id=1546

https://class.coursera.org/conlaw-001/forum/thread?thread_id=1795

https://class.coursera.org/conlaw-001/forum/thread?thread_id=642

https://class.coursera.org/conlaw-001/forum/thread?thread_id=1576

It is fine if you want to open another battle-front, but one thing to consider is to go to the main discussion group page, and just enter "2nd amendment" or some variant ("guns") into the search box in the upper right hand corner of the page. You will see many pages of listings, along with the thread involved. The same is true if you search "militias":

https://class.coursera.org/conlaw-001/forum/thread?thread_id=1895

https://class.coursera.org/conlaw-001/forum/thread?thread_id=1546 (you can see the overlap with above thread)

https://class.coursera.org/conlaw-001/forum/thread?thread_id=1886

https://class.coursera.org/conlaw-001/forum/thread?thread_id=2119

↑ 5 ↓ · flag

[+ Comment](#)



Lori A Decker · a month ago

Cripes! What is the **picture** in people's heads when they think of America--that we all walk around with six-shooters strapped to our waists?

I live in the American Southwest, and truth be told, the only people I've ever seen with guns are uniformed police and border patrol agents, the occasional hunter, and the re-enactment guys at the Old Tucson Movie Studios or Tombstone's OK Corral.

The gun violence in America is not pervasive, has decreased in the past decade or two, and exists in only the fringes of our everyday lives. Background checks are fine with me, but would not have prevented the Tucson shooting of Congresswoman Giffords, or the Naval Yard in DC.

Of the 20 adults in my immediate family, only two own guns (and they're married, so community property). In the 8 houses on my *cul-de-sac*, no one owns guns (the only hunter does so with bows). In the event of a zombie apocalypse, my brother-in-law has a gun set aside for me provided I can get to their house without getting my brains eaten.

Notice, however, what we *don't* have in America: We don't get invaded. We don't have corrupt police or military entering our homes. We don't have dictators or despots or religious fanatics taking over. We don't have riots in the streets throwing bricks and Molotov cocktails or shooting rifles into the air. We don't have bombed out neighborhoods or snipers on rooftops.

Cause-and-effect? Not sure, but there are a whole lot of countries who do have these things that don't have the freedoms we do.

I may just go out and buy my own gun, because--hey!--*zombies*.

↑ 8 ↓ · flag

Joel Kovarsky · a month ago

You are correct. A lot of people do not know where the problems lie. A major issue is teen suicide by gun (rate is flat), which is why the best arguments may get lost in the fuss over that very short 2nd amendment and what was meant by militia. Take a look at the graphics in this Pew Center report: <http://www.pewsocialtrends.org/2013/05/07/gun-violence-in-america/> . The drop in homicides here is actually impressive (arguably not good enough).

↑ 0 ↓ · flag



Andrea Pagliaricci · a month ago

Hi Lori!

I don't think that lot of american people walk with a gun in a hand...

What i ask is the logical in Second Amendment nowadays...

↑ -1 ↓ · flag

Anonymous · [a month ago](#) 🔒

>We don't have corrupt police or military entering our homes

It happens. Even in the Southwest. http://www.huffingtonpost.com/2011/05/25/jose-guerena-arizona-_n_867020.html

↑ 1 ↓ · flag



Lori A Decker · [a month ago](#) 🔒

Botched is the same as corrupt? Since when? They're supposed to check with me before they go changing definitions in the English language...

Your little pot-shots are hilarious, Anon. Registered, or from a street-dealer?

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

Corrupt: having or showing a willingness to act dishonestly in return for money or personal gain.

Perhaps the raid was botched, but the cover-up was corrupt. Hence, corrupt police.

As for the pot-shots, I won the raffle: http://www.huffingtonpost.com/alex-brantzawadzki/az-republicans-celebrate-_b_943014.html

↑ 1 ↓ · flag



Lori A Decker · [a month ago](#) 🔒

Oh yes, Spin Doctors and Public Affairs people are stuck with trying to put a band aid on a gusher. It sucks wide. How someone thinks they could (or should) keep such a fiasco a secret is beyond me. But lying and CYA are issues for another day.

The whole thing should never have happened. I hope heads roll. I hadn't heard of it before; thanks for letting me know.

You are good at pot-shots, Deadeye. That was a compliment; I admire your work. Congrats on the raffle. :p

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

Glad you have a sense of humor! :-)

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

>What is the **picture** in people's heads when they think of America

It is influenced by what people read in the media. Just as we are influenced by what we read in the media. Sensationalism sells. Let me ask you: what's the first thing you think of if someone says Ethiopia? Or Bangladesh? Most Americans, if they recognize the country at all, would be surprised to know that yes, they have running water, buildings, cars and even people who are not starving.

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

Very true,

Even among the highly educated in Western Europe -who have not visited around here-, the stereotypes about the US projected by the movies persist.

It is a experience that many of us who go back to visit family and friends have had: having to answer the most nonsensical of questions. I remember once I was asked about what I thought about Arnold having legalized marijuana when in fact, the marijuana question was subjected to a referendum in California (and Arnold was against legalization) based on some random comment that Arnold had made that was widely circulated by the press. In fact, when I explained to them the process by which a question can be submitted to the voters in California (which resembles the process of Switzerland - if I am not mistaken it was inspired by it-) they were amazed.

↑ 1 ↓ · flag

Cynthia M Thacker · [a month ago](#) 🔒

I'm not sure what "the rest of the World" thinks of America or of the pictures in other people's heads, but if it's anything like what we deal with in the South . . . For Example: If anyone reading this remembers the old sitcom "The Beverly Hillbillies"? It portrays a Tennessee Family (or Kentucky?) moving to Beverly Hills, California. I have literally had friends from college ask me if we eat "possum" or "buzzards eyes" or call our swimming pools "cement ponds" or if we have "all kinds of critters" living in our homes like Ellie Mae Clampet. And this is Americans who were born here seriously asking this because of how the Clampet Family portrayed Southerners. I can't imagine what foreign people must think if they viewed reruns of "The Beverly Hillbillies" or anything like it! I would have loved to have been in a foreign movie theater when Clint Eastwood showed up . . . OR maybe I wouldn't?!?!?

↑ 1 ↓ · flag

Anonymous · [a month ago](#) 🔒

>It is influenced by what people read in the media. Just as we are influenced by what we read in the media.

Accurate. So what becomes interesting is how the media came to get the filter that they use to generate impressions for others.

↑ 0 ↓ · flag



Lori A Decker · [a month ago](#) 🔒

So very true, Cynthia. After we moved to Arizona, the TV show *High Chaparral* became a hit. Our relatives in Pennsylvania were very worried for us regarding outlaws and Indian attacks.

Still, if the movies and news and TV were about ordinary people, it would be pretty dang boring, wouldn't it? Even reality shows have a quota of fringe people and stereotypes to keep them on-air. And documentaries about the everyday life of most of us would never make it to the Sundance Film Festival.

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

>how the media came to get the filter that they use

From Murdoch and Ailes, of course!

↑ 0 ↓ · flag



Lori A Decker · [a month ago](#) 🔒

Ted Turner started it.

Did not.

Did too.

One of my favorite pastimes is reading Supreme Court decisions for myself then watching and reading the news coverage. It's a wild (and somewhat frightening) ride.

A really good movie to watch about media vs gov't is *Good Night and Good Luck*, about radio's Edward R. Murrow bringing down Senator McCarthy's Communist witch-hunt.

↑ 2 ↓ · flag

Anonymous · [a month ago](#) 🔒

> Edward R. Murrow bringing down Senator McCarthy's Communist witch-hunt.

They really were communists. No witch hunt. Easy to be still under their myths. To get a new appreciation of McCarthy read:

- *Communist Cadre: The Social Background of the American Communist Party Elite*. Stanford, CA: Hoover Institution Press, 1978. OCLC 4683880.
- *The Heyday of American Communism: The Depression Decade*. New York: Basic Books, 1984. OCLC 10456780.
- *Biographical Dictionary of the American Left*. Editor, with [Bernard K. Johnpoll](#). Westport, CT: Greenwood Press, 1986.
- *Far Left of Center: The American Radical Left Today*. New Brunswick, NJ: Transaction Publishers, 1988. OCLC 17210024.
- *The American Communist Movement: Storming Heaven Itself*. With [John Earl Haynes](#). New York: Twayne Publishers, 1992. OCLC 25201075.
- *The Secret World of American Communism*. With John Earl Haynes and Fridrikh Igorevich Firsov. New Haven, CT: Yale University Press, 1996. OCLC 30779937.
- *The Amerasia Spy Case: Prelude to McCarthyism*. With [Ronald Radosh](#). Chapel Hill, NC: University of North Carolina Press, 1996. OCLC 32590046.
- *The Soviet World of American Communism*. With John Earl Haynes and Kyrill Anderson. New Haven, CT: Yale University Press, 1998. OCLC 37187391.
- *Venona: Decoding Soviet Espionage in America*. With John Earl Haynes. New Haven, CT: Yale University Press, 1999. OCLC 44694569.
- *In Denial: Historians, Communism and Espionage*. With John Earl Haynes. San Francisco, CA: Encounter Books, 2003. OCLC 62271849.
- *Communism, Espionage, and the Cold War: A Unit of Study for Grades 9-12*. With Robert Gabrick. Los Angeles, CA: National Center for History in the Schools, University of California, Los Angeles, 2004.
- *Early Cold War Spies : The Espionage Trials That Shaped American Politics*. With John Earl Haynes. New York: Cambridge University Press, 2006.
- *Spies: The Rise and Fall of the KGB in America*. With John Earl Haynes and [Alexander Vassiliev](#). New Haven, CT: Yale University Press, 2009.
- *The Communist Experience in America: A Political and Social History*. New Brunswick, NJ: Transaction Publishers, 2010. —Selected articles.

↑ 0 ↓ · flag

[+ Comment](#)

Anonymous · [a month ago](#) 🔒

You need to look at the documentary Bowling for Columbine. The selling of arms is big business and the Rifle Association is one of the most powerful lobby groups in the USA. It is very hard for the US to regulate gun ownership as the constitution Right to bear Arms has been used as a means to stifle regulatory reform. Gun are so prevalent in the US Schools require scanners to try and prevent children

from bringing them into schools. Micheal Mooores documentatray says it all and he makes an excellent comparision to Canada. Any politician who tries to seek gun control legislation is pounced upon by the Gun lobby, who are as powerful as the fundamentalist Chistian movement. There are more murders and act of gun related crime in the US then in any other democratic state. There was a previous post on this topic and the writer was pounced on but the right wing section. Another reason why posting Anonymous is important

↑ -2 ↓ · flag

[+ Comment](#)

Anonymous · [a month ago](#) 🔒

{the right of the people to keep and bear Arms, shall not be infringed}

This does not mean Long Sleeves are out and short sleeves are a constitutional right. nit does it realt to Arms for the poor.

The US was founded on the back of a giun. the Wild Wild West tradtion. A japanese tourist broke sown on the road and went to ea nighbouring house to seek help. When they knowckon the door the person allegedly said don't come in. The tourist mis understaood and opend the foor only to be shot/ Children get acess to guns, and there are more reports of mass murder involving assult rigles in the US then in Canada. Bowling for Columbine is an excellent documentary that explains a lot.

There are many counties that have tight gun control and they do not get invaded.

↑ 0 ↓ · flag



Lori A Decker · [a month ago](#) 🔒

- When and where did the tourist get shot? I can't find it in a Google search.
- Irresponsible parents who allow children access to guns should be punished.
- There's a lot more *procreating* in the US than Canada, too (pop. 314 million US/35 million Canada), so why compare? Twelve mass shootings in 4 years in the US were assault rifles or high-capacity magazines.
- Finally, *Bowling for Columbine* was made 12 years ago. Got anything more modern?

↑ 4 ↓ · flag

Anonymous · [a month ago](#) 🔒

http://en.wikipedia.org/wiki/Death_of_Yoshihiro_Hattori

↑ 0 ↓ · flag



Lori A Decker · [a month ago](#) 🔒

Thanks, Anon.

↑ 0 ↓ · flag

[+ Comment](#)

Peter A. Zitko Signature Track · a month ago 

Andrea,

I am not sure that I am entirely clear on what you mean by “free sale of guns,” however, I assume it contemplates that American citizens are free to purchase certain types of firearm provided they fall into a certain category (e.g. felons and mentally ill typically cannot legally purchase or possess firearms).

In response to this query I would suggest that the ownership of firearms in the United States is constitutional and with the recent Supreme Court decisions in *District of Columbia v. Heller* (2008) and *McDonald v. Chicago* (2010), private ownership of firearms for self-defense is not tied to militia service or necessarily composed of a type of firearm that is typically used in militia service as Justice McReynolds believed in *United States v. Miller* (1939).

There is certainly enough propaganda to go around on both sides of the gun debate. In many respects the position one takes on firearm ownership in the United States is a matter of a person’s worldview. For instance, it is rather clear that you, like so many good American’s would like to see the elimination of all firearm sales in the United States. By contrast there are many other patriotic American’s who correctly feel it is their constitutional right to own and possess firearms. Firearms *per se* is not the primary problem as much as keeping guns out of the hands of criminals and people who use firearms for nefarious reasons.

The gun debate is more complex than simply banning all firearm sales. The United States is divided by gun rights advocates, who condemn regulation that infringes upon Second Amendment liberties, and gun control supporters, who demand responsible legislation which helps protect them from gun violence. Firearm regulation is largely a product of state and local law, which varies dramatically among the fifty states as the national government has principally abstained from comprehensive gun regulation. Hahn et al. write, “Firearms in the United States are regulated by a complex array of federal, state, and local laws and regulations.”^[1] Gun control advocates often view the inconsistency between state firearm policies as a significant contributing factor to the propagation of gun violence. For example, political scientist Robert J. Spitzer warns, “The vast majority of gun laws exist at state and local levels, and states and cities with tougher gun laws find them at least partly neutralized by the ease with which guns can be transported from areas with weak gun laws.”^[2] By contrast, many gun rights advocates criticize gun regulation for violating their Second Amendment rights and feel that prohibitive laws place them at greater risk of being victimized by criminals.

In short, gun control advocates often believe their right to be free from gun violence is threatened by liberal firearm regulations and the continued proliferation of individual gun ownership. Contrarily, gun rights proponents frequently feel their Second Amendment rights are threatened by any legislation that inhibits their ability to purchase, own and bear firearms along with associated appurtenances. It is unlikely that gun rights and gun control advocates at either extreme will be satisfied with anything but full governmental compliance supporting their position. This complicates the gun debate because media attention is often driven by peripheral viewpoints, factional extremes and misleading rhetoric, while legislators are habitually motivated by self-interest rather than the implementation of practical policy.[3]

The nature of the modern gun debate is steeped in a pervasive history of individual gun ownership that is uniquely American. It is impossible to cogently debate gun control and make policy recommendations without also discussing the Second Amendment as the two topics are intrinsically connected. Therefore, when attempting to understand the nature and parameters of the modern "gun debate," particularly from the perspective of contemporary policy proposals, it is critical to have a thorough understanding of pre-Constitutional firearm history, the arguments made by the Federalists and Anti-Federalists during Constitutional deliberation and the Framers' perception of the Second Amendment. In addition, it is imperative to comprehend the annals of gun rights and gun control advocacy groups, as well as pertinent Supreme Court decisions that influence the Second Amendment and gun regulation. Lastly, it is important to discern the meaning of the Second Amendment and how firearms have been regulated since ratification of the Bill of Rights.

In a 1983 essay regarding the common law tradition of bearing arms, Professor Joyce Lee Malcolm sums up the Second Amendment dilemma. She suggests that the controversy is largely due to the many different ways the text can be interpreted.[4] Professor Malcolm, and more recently, the Supreme Court interpret the Second Amendment as giving individual American citizens the right to possess firearms irrespective of service in the militia. Professor Lois G. Schworer disagrees with this understanding. She suggests, "The Americans, like the English, favored the militia, and wrote an awkwardly worded amendment that would assure that the militia would be appropriately armed by the individuals who served it." [5] Constitutional scholar Linda R. Monk offers support for this premise, explaining, "Some legal scholars interpret the first clause of the Second Amendment as giving the people the right to bear arms only as part of a 'well-regulated militia.' To these scholars, such a militia would be today's National Guard, which is the modern-day successor to the minutemen of the colonial period." [6]

Until recently, the Supreme Court had very little to say regarding the Second Amendment. For many years, understanding exactly what rights were protected by the Second Amendment was subjective. Supreme Court decisions of the 19th and 20th centuries concerning the Second Amendment were rare and supported a collective right interpretation which was only applicable to the national government. It was not until the 21st century that the Second Amendment was defined as an individual right to bear arms for self-defense and a universal right which applied to the state and national governments. The following sections briefly describe key Second Amendment cases that have been heard by the Supreme

Court since the late 1800s. The last two decisions in *Heller* and *McDonald* are particularly germane to this research paper as newly proposed regulatory policy must not violate the parameters of these two landmark Supreme Court cases.

While a large portion of the scholarly work ultimately falls into the gun rights or gun control factions, there are a number of scholarly papers, government research studies and public opinion polls that offer a balanced approach to addressing the question of firearm policy. Professors Jens Ludwig and Philip Cook conducted a study of the influence the Brady Handgun Violence Prevention ACT (a.k.a. Brady Bill) had on homicide and suicide rates nationwide. They concluded that the waiting periods and background checks associated with the law did not reduce homicide rates and only indicated a slight reduction in gun suicides for people over 55 years of age. The result of this study is quite troubling as there was no decline in firearm homicides that could be attributed to the Brady Act.^[7] In a more recent analysis of their work, Ludwig and Cook suggest the likely reason for their somewhat counterintuitive results is that the Brady Act was restricted to gun purchases through federally licensed gun dealers (FFLs). Cook and Ludwig claim "the Brady Act's background-check requirement had no direct effect on the vast majority of transactions that provide criminals with guns."^[8] This is a reasonable explanation consistent with the earlier findings of James Wright and Peter Rossi.

In a comprehensive survey of prison inmates in eleven state prisons, Wright and Rossi found that most felons obtained their firearms through cash purchases and theft. They remark, "The illicit firearms market as exploited by the men in our sample was clearly and heavily dominated by informal, off-the-record transactions, either with family and friends or with various gray- and black-market sources."^[9] The policy ramifications of these analyses are quite compelling as they suggest that regulatory policy directed solely at law-abiding citizens may not produce the desired result of reducing gun homicide and firearm-related violence. As Professor Gary Kleck notes, criminals usually attain their firearms by theft or from friends.^[10]

In addition to felon firearm acquisition data, the Wright and Rossi survey is significant for numerous other reasons as it offers insight into the mindset of armed criminals. Wright and Rossi found that most felons tried to avoid armed victims and most burglars conducted their crimes while homes were unoccupied because they feared "being shot during the crime."^[11] This result is not surprising as many criminals are not entirely irrational and tend to assess the potential risk associated with the projected crime. From this perspective, there is a likely deterrent benefit to having armed law-abiding citizens.

Various government and independent reports and surveys, such as a recent PEW Research Center report, offer important insights into the prevalence of gun crime rates and other related statistical data. Cohn et al. report that "National rates of gun homicide and other violent gun crimes are strikingly lower now than during their peak in the mid-1990s, paralleling a general decline in violent crime."^[12] While the general public is largely unaware of this overall reduction in crime, firearm murders have declined by 49% since 1993. Perhaps most importantly, Cohn et al. bring attention to the gun suicide rate which accounts for about sixty percent of gun deaths. A concurring report by the U.S. Department of Justice

corroborates this trend in overall crime reduction, noting that "In the last decade (since 2000) the homicide rate declined to levels last seen in the mid-1960s."^[13] Cooper and Smith confirm that firearm "Homicides were most often committed with handguns" between 1980 and 2008.^[14] Moreover, Cooper and Smith note that justifiable gun use has increased by over 25 percent between 1999 and 2008.^[15]

Research by Fleegler et al. found that "a higher number of firearm laws in a state are associated with a lower rate of firearm fatalities in the state, overall and for suicides and homicides individually."^[16] Kwon and Baack utilized a holistic approach to assessing the efficacy of firearm laws with similar results to Fleegler et al. They surmise, "Comprehensive gun control legislation indeed lowers the number of gun-related deaths anywhere between one to almost six per 100,000 individuals in those states that have the most extreme gun-related legislation."^[17] In a rather unique study, Professor Mark Gius of Quinipiac University found that states which have more aggressively enforced gun laws and stricter regulations also have a lower percentage of gun ownership. In Gius' opinion, homicide rates should decline as stringent gun laws decrease overall firearm ownership.^[18]

Fleegler et al. seem to agree with Gius' premise. They explain, "We hypothesized that an important way in which legislation might affect the firearm fatality rate in a state is through changes in firearm prevalence."^[19] They go on to speculate, that "Laws requiring background checks for all gun purchases or raising the purchase age to 21 can be expected to reduce firearm ownership rates."^[20] While this seems like a logical consideration, a study by Rosengart et al. did not find any correlation between certain types of restrictive state firearm laws and a reduction in homicide or suicide rates. Rosengart et al. studied five different types of state gun laws which included "shall issue" laws, minimum age requirements for handgun purchases and handgun possession, "one gun a month laws," and "junk gun laws."^[21] The researchers unfortunately concluded that the firearm laws they investigated could not be linked to a decrease in gun murders or suicides.

A study by the Task Force on Community Preventive Services seems to confirm the findings of Rosengart et al. Hahn et al. examined seven different state firearm laws and concede "evidence available from identified studies was insufficient to determine the effectiveness of any of the firearms laws reviewed singly or in combination."^[22] Nevertheless, the researchers explain, "A finding that evidence is insufficient to determine effectiveness means that we do not yet know what effect, if any, the law has on an outcome—not that the law has no effect on the outcome."^[23] Like many other researchers, Hahn et al. discuss the limitations of available firearm-related data and the probability that sources such as the FBI's Uniform Crime Report (UCR) and the National Center for Health Statistics are likely skewed. There are also numerous confounding factors that bring into question the viability of quantitative methods utilized by many researchers. Hahn et al. cite such phenomena as "poverty, unemployment, gangs, drug cycles, intensity of law enforcement, and other existing laws" as variables which may skew statistical research.^[24] In short, it may be very difficult, if not impossible given the lack of data and adequate methodologies, to assess the efficacy of gun laws by using strictly quantitative methods.

A comprehensive case study by Grossman et al. found that safe firearm storage practices decrease the likelihood and risk of "youth suicide and unintentional firearm injuries." [25] These findings are rather intuitive and not surprising per se, yet this type of empirical research lends justification to firearm regulation that specifically addresses gun storage in homes where young children and adolescents are present. In a comprehensive report by Johns Hopkins Center for Gun Policy and Research, Webster et al. report, "Because victims are disproportionately young, gun violence is one of the leading causes of premature mortality in the U.S." [26] National firearm policy that focuses on keeping guns stored safely and out of the hands of young children and adolescents is one regulatory area which is likely to reduce firearm injury and mortality without great public outcry.

My own statistical analysis of firearm regulation and firearm related deaths and injuries has provided some useful and perhaps surprising results. Using an original scoring mechanism for comparing radical gun regulations with rather benign rules supported by a preponderance of the people on both sides of the gun debate, I have found that it may be possible to appease both sides while somewhat reducing firearm related death and injury. However, the real problem with guns, is not taking them out of the hands of law abiding citizens, who, as the name suggests do not commit crimes, rather it is to curb the use of firearms by criminals, the mentally impaired and most significantly people who are intent on committing suicide which accounts for the greatest number of firearm related deaths.

The gun debate is a paradox that pits two ideologically extreme antagonists against each other. As Political Science Professors Glenn H. Utter and James L. True write, "The language and images used by gun control advocates and gun rights supporters are intensely polarized." [27] At either extreme, neither side appears willing to compromise on reasonable gun regulations that help protect society from gun violence and defend the individual right to have firearms. True and Utter claim that "Each of these opposing subcultures sees its opponents as irrational and perhaps dishonest, and each of these groups regards itself as representing the mainstream of American politics and as having authentic historical and mythic ties to the core values of early American society." [28]

But these radical views do not necessarily represent society at large, nor do the two factions always consider the legality or bifurcation of their divergent positions. [29] The gun debate in 2013 is a microcosm of the political and ideological divisiveness that permeates Congress and virtually all other American political institutions. Instead of taking a proactive approach towards alleviating gun violence and appeasing the majority of Americans who prefer the implementation of innocuous national regulatory firearm policies, politicians on both sides of the debate fail to agree on a national gun policy. To make matters worse, the Second Amendment, which circumscribes the government's ability to place overt restrictions on firearms, is not easily understood while the efficacy of existing firearm laws is often misinterpreted and distorted.

Rather than banning the purchase and possession of firearms by law-abiding citizens, which is legally questionable after *Heller*, or simply relying on national gun policy as the ultimate regulatory guideline, many states have enacted gun laws in an effort to stem gun violence. Nonetheless, only a small proportion of states have implemented what might be considered comprehensive firearm regulations, with about 20 percent of the states requiring background checks on all firearm purchases at gun shows

and even fewer mandating background checks on all firearm purchases. Safety training is only required by 12 percent of the states and child safety mechanisms by just over 20 percent of the states.

The relatively small number of states with expansive gun laws and varied law enforcement practices between states, when coupled with regional social, economic and demographic differences as well as an unfortunate lack of substantive data respecting gun ownership or the defensive uses of firearms, makes it extremely difficult to evaluate the effectiveness of state lead regulatory firearm policy. With this said, the data, as limited and confounded as it may be, suggests states with little or no firearm regulations suffer a greater degree of firearm-related violence. In general, states with more stringent gun laws have fewer gun-related deaths, although it is not possible to attribute this to any specific firearm law.

National firearm regulation by itself is unlikely to dramatically decrease the overall number of gun-related crimes, injuries and deaths. A revision in national firearm law must be made in conjunction with other important public policy and government program enhancements. It is important to close gaps in mental health reporting systems, reassess federal privacy laws and administer current policies more efficiently. This may help prevent situations like the Virginia Tech shooting in which Seung-Hui Cho, a person with a long history of mental illness, was able to circumvent Virginia law and purchase firearms that he used to kill 32 innocent people and injure many others. Community and school-based education, firearm safety training, intelligence-led policing and criminal intervention programs can also help assuage firearm violence before it happens. Comprehensive enforcement of existing gun laws is critical and enhanced penalties for people convicted of gun crimes may help resolve the most elusive and important aspect of the gun debate—reducing criminal gun victimizations.

There is agreement on both sides of the gun debate that firearms should be kept out of the hands of criminals and the mentally impaired. By the very definition, "law-abiding citizens" are not the issue. Nevertheless, existing gun control primarily targets law-abiding citizens who are predisposed to follow the law. This is a policy paradox—how can free, law-abiding citizens with a right to keep and bear arms be allowed to do so, while firearms are kept away from criminals? In short, there is no perfect solution as criminals are likely to acquire firearms even if law-abiding citizens are unable or prohibited to do so. However, gun owners, Second Amendment enthusiasts, gun control advocates and legislators can work together to resolve the issue of gun violence. While it may be unreasonable to suggest that all gun violence will be stopped, it can be reduced. But for this to happen it will take the collective effort of policymakers, law enforcement, the courts, gun owners and gun control supporters. The policy goal must be pragmatic, efficient and constitutionally allow law-abiding citizens to keep and bear arms while stemming gun violence and crime by reducing the number of criminals and mentally ill persons who acquire firearms.

Note: All written work except where cited by Peter A. Zitko 2013-2014

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[29] Note: Utter and True interestingly write, "The two groups compete with each other for political and social resources, a struggle that often finds expression in popular culture. Each of these groups considers itself part of the mainstream of the broader American culture while at the same time portraying the other as participating in a separate and irrational subculture."

↑ 3 ↓ · flag

Anonymous · [a month ago](#) 🔒

Excellent work Peter.

↑ 0 ↓ · flag

Peter A. Zitko Signature Track · [a month ago](#) 🔒

Thank you!

↑ 0 ↓ · flag

[octavio rezende](#) Signature Track · [a month ago](#) 🔗

Excellent!

↑ 0 ↓ · flag



[Jay P. Saenz](#) · [a month ago](#) 🔗

Peter, Wow very good, 2 thumbs up

↑ 0 ↓ · flag

[William W Dean](#) · [a month ago](#) 🔗

Very nice work Peter!

↑ 0 ↓ · flag

[Peter A. Zitko](#) Signature Track · [a month ago](#) 🔗

Thanks William, Jay, Octavio and anon!

↑ 0 ↓ · flag

[+ Comment](#)



[Lori A Decker](#) · [a month ago](#) 🔗

The majority of American gun owners are law-abiding citizens, so what purpose is served by punishing them? They aren't the ones causing problems.

When we banned assault weapons, those same citizens complied and turned them in. Did it stop the sale or use of assault weapons by criminals? No. What use is a law that changes nothing?

We could stop all bank robberies by shutting down banks. We could stop drunk driving by outlawing alcohol (oh, hey, been there--didn't work). We could stop rapes by castrating all males <sympathetic shudder>.

So what purpose would be served by the majority surrendering their weapons? Who would have the power to enforce such a law if citizens refuse? Conservatives won't enforce it; Liberals couldn't. Seems pretty moot to me.

People who want to commit suicide would find another way. People who commit crimes would still get their weapons illegally or just switch to machetes or whatever is pervasive in other countries who don't allow gun ownership.

↑ 4 ↓ · flag



Andrea Pagliaricci · a month ago

The problem is the good persons that not are very able to manage a gun...
I think that a gun is for shoot something, not for toothbrush...

↑ -3 ↓ · flag



Lori A Decker · a month ago

That's true. There are idjits with guns. The other thing idjits do is drive, have you noticed? Yet they have licenses for both. It's a sad world.

↑ 2 ↓ · flag



Andrea Pagliaricci · a month ago

Lori, the gun is made for shoot and kill, the care not...
It's little different...

↑ -2 ↓ · flag



Jay P. Saenz · a month ago

cars were not made to kill, but they kill more people every year than guns do. We need to get all cars around the world off the roads and made illegal now.

↑ 1 ↓ · flag

[+ Comment](#)



Andrea Pagliaricci · a month ago

I think that, for technical reasons, it makes sense to use a gun for the first, not as a reaction, given that most of the time, if you're a good person, you can not defend yourself.

I also think that those who use a gun to first be a criminal...

I think that the only use of a handgun is to shoot...

↑ -2 ↓ · flag



Lori A Decker · a month ago

Ah, Andrea, I don't know what most people do with their guns. Some go hunting, some just collect them. Others may sing them love songs or dress them up in little Barbie doll clothes.

The point is that the 1.4 million gun owners in the US have them legally and don't commit crimes with them, so what does it matter what they do with them?

Nobody knows how many criminals have them since they're unregistered (duh!). Will a ban on guns fix that?

And of course you can't write a novel with a gun, silly! Everybody knows you have to confine the novelist to the bed and smash his ankles with a sledge hammer (*Misery*, Stephen King).

↑ 2 ↓ · flag

Anonymous · [a month ago](#) 🔒

The prime reason for individuals to have guns is for defense against the central government going bad.

TJ: "When government fears the people, there is liberty. When the people fear the government, there is tyranny."

↑ 1 ↓ · flag

Anonymous · [a month ago](#) 🔒

"When the people fear the government, there is tyranny."

Exactly the situation present in Europe since the times of the Roman Empire. Under different names, the regimes that have been ruling Europe since all bear that hallmark, including the EU bureaucracy which is very unpopular across the continent <http://www.express.co.uk/news/world/394854/Support-for-the-EU-plunges-to-all-time-low-across-Europe> .

↑ 0 ↓ · flag



Jay P. Saenz · [a month ago](#) 🔒

Andrea, every day in the United States 80 million plus citizens including me, do absolutely nothing illegal with our guns. the majority should not be punished for what the much smaller minority does.

↑ 2 ↓ · flag

[+ Comment](#)

Helen M FitzGerald Signature Track · [a month ago](#) 🔒

One point this tread dramatically confirms is that the 2nd amendment debate and "right to bear arms" questionable interpretation is very much alive. And very emotional.

My grandfather owned hand guns, shot guns and rifles - for protection, but primarily for hunting, a sport he had enjoyed since boyhood. He also kept all of his guns locked up, except for the handguns. His house was broken into and those very guns were used against him, while present, to tie him up, beat him and to rob the house.

My own \$0.02, after much reading, is that the 2nd amendment was never intended to mean a personal ownership right to weapons. The vast majority of people in the Colonies and early United States did not own guns.

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

from a person who was on the scene back then - his 2 cents:

"The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."

Thomas Jefferson

↑ 2 ↓ · flag



[Andrea Pagliaricci](#) · [a month ago](#) 🔒

From British rule and tyranny, I suppose...

I don't think is more logical, even logical from some point of views, that government may consent the Militia constitution against the same government... :)

In Italy, this is a constitution of army group, and is strongly illegal... :)

↑ -2 ↓ · flag



[Lori A Decker](#) · [a month ago](#) 🔒

Hi Helen. My sympathies to your grandfather. I have a problem with your final sentence:

The vast majority of people in the Colonies and early United States did not own guns,

I spent the winter break missing Coursera courses so filling the time doing genealogy. I spent hundreds of hours reading about the colonization of New York, Connecticut, Pennsylvania and New Jersey. All the men had muskets for hunting and protection.

A 1632 Statute of the Plymouth Colony even required it, setting levels of powder and shot, and a fine of 10 shillings per person who was not armed. For those who couldn't afford it, they were provided by the Mass. Bay Company, and ordered into service to a master until they worked off the debt.

For those who think it's *just an American thing*: In England, after the *Glorious Revolution of 1688* and Parliament decided to invite William and Mary to become their new monarchs, Parliament wrote a new Bill of Rights that included a right to keep arms.

↑ 3 ↓ · flag

Anonymous · a month ago

Andrea,

"In Italy, this is a constitution of army group, and is strongly illegal... :)"

Precisely! Which is why you guys got Mussolini.

What Europeans do not seem to understand is that the second amendment is a "weapon of last resort against tyranny". We have a legislature, a president and a judiciary. There are checks and balances. For more than 200 years these mechanisms have worked wonderfully to prevent one single branch of government from becoming too powerful. But what would happen if all branches became corrupt? In Italy, you got Mussolini. In the US, said corrupt federal government would get a run for its money (in fact that's what happened during the American Civil War).

Note that the very existence of the second amendment, makes the possibility of the emergence of a tyrannical government even less likely than if it wasn't there in the first place. Its very existence is a strong protection against tyranny in the same way that nuclear weapons were a great guarantor of peace during the Cold War. So the second amendment is mostly about deterrence.

↑ 1 ↓ · flag

Mark Nisson · a month ago

Note that the very existence of the second amendment, makes the possibility of the emergence of a tyrannical government even less likely than if it wasn't there in the first place. Its very existence is a strong protection against tyranny in the same way that nuclear weapons were a great guarantor of peace during the Cold War. So the second amendment is mostly about deterrence.

It may have been about deterrence then, but today the guns that can be possessed by the people are not close to being on a level playing field with military weaponry. For a "well regulated militia" to be relevant today people would have to be given the same access to hardware as the military. I think most of us would agree that might be a little dangerous.

As well, the comparison to the Cold War is off base. In that case both the Soviet Union and the U.S. had access to nuclear weapons. There WAS a level playing field, and that's what created the deterrent. The same cannot be said of today's military and what could be brought to bear by "well regulated militia."

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

So because an average citizen is outgunned by the government they should have no rights to guns at all? The left has control over the media, I guess the correct analogy is that people with opposing points of view should have no free speech rights and would support a constitutional amendment to overturn Citizens United.

↑ 0 ↓ · flag

Mark Nisson · [a month ago](#) 🔒

I didn't say people shouldn't have any rights to guns. I took issue with your premise that the 2nd Amendment serves as a deterrent against the formation of a tyrannical government. It's not a left vs. right issue.

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

Mark,

The comparison is not off base because we have the experience of Iraq and Afghanistan where a populace and terrorist groups less armed than Americans made (and makes) the life of American soldiers difficult.

Unless a hypothetical tyrannical federal government were willing to obliterate the US with nuclear weapons out of pure sadism, they would need some place in the US free from nuclear destruction for them and their families to live. So, the comparison is apt and the second amendment plays its role as deterrent to tyranny.

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

Mark red herring Nisson,

You are talking to two different anonymous here :D. Yes, the deterrent premise of the second amendment is valid today as shown by the Iraq and Afghanistan wars.

↑ 0 ↓ · flag

Mark Nisson · [a month ago](#) 🔒

First, the comparison to our most recent wars in the Mideast doesn't fly. We went there with no clear objectives and some ineffectual rules of engagement that hampered whatever it was we thought we were trying to accomplish. Second, it wouldn't take nuclear weapons to suppress an insurrection within the U.S.

↑ -1 ↓ · flag

Anonymous · [a month ago](#) 🔗

Mark,

As always, red herring and straw men. The mission of the troops has nothing to do with the locals ability to fight effectively the federal government. Good luck suppressing an insurrection in the Rocky Mountains, for instance. You live in your own surreal, liberal world and it shows.

↑ 0 ↓ · flag

Mark Nisson · [a month ago](#) 🔗

Of course the mission affects the effectiveness of our forces. The mission affects everything.

As to an insurrection in the Rocky Mountains or other areas with difficult terrain, is it your supposition that millions of people will try to congregate in these areas? Even if they did, what parts of the new tyrannical government would they be impacting?

↑ -1 ↓ · flag

Anonymous · [a month ago](#) 🔗

Mark,

It has been a favorite of the leftists like you or Bill Maher that due to the asymmetric nature of a possible insurrection against the federal army that the second amendment doesn't have a deterrent effect anymore, which is obviously a fallacious proposition. I don't blame you. Liberals for the most part have been avoiding serving in the armed forces or becoming responsible gun owners. Your ignorance on these matters is understandable but to say that there is nothing an armed population could do to suppress a tyrannical federal government is simply put, false. Starting with the fact that there would probably be division among the members of the armed forces themselves if such situation ever happened. Private gun ownership ensures that even if the federal army confiscated their service arms, these service members would have their own arms to fight tyranny. In fact, this is precisely the principle behind the "people's army" concept that exists in Switzerland where all males are mandated to own guns after their discharge from mandatory military service.

↑ 0 ↓ · flag

Mark Nisson · [a month ago](#) 🔗

Your usual condescension, which took up fully half of your post, was entirely unnecessary to this discussion. That aside, comparing the Swiss Army to the American military forces is absurd. (Oh, and Swiss males are not *mandated* to own guns after their discharge from the military; instead, they are *permitted* to keep them.)

I'm done with this thread.

↑ -2 ↓ · flag

Anonymous · [a month ago](#) 🔒

Mark,

Get educated http://en.wikipedia.org/wiki/Gun_politics_in_Switzerland#Army-issued_arms .
You are confusing arms with ammunition.

What has been patently obvious from these exchanges is that you only know how to "throw leftist cliches/mantras". Again, throwing mantras/cliches, no matter how popular are among Bill Maher or Jon Stewart watchers, is not the same as making cogent arguments.

The deterrent effect of the second amendment is as valid now as it was 200 years ago. It has been a very effective tool to prevent tyranny. As Ronald Reagan said, we are always one generation away from having our freedoms taken away.

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

Only a liberal could say:

"First, the comparison to our most recent wars in the Mideast doesn't fly. We went there with no clear objectives "

How about the fact that al Qaeda operated out of Afghanistan and had operatives that hijacked the planes that flew into the Pentagon and the two World Trade Center buildings? And thanks to Obama al Qaeda is now back on control of Fallujah.

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

> I took issue with your premise that the 2nd Amendment serves as a deterrent against the formation of a tyrannical government. It's not a left vs. right issue.

So why is it solely the leftists who don't want Americans to have guns? Sen Feinstein carries a gun, she does not want me to have one. California has very strict gun laws (that seem to have been overturned) and it is run by hardened leftists.

↑ 0 ↓ · flag

Cynthia M Thacker · [a month ago](#) 🔒

Is the "right to bear arms" only mean fire arms . . . or is there any room for another

interpretation . . . another way of "arming"?

↑ 0 ↓ · flag



Lori A Decker · a month ago 🔗

Hi Cynthia. Historically, it's meant firearms. Then came regulations restricting things like tanks, bombs, mines, hand-grenades, tasers, direct-energy-weapons, even mace and pepper-spray. Chemical and bio-weapons. Some are prohibited altogether, some just regulated/limited (not going to tell you specifics, though, 'cause you might bring your Canadian friends down to invade) :p

Thing is, it's a moot point for other than tweaking. If someone in charge tells the police or military to go disarm some compound in the boonies, they'll probably do it. If they're told to go disarm Phoenix, they'll walk away and say, "Hey, good luck with that," or just frag the guy in charge.

Unenforceable. Hence: **Moot**.

↑ 1 ↓ · flag

Anonymous · a month ago 🔗

>If they're told to go disarm Phoenix, they'll walk away and say, "Hey, good luck with that," or just frag the guy in charge.

Maybe, maybe not. Tea party constitutionalists have selected as targets for training where Islamic extremists (like the guys who did the Boston Marathon bombing) are not subject to FBI training as possible subjects to worry about.

↑ -1 ↓ · flag

[+ Comment](#)

Anonymous · a month ago 🔗

>Which is why you guys got Mussolini.

The left is using his tactics right now. see it all the time right here.

Hard core leftist Cole Porter admired Benito.

"You're the top!," sang Porter in one of his signature tunes. "You're the Great Houdini! You're the top! You are Mussolini!"

Cole Porter Says Mussolini is De-Lovely!

Nick Gillespie | Aug. 12, 2004 4:21 am

Hitler and Stalin were pals. Despotism runs in the veins - the left truly aligns with fascism.

↑ 0 ↓ · flag

Anonymous · a month ago

National socialism and Communism are essentially the same ideology: they both defend the supremacy of the state - which is euphemistically described as "the common good" - over the rights of the individual. The only difference between those two ideologies is about whom they consider worthy members of society. In National socialism there is an ethnic component that is not present in communism, but both are totalitarian ideologies that promote socialism.

The legacy of totalitarian socialism is present in the European Union project. All political parties over there promote the prerogative of government to organize society and to regulate large sectors of their economies. Socialized medicine is a dogma that is defended by all political parties. The right/left discussions about these matters in Europe are not about "socialized medicine vs non socialized medicine" but "socialized medicine is a given, what areas of public health should be prioritized".

↑ 1 ↓ · flag

[+ Comment](#)



Jimmie Raye · a month ago

Signature Track

The point is: (a). what is a well regulated Militia? (b). who has the right to create a well regulated Militia? (c). there can be several Militiae? D.) may have different purposes?

A.) An organized armed community living under "implied common law" (not in the books, but understood by the local community)

B.) A community of people who believe they have a right of the universe to create a militia. Who will tell them otherwise once they have made the conscious decision collectively to militarize and go against the establishment (hence the American Revolution)

C.)+ D.) Several militia's will only invoke civil wars (Hatfield and McCoys) unless they can commit to boundary and economic agreements, civil recognitions, and understand that they must have an agreement to slowly merge as a whole to prevent future misinterpretation.

↑ 0 ↓ · flag

Anonymous · a month ago

Not to sound repetitive but,

https://en.wikipedia.org/wiki/District_of_Columbia_v._Heller

https://en.wikipedia.org/wiki/McDonald_v._Chicago

In the first case the SCOTUS said that the right to bear arms is an individual right. In the second it incorporated that right to states and local governments (as it had done earlier with other rights) using a XIV-th amendment doctrine known as incorporation

https://en.wikipedia.org/wiki/Incorporation_of_the_Bill_of_Rights .

↑ 1 ↓ · flag

Anonymous · [a month ago](#) 🔒

we should be teaching the course anon.

↑ 0 ↓ · flag

Anonymous · [a month ago](#) 🔒

The term "well regulated militia" does not refer to government regulations as progressives want you to believe. How do we know this? The purpose of the Bill of Rights is and always has been to affirm the rights of individual citizens, not control them. The Framers intended to restrict government and progressive tendency in people rather than restrict citizens.

↑ 0 ↓ · flag



Jimmie Raye Signature Track · [a month ago](#) 🔒

All of your points are valid and make perfect sense per today's body of law. I interpret the US constitution OF the US as if I had read it in 1790. I know the founding fathers did not have the 1871 Organic Act and 21st century in mind nor the internet for that matter.

Today, Corpus Juris Secundum, International Admiralty Maritime Law, ICC, "ACT's" and Provisions legislate policy based on their whoever is hobnobbing with particular lobbyists. Andrew Jackson carried a gun. Thomas Jefferson and Aaron Burr had duels. Thanks to the 1871 Organic ACT and Social Security label which neither are in the original US constitution have had American rights taken away and labeled us US CITIZENS (all capitalized) owned by the District of Columbia (Corporate Municipality).

It's my opinion and mine alone, that the founding fathers did not have democracy (root meaning: Mob Rule) in mind out of the goodness of their hearts. Rather, they wanted to get away from the political monarchy establishment (because they knew how hyper-corrupt they were), create an independant nation where the power falls to the people if the commanders fall. They left the psychology of liberty to the people in hopes that if he and the others fell, the

king would be at war for many years to come dealing with the people's liberty and freedom from absolute rule.

↑ 1 ↓ · flag



Victoria Colflesh · a month ago

I really like what this article has to say: <http://www.cato.org/publications/commentary/democracy-versus-liberty>

↑ 1 ↓ · flag



Jimmie Raye · a month ago

Signature Track

Without a doubt Victoria.... Great Article. Thats another reason why the statue of liberty is on the water and not on US land. It's a symbol that our liberty is granted, not given. Liberty is a step down from freedom. Freedom requires no liberty.

↑ 0 ↓ · flag

Anonymous · a month ago

What differentiates the American understanding of freedom vs the European one is that in an American context, freedom predates government. Individual rights are inalienable to the people and government is seen as a necessary evil to avoid anarchy. In Europe, the understanding is that rights come from government. This understanding comes from at least the Middle Ages. The idea of an all powerful entity providing protection to its subjects in exchange of complete submission to the entity is very ingrained in the European mindset. During the Middle Ages, peasants submitted to the feudal lord in exchange of security. Now they submit themselves to government in exchange of government welfare. In both cases, they put their security ahead of their freedom. So this different understanding of individual rights is what makes Europeans and Americans unlikely to understand each other, even though we share common cultural roots (certainly more common than with Asian countries).

↑ 0 ↓ · flag

[+ Comment](#)

Anonymous · a month ago

Victoria,

from your reference:

If the Framers of the Constitution did not embrace democracy, what did they adhere to? To a man, the Framers agreed that the purpose of government was to secure citizens in John Locke's trilogy of the rights to life, liberty and property. The Framers wrote extensively and eloquently. On property, for example, John Adams wrote that "the moment the idea is admitted into society, that property is not as sacred as the laws of God, and that there is not a force of law and public justice to protect it, anarchy

and tyranny commence.”

Note how the war on the rich is designed to legitimate destruction of property. The war on global warming spends a billion dollars a day and my (or may not) change the temp of the earth .0000001 F 100 years from now but it destroys \$365 billion every year - destruction of property.

"In this sense, the theory of the Communists may be summed up in the single sentence: Abolition of private property."

<https://www.marxists.org/archive/marx/works/1848/communist-manifesto/ch02.htm>

So what we are watching is the political use of Marx in the culture to abolish what Locke was saying about rights to our founders.

And Marxism caused the deaths of over 100 million people in the 20th century so it destroys not just property but also life and liberty.

The Black Book of Communism: Crimes, Terror, Repression

Communism did kill, Courtois and his fellow historians demonstrate, with ruthless efficiency: 25 million in Russia during the Bolshevik and Stalinist eras, perhaps 65 million in China under the eyes of Mao Zedong, 2 million in Cambodia, millions more Africa, Eastern Europe, and Latin America--an astonishingly high toll of victims. This freely expressed penchant for homicide, Courtois maintains, was no accident, but an integral trait of a philosophy, and a practical politics, that promised to erase class distinctions by erasing classes and the living humans that populated them.

<http://www.amazon.com/The-Black-Book-Communism-Repression/dp/0674076087>

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William W Dean · a month ago 

Looks like the 9th Circuit just weighed in on the issue of the right to keep and **bear** arms:

<http://cdn.ca9.uscourts.gov/datastore/opinions/2014/02/12/1056971.pdf>

Sort of a narrow ruling, but that ought to raise some hackles with the gun control crowd.

Best regards,
Bill

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Anonymous · [a month ago](#) 🔒

What makes that case more astonishing is that it is a 9th Circuit ruling! WOW! Not even in the ultra liberal federal districts the anti second amendment people are able to get favorable rulings :D.

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Anonymous · [a month ago](#) 🔒

good news from the dissenting opinion:

"the majority not only strikes down San Diego County's concealed carry policy, but upends the entire California firearm regulatory scheme. "

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Mark Nisson · [a month ago](#) 🔒

You're jumping the gun, so to speak. The 9th Circuit decision is but one of several cases across the country trying to frame the scope of the individual right to bear arms. The Supreme Court has made clear that it is not an absolute right, however, and I rather doubt SCOTUS will rule that states must allow concealed carry.

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Anonymous · [a month ago](#) 🔒

Mark,

Very unlikely this case alone will be heard by SCOTUS ... my guess is that they will wait for a whole lot more cases to mount up and then decide.

That means as of now for the territory of the 9th circuit California and regulatory schemes in other states that are similar no longer are law. as the dissenting opinion points out:

"the majority not only strikes down San Diego County's concealed carry policy, but upends the entire California firearm regulatory scheme. "

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Mark Nisson · a month ago

I didn't say this case alone would be heard by SCOTUS. But at some point they will have to rule on the issue this case decided, assuming it holds up after a hearing by a larger 9th Circuit panel. In the meantime the existing rules are in effect.

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William W Dean · a month ago

Hi Mark,

The histrionics of the dissenting opinion aside, the majority distilled the issue down fairly well. That is if you can not bear arms openly under normal circumstance (existing CA law) and you can not bear arms concealed (except by creating a special class of citizens) then your right to bear arms has been infringed with all the usual caveats (felons, mental illness, etc.). Hence the law was struck down. It seems quite straight forward and intellectually honest to me.

Best regards,

Bill

P.S. I don't disagree that the larger panel might come up with some sort of kabuki dance to maintain the regulatory status quo given this court's history.

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