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GUN CONTROL: A REALISTIC ASSESSMENT

By Don B. Kates Jr. [*](#)

Personal Note

Nothing in the discussion that follows is intended, nor should it be construed, as denying the social value of rational gun control, e.g. absolute prohibition not only of handguns but of all firearms, to felons, juveniles and the mentally unstable; and appropriate prophylactic implementing legislation and (even more important) resource allocation for enforcement. [1](#) Further ideas for promising gun control strategies are outlined in the penultimate section of this paper.

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OVERVIEW

As early as 1976 it was estimated that more had been written on the subject of "gun control" than on all other crime-related topics combined. ² Yet this pre-1976 academic literature was both fundamentally flawed and severely biased. The bias stemmed from the crusading zeal of academics who, by their own admission, could "see no reason ... why anyone should own a

weapon in a democracy" [3](#) and felt gun owners embodied an American soul that is "hard, isolate, stoic and a killer". [4](#) Naturally this bias led the academic crusaders to discuss gun ownership as a social pathology rather than as a value-neutral sociological phenomenon. The only admissible study topics were problematic ones: gun accidents, gun violence, gun ownership among extremist groups. [5](#) Implicitly these problems were seen as fairly representing the 50% of American households that contain guns; nor did it occur to the crusaders that gun ownership might present issues worthy of neutral or non-problematic study. [6](#)

Thus, until about the mid-1970s academic writing about guns was virtually monopolized by crusaders seeking to validate their contempt and loathing for guns and gun owners. Neutral scholars eschewed the gun issue, and the gun lobby, though able to exert great pressure on legislators, was incapable of, and uninterested in, addressing intellectually sophisticated audiences. [7](#) However unavoidable, this intellectual default was a calamity for the gun owners. They may hold their views without feeling any need for factual or scholarly support; but the biased, problem-oriented pre- 1976 literature indelibly shaped the views of many humane and responsible ordinary citizens who did not own guns.

Yet that literature has not proved persuasive to neutral scholars. Writing in 1976, policy analyst Bruce-Briggs noted with astonishment that, despite the literature's enormity, "no policy research worthy of the name has been done on the issue of gun control. The few attempts at serious work are of marginal competence and tainted by obvious bias." [8](#) Likewise a sociologist has used early problematic literature on guns as a case study of Znaniecki's concept of "sagecraft" -- the prostitution of scholarship by partisan academic "sages" who invent, select or misinterpret data to validate preordained conclusions. [9](#)

1. Sagecraft Summarized

Lest the sagecraft concept seem unduly harsh I briefly review five particularly insupportable anti-gun claims (they and others are further detailed in the body of this paper):

a) the claim that homicide is predominantly a matter of "ordinary law-abiding people" killing a relative or acquaintance because a loaded gun happened to be available in a moment of anger --

This claim is contradicted by every national and local study of homicide. These studies uniformly show that murderers are not "ordinary law-abiding people." Rather, they (like gun accident perpetrators) are highly aberrant individuals, characterized by felony records, alcohol and/or drug dependence and life histories of irrational violence against those around them. [10](#)

b) the claim that (though banning all guns may not be politically feasible) banning handguns only would save lives because gun attacks are more lethal than knife attacks --

In a recent National Institute of Justice survey among about 2,000 incarcerated felons, well over 80% of those who had often misused handguns said that if handguns were unavailable they would turn to long guns (rifles or shotguns) instead. [11](#) Thus, a crucial issue in any handgun ban is that, while handgun wounds are 1.3 to 3 times more lethal than knife wounds, a rifle or shotgun wound kills 5-11.4 times more often than a handgun wound. Far from decreasing

homicide, if a handgun ban caused only 30% of handgun attackers to turn to long guns, the homicide rate might nearly double; if 50% switched it could more than triple. [12](#) Astoundingly, not one academic who argued that banning handguns would save lives (because knives are less deadly) even mentioned the necessary corollary of that theory as to the far greater lethality of rifles and shotguns.

c) the claim that comparison of American statistics to those of selected gun-banning foreign countries proves that guns cause crime and banning them reduces it --

Differentials in international crime rates reflect basic socio-cultural and economic differences that have nothing to do with gun laws. After all: 1) Western Europe has not just far less gun violence but less violence of all kinds per capita; 2) This difference between the U.S. and Western Europe was even greater before the latter's gun laws were adopted in the 1920s and 1930s; 3) Those laws were adopted to control political violence -- to which those countries have always been far more subject than the U.S.; 4) As American violence skyrocketed from the mid-1960s on, violence rates increased even more rapidly in the gun banning countries (particularly gun violence); 5) In such equally crime- free countries as Switzerland, Israel and New Zealand there is even more gun availability than there is in the U.S. [13](#) d) The claim that guns are generally not useful and not used for self-defense --

The definitive study finds that, while handguns are used in vast numbers of crimes annually, they are even more often used by good citizens to repel crime (c. 581,000 crimes vs. c. 645,000 defense uses, annually). [14](#)

e) the claim that there is no individual right to arms because the Second Amendment to the United States Constitution protects only the states' right to arm the militia --

Though mere control is constitutional, wholesale prohibition and confiscation is not; the Constitution precludes laws barring responsible, law-abiding adults from choosing to own guns for self- defense. A leading constitutional scholar (who personally opposes gun ownership) recently dismissed academic obliviousness to this clear fact in a paper fittingly entitled "The Embarrassing Second Amendment". [15](#)

2. The National Institute of Justice Evaluation

My condemnation of anti-gun sagescraft should not at all be misconstrued as an endorsement of such equally baseless pro-gun shibboleths as the obnoxious, reflexive assumption that any form of control the gun lobby opposes ipso facto violates the Second Amendment. But gun lobby nonsense does not justify academic anti- gun crusaders in departing from ordinary canons of scholarship to indulge their personal antipathy to guns and their owners.

In 1978 the National Institute of Justice funded a review of the whole corpus of then-extant social scientific literature on gun control (hereinafter called the NIJ Evaluation). Done at the University of Massachusetts, this encyclopedic analysis provides the benchmark and point of departure for all later research in the field. Its senior authors began with the expectation that it would confirm the anti-gun views they admittedly shared. Instead it provides an almost

unrelieved condemnation of the one-sided problem-oriented literature of the 1960s and early 1970s. [16](#)

My purpose in this paper is to summarize the current data on all major aspects of the gun controversy. I shall supplement and update the NIJ Evaluation in light of numerous credible studies that have appeared since the mid-1970s. Predictably, this data has emerged from analyses approaching gun ownership as a social phenomenon to be studied rather than as a problem to be exorcised by polemics thinly disguised as academic discourse.

3. Realistic gun control advocacy

Rejection of specious or unproven anti-gun views does not entail accepting equally specious or unproven pro-gun propaganda. By the same token, realistically acknowledging that gun laws cannot overcome basic socio-economic and cultural causes of violence does not at all justify the gun lobby's myopic rejection of the very concept of control. Rather, recognizing the inherent limitations of control means freeing it from unrealistic expectations of what it can actually accomplish. Such realism precludes only counter-productively utopian legislation: gun laws whose potential enforcement and other costs are likely to exceed their probable benefits. By rejecting such laws we deprive the gun lobby of a major propaganda device: crowing over the failure of gun control to accomplish the miracles its incautious advocates so rashly promise. One of the most scrupulous and sophisticated of academic gun control advocates puts the issues in perspective:

...handgun control advocates have often given a greatly exaggerated picture of what might be accomplished through gun control. Feasible control programs might be capable of reducing the overall amount of violent crime by a few percentage points, and, if so, these programs may be worthwhile. But handgun control by itself will not make the streets safe.

... the "ideal" gun control program [is] one that does not pose serious barriers to the possession of handguns for legitimate purposes, but does effectively inhibit the use of handguns in crime by a method which has low cost to the criminal justice system and to the society at large. [17](#)

In this connection it is crucial to disavow a myth that has been perpetrated by both pro- and anti-gun extremists: that what "control" really means is reducing -- eventually banning -- guns to all but the military and the police. Of course the myth is true insofar as it represents the goal of anti-gun crusaders who deny that gun owners have any legitimate interests. [18](#) But that is not what "control" means, either literally or to the majority of Americans who support it (a majority that includes, surveys show, most gun owners). The literal meaning of "control" is regulation, not prohibition. Likewise, what "control" means to most Americans is reasonable compromise to accommodate both the legitimate interests of responsible gun owners and the clear social need for rational control over a deadly instrumentality. [19](#) Regrettably, the trust that is essential for compromise and accommodation has been destroyed by the rancorous vituperation that has characterized the debate over gun control.

4. Respectable bigotry.

We are so inured to the vituperative terms in which the gun debate is carried on that it may be useful to consider the issue in a wholly different context. Recently a psychiatrist publicized the terrifying story of her repeated vain attempts to control, or have incarcerated, a malicious bi-sexual patient who continues to have promiscuous, unsafe sex with people who don't know that he has the AIDS virus. [20](#) Doubtless other examples could be cited of people who spread AIDS irresponsibly or even deliberately. But enlightened, liberal people would not jump from the few such examples to vilifying bi-sexuals or gays or gay rights activists, in general. Enlightened, liberal people rightly see it as bigotry to blame the wrong-doing of an irresponsible, aberrant few on a whole group of innocent, responsible people.

Returning to gun control, studies trying to link gun ownership to violence rates find either no relationship or a negative, i.e., cities and counties with high gun ownership suffer less violence than demographically comparable areas with lower gun ownership. [21](#) Summarizing these and other studies, a recent National Institute of Justice analysis finds: It is clear that only a very small fraction of privately owned firearms are ever involved in crime or [unlawful] violence, the vast bulk of them being owned and used more or less exclusively for sport and recreational purposes, or for self-protection. [22](#) Concomitantly, it has been estimated that 98.32% of owners do not use a gun in an unlawful homicide (over a 50 year adult life span). [23](#)

In sum, murderers comprise only a small, highly aberrant (and malignant and irresponsible) subset of all gun owners. Why, then, is it enlightened and liberal: to vilify the 50% of American householders who have guns as barbaric and/or deranged ("Gun Lunatics Silence [the] Sounds of Civilization" [24](#)), "gun nuts", "gun fetishists", "anti-citizens" and "traitors, enemies of their own patriae" [25](#), as sexually warped [26](#) "bulletbrains" [27](#) who engage in "simply bestial behavior" [28](#) and represent "the worst instincts in the human character" [29](#); or to traduce pro-gun groups as the "pusher's best friend" [30](#) and their entire membership as "psychotics", "hunters who drink beer, don't vote and lie to their wives about where they were all weekend" [31](#); to characterize the murder of children as "another slaughter co-sponsored by the National Rifle Association" [32](#) and assert that "The assassination of John Lennon has been brought to you by the National Rifle Association" [33](#); and to cartoon gun owners as thugs and/or vigilantes, intellectually retarded, educationally backward and morally obtuse, or as Klansmen? [34](#)

The NIJ Evaluation accurately describes how the anti-gun advocates sees gun owners: as "demented and blood-thirsty psychopaths whose concept of fun is to rain death upon innocent creatures both human and otherwise." It is really quite remarkable for such calumnies to issue from people who, rightly, regard it as egregious bigotry when other bigots: seek to blame AIDS deaths on gays whom they revile as sexually warped, moral degenerates who engage in simply bestial behavior; or blame gay rights activists for AIDS because they lobby against ordinances that would close bath houses; describe abortion rights activists as murderers, "baby butchers" and abortion clinics as "merchants of death"; dismiss all homeless people and welfare recipients as slackers, drug addicted, alcoholic or retarded; or traduce the ACLU as the "best friend" of criminals and drug pushers.

The fact that anti-gun crusaders are commendably eager to oppose racism, gay bashing and other evils they recognize as bigotry does not excuse their inability to recognize their own bigotry. On the contrary, it compounds that bigotry with myopia, if not hypocrisy.

5. The Political Cost of Bigotry.

As important as the issue of bigotry is that this incessant vilification of gun owners precludes reasonable compromise over gun laws. The gun lobby press faithfully reports the philippics, and reprints the most vituperative anti-gun cartoons, to inflame its readers. [35](#) Why would the gun lobby actually pay royalties to Herblock, Oliphant etc. for their anti-gun cartoons? Because the gun lobby's purposes are best served by convincing gun owners they are a hated minority. There can be no greater incentive for monetary contributions to the gun lobby and fanatic hatred of gun law proposals, no matter how apparently reasonable.

Gun owners are convinced (in part, by bitter experience) that gun laws will be invidiously administered and unfairly enforced; and, just as important, that gun owners are anathema to persons and groups like the ACLU to whom other Americans can look for help against mistreatment at the hands of the state. [36](#) So gun owners hysterically oppose controls substantially similar to ones they readily accept for cars and prescription medicines. This is only natural, given the rancor with which controls are advocated and the purposes avowed by their more extreme advocates. Would driver licensing and automobile registration have been adopted if they had been advocated on the basis that having a car is evidence of moral, intellectual or sexual incapacity -- or that the desired end is to progressively increase regulation until cars are unavailable to all but the military and the police? Would not diabetics and others with chronic illness hysterically oppose the prescription system if doctors were under constant pressure from church groups and editorialists denouncing medication as immoral? Do not gay rights activists vehemently oppose policies (however apparently reasonable), they see as motivated by enmity to gays and likely to be administered in that spirit of enmity?

Two clarifications are in order here: 1) I recognize that cars, guns and medicines are different commodities that may require very different policy responses. My point is only that no policy, however rational in the abstract, can succeed if those it regulates see it as motivated by hatred, contempt and denial that they have any legitimate interests to be considered. 2) I also recognize that gun owners respond to anti-gun attacks no less hatefully. But there is a crucial difference: gun owners are not seeking to make their enemies own guns. In contrast, what control advocates do by heaping contempt on gun owners is forever alienate those whose compliance is indispensable if gun laws are to work. However satisfying it may be to anti-gun crusaders to portray gun owners as "demented and blood-thirsty psychopaths whose concept of fun is to rain death upon innocent creatures both human and otherwise", the result is catastrophically counter-productive to the cause of gun control.

6. Realistic control vs. symbolic gun prohibition

Stanford Law Professor John Kaplan (until his death, the leading American authority on narcotics policy) used to remark on anti-gun crusaders' profound ignorance of guns as technological objects and of gun owners and of why and how guns are owned and used. An apt simile would be to narcotics regulations proposed by people so ignorant of the subject that they thought cocaine a common vegetable and marijuana a gas. This ignorance leads anti-gun crusaders to formulate proposals that, if effective, would double or even triple the death tolls from gun accidents and assaults. [37](#)

This comprehensive ignorance is part and parcel of the anti-gun crusaders' loathing and contempt for gun owners. Anti-gun crusaders often express their pride in knowing nothing about guns because it sets them apart from the barbaric gun lover. Nor do they care that this ignorance precludes their evaluating the viability and pragmatic value of potential control strategies. That is not a great problem for anti-gun crusaders because, ultimately, they are more interested in the symbolic significance of having guns banned than in establishing pragmatic and effective control over them.

Unlike the great majority of Americans (even a majority of gun owners) who seek controls for pragmatic purposes like saving lives, the anti-gun crusader's goal is with the symbolic function of a ban as an official endorsement of his views and moral superiority and as a concomitant condemnation of guns and their owners. [38](#) That their concern is symbolism rather than pragmatic value is proven by an astonishing fact: it happens that many who are anti-gun are, at the same time, strongly oppose pornography, narcotics, and other blue laws on the grounds, primarily, that they are unenforceable; yet the enormous literature they have produced advocating gun bans contains not a single attempt to show how a ban would be enforceable. [39](#) Though acutely aware of the issue of enforceability in other contexts, anti-gun crusaders have not even tried to show that a gun ban would stop the millions of people who think they have both a constitutional right and an urgent need to a handgun for family protection from keeping or getting one. The anti-gun crusader ignores enforceability for, at bottom, his opposition to gun ownership is not pragmatic, but symbolic. It parallels the "sophisticated" argument for banning suicide, homosexuality or pornography -- even if it is not enforceable, the ban symbolizes society's condemnation of this morally abhorrent excrement.

PEJORATIVE CHARACTERIZATIONS OF GUN OWNERSHIP

1. The Penis Theory-- [40](#)

Reviewing unsubstantiated, mostly "derogatory... speculative literature on the personality characteristics of gun owners", the NIJ Evaluation (p. 120) mentions "the psychoanalytic" view that "weapons are phallic symbols representing male dominance and masculine power." The idea of gun ownership as sexual aberration has been casually espoused by such anti-gun luminaries as Arthur Schlesinger, Jr., Harlan Ellison, Mike Royko and Joyce Brothers. [41](#) The only serious study endorsing this view is by psychiatrist Emmanuel Tanay who sees "the need for a gun" as serving "libidinal purposes ... to enhance or repair a damaged self-image..., and involving "narcissism..., [p]assivity and insecurity". [42](#)

There is no viable argument for the penis theory as against pragmatic explanations for gun ownership. Psychiatrist Bruce Danto rejects the penis theory because it fails to account for female gun ownership. In fact, 50% of those who own a gun for protection only are women (especially black women), even though women are much less likely than men to own guns for sport. [43](#) To say the very least, this pattern is more easily explicable by reference to women's felt need for protection than by feelings of penile inadequacy.

Dr. Danto also notes that the penis theory would predict that male gun owners would be inclined toward the largest barrel and bore weapons available. But the respective popularity of guns of

different sizes uniformly appears to reflect purely pragmatic concerns. [44](#) The penis theory is equally incapable of explaining other demographic differentials in gun ownership. When all gun owners are counted (not just those who own for protection alone) survey evidence shows that

gun owners are disproportionately rural, Southern, male, Protestant, affluent and middle class... [and that] weapons ownership tends to increase with income, or occupational prestige, or both. [45](#)

The explanations here are, once again, purely pragmatic; hunting is more an activity of rural people generally, and Southerners particularly, than of city dwellers; among urbanites, guns are most owned by the affluent because they are more likely to hunt -- and also to have the money to afford guns and property that they may feel the need to defend; most guns are owned for sport and males engage in gun sports more than females. As to Protestants, survey evidence shows them more likely to hunt than Catholics or Jews (Protestantism is most predominant in rural areas); and, beyond that, Protestants and gun owners both tend to be descended from older American stock, retaining cultural values redolent of the "individualistic orientation that emanated from the American frontier...." [46](#)

In contrast, the penis theory has no explanatory value for these demographic trends. Are Protestants or the affluent or rural dwellers or Southerners more subject to feelings of penile inadequacy than Catholics or urbanites or the poor etc., etc.? In this connection it may be relevant to note that surveys show gun owners are no more hostile to feminism and the women's movement than are non-owners. [47](#)

Tanay's arguments for the penis theory validate only his own (self-admitted) fear and loathing of guns. He asserts that "The owner's overvaluation of his gun's worth is an indication of its libidinal value to him." Because Tanay never attempts to explain what "overvaluation" means, there is nothing to distinguish guns from the "overvaluation" involved in having other collectibles. People who do not share the passion marvel at the amounts of time and money that others who "over-value" them expend on such more or less intrinsically worthless items as old phonograph records, musical instruments, cars, political campaign buttons, stamps, coins and candelabra. [48](#) Much the same problem inheres in Tanay's evidence of "narcissistic investment":

Most of the dedicated gun owners handle the gun with obvious pleasure; they look after the gun, clean, polish and pamper it... speak of their love and respect for guns.

So, of course, do most, if not all, collectors revere the objects they collect, cleaning and polishing them (if coins or antiques), encasing them (if coins or musical instruments) in velvet, suede or other attractive settings, etc. Are all collectors motivated by feelings of penile inadequacy? Or does Dr. Tanay's depiction of gun owners reflect only his own narrow-minded inability to evaluate the feelings of those who love and respect something he admittedly loathes?

A final point of interest is Dr. Tanay's citation of Freud's view that weapons may symbolize the penis in dreams. This, Freud says, is true of dreams involving any long object (e.g. "sticks, umbrellas, poles, trees") but especially of objects that may be viewed as penetrating, and injuring ("knives, daggers, lances, sabers; firearms are similarly used...."). This passage refers to dreams in general without distinguishing gun owners from others. Dr. Tanay is perhaps unaware of -- in

any event he does not cite -- other passages more relevant to his argument. In these other passages Freud associates retarded sexual/emotional development not with gun ownership, but with fear and loathing of weapons. [49](#) The probative importance that ought to attach to the views of Freud is, of course, a matter of opinion. The point here is only that those views provide no support for the penis theory of gun ownership.

2. Gun ownership as a cause of aggression --

Obviously some gun owners are highly aggressive, indeed violent, else the U.S. would not suffer hundreds of thousands of gun crimes each year. The question is: are gun criminals properly considered representative of all gun owners, or are they a tiny aberrant minority best understood in the context of the larger aberrant minority of criminals who, with and without guns, commit millions of violent crimes in the U.S. each year? Based on the recent NIJ felon survey it appears that criminals who used guns in their crimes either sporadically or regularly are among the "hardest" of offenders. Per capita they had committed not only a larger number of violent crimes (often while armed with knives or weapons other than guns) than other offenders, but more crimes of all kinds. [50](#)

Nevertheless the anti-gun "sagecraft" literature portrayed gun crime as more or less a necessary effect of gun ownership. In a series of articles Prof. Leonard Berkowitz asserted that guns arouse hostile and aggressive impulses in their owners. To prove this he conducted laboratory tests supposedly showing subjects' hostility levels rose particularly when others who annoyed them were associated with guns in various ways. [51](#) Evidence of this "weapons effect" is limited and erratic. Other psychologists have been unable to replicate Berkowitz's results; indeed, some found subjects less willing to express hostility against persons whom they associated with weapons. [52](#)

More important is that, no matter what the results, the design of these experiments precluded Berkowitz's conclusion that a weapon increases its owners' hostility and aggressiveness. For none of his experiments involved a weapon being possessed by the subject, i.e., the person whose hostility was being tested. In Berkowitz's tests the weapon was associated only with the person against whom hostility would run. Thus Berkowitz was testing not gun owner hostility but hostility against persons his college student subjects associated with guns. [53](#) Buss, Brooker & Buss did test the hostility level of both owners and non-owners after actually firing guns, but could find "no evidence that the presence, firing or long-term use of guns enhances subsequent aggression." [54](#)

3. Violent personality or attitude characteristics of gun owners

Another attempt to demonstrate the iniquity of gun owners concluded that they are "violence prone" -- based on survey data in which what the subjects actually approved was not illegal violence but the use of force necessary to stop crime or aid its victims. [55](#) A more recent study offers a more neutral assessment based on three national surveys: gun owners differ from non-owners only in being more likely to approve "defensive" force, i.e. force directed against violent attackers. In contrast, those exhibiting "violent attitudes" (as defined by approval of violence against social deviants or dissenters) are no more likely to be gun owners than non-owners.

Interestingly, the holders of violent attitudes were less likely than the average gun owner to approve of defensive force (perhaps perceiving it would be directed against violent people like themselves). [56](#)

In addition to such directly relevant studies, there exists a substantial quantity of macrocosmic evidence against both the Berkowitz hypothesis that guns promote violent impulses and the alternative anti-gun hypothesis that gun ownership signifies a violent personality. If either hypothesis were true, it should follow that increased gun ownership would be highly correlative with violent crime, i.e. the more guns the more violence. Yet the consistent result of studies attempting to link gun ownership to violence rates is either no relationship or a negative one, i.e. that urban and other areas with higher gun ownership have less violence than demographically comparable areas with lower gun ownership. [57](#)

4. Paranoia, sexism and racism --

Anti-gun crusaders have traditionally derided gun ownership as a product of exaggerated, unrealistic public fears of crime. [58](#) Extreme, unrealistic fear of crimes may amount to mental illness and anti-gun crusaders do epithetically dismiss gun owners as paranoid and gun ownership as a "national paranoia". [59](#) Moreover, precautionary handgun ownership is commonly held to signify and promote irrational fears, intolerance and belligerence: "The mere possession of a gun is, in itself, an urge to kill, not only by design, but by accident, by madness, by fright, by bravado." [60](#)

Yet gun owners do not seem to be more fearful of crime than other members of the general public. Rather, polls and attitude studies suggest that gun owners may actually be less afraid than non-owners. [61](#) This lesser fear may be explained by findings of a study of "Good Samaritans" who had arrested criminals or rescued their victims. In contrast to the less than 33% of Americans who then owned any kind of gun, almost two-and-one-half as many of the Samaritans (81%) "own guns and some carry them in their cars. They are familiar with violence, feel competent to handle it, and don't believe they will be hurt if they get involved." [62](#)

So the charge of paranoia against gun owners seems not to be substantiated. What about the charges of intolerance, bigotry and belligerence? As to sexism, I have already noted that analysis of two national surveys shows gun owners no more hostile to feminism and the women's movement than are non-owners. [63](#) As to racism, the result of one local attitude study can be deemed to suggest that gun owners are likely to hold racist views. [64](#) But the asserted correlation between gun ownership and racism is not borne out by the several state and national studies of gun owner attitudes that have included questions designed to elicit racist views. [65](#) Analysis of another national poll reveals that, while liberals were less likely to own guns than the general populace, those liberals who own a gun were no less willing than other gun owners to use it if necessary to repel a burglar. [66](#)

The NIJ Evaluation pithily summarizes the contrast between partisan sagecraft and actual social science: ... even in much of the scholarly literature[,] the "typical" private weapons owner is often depicted as a virtual psychopath -- unstable, violent, dangerous. The empirical research [we have] reviewed leads to

a sharply different portrait... There is no evidence suggesting [gun owners] to be an especially unstable or violent or maladapted lot; their "personality profiles" are largely indistinct from those of the rest of the population. [p. 122]

DEFENSIVE GUN OWNERSHIP VS. CRIME

The impossibility of the police preventing endemic crime, or protecting every victim, has become all too tragically evident over the past quarter century. The issues are illustrated by the on- going phenomenon of pathological violence against women by their mates or former mates [67](#):

Baltimore, Md.

Daonna Barnes was forced into hiding with her children because, since making threats is not a crime, police could not arrest her former boyfriend for his threats to kill her. On August 11, 1989 he discovered the location of her new apartment, broke in and shot and stabbed her and a new boyfriend. Released on bail while awaiting trial on charges of attempted murder, he continues to harass Ms. Barnes who says: "I feel like there is nobody out there to help me. It's as if [I'll have to wait until he kills me] for anyone to take this seriously...."

Mishawaka, Ind.

Finally convicted of kidnapping and battery against her, Lisa Bianco's husband was sentenced to seven years imprisonment. On March 4, 1989 he took advantage of release on an 8 hour pass to break into her house and beat her to death.

Los Angeles, Ca.

On Aug. 27, 1989 Maria Navarro called the Sheriff's Office to report that her former husband was again threatening to kill her, despite a restraining order she had obtained against him. The dispatcher instructed her "If he comes over, don't let him in. Then call us." Fifteen minutes later he burst in on her 27th birthday party and shot her and three others dead. Noting that Ms. Navarro's call was part of a perennial overload of 2,000 or more 911 calls the Sheriff's Office receives daily, a spokesman frankly admitted "Faced with the same situation again, in all probability the response would be the same."

Denver, Colo.

On February 16, 1989, nine days after she filed for divorce, Lois Lende's husband broke into her home, beat and stabbed her to death and then shot himself to death.

Connecticut

Late last year Anthony "Porky" Young was sentenced to a year in prison for stripping his girlfriend naked and beating her senseless in front of her 4 year old son. "He says next time he's going to make my kids watch while he kills me", she says. Despite scores of death threats he has written her while in prison, the prison authorities will have to release him when his year is up.

Literally dozens of such newspaper stories appear each week around the U.S. Even extreme anti-gun advocates must wonder if a society that cannot protect its innocent victims should not leave them free to choose to own a handgun for defense. [68](#) This section of the paper is devoted to analyzing the arguments offered for denying that choice.

1. Police protection vs. the capacity to defend oneself--

Perhaps the single most common argument against freedom of choice is that personal self defense has been rendered obsolete by the existence of a professional police force. [69](#) For decades anti-gun officials in Washington, D.C., Chicago, San Francisco and New York have admonished the citizenry that they don't need guns for self-defense because the police will defend them. This advice is mendacious: when those cities are sued for failure to provide police protection, those same officials send forth their city attorneys to invoke

[the] fundamental principle of American law that a government and its agents are under no general duty to provide public services, such as police protection, to any individual citizen. [70](#)

Even as a matter of theory (much less in fact), the police do NOT exist to protect the individual citizen. Rather their function is to deter crime in general by patrol activities, and by apprehension after the crime has occurred. If circumstances permit, the police should and will protect a citizen in distress. But they are not legally duty bound even to do that, nor to provide any direct protection -- no matter how urgent a distress call they may receive. A fortiori the police have no duty to, and do not, protect citizens who are under death threat, e.g. women threatened by former boyfriends or husbands.

An illustrative case is *Warren v District of Columbia* in which three rape victims sued the city under the following facts: Two of the victims were upstairs when they heard the other being attacked by men who had broken in downstairs. Half an hour having passed and their roommate's screams having ceased, they assumed the police must have arrived in response to their repeated phone calls. In fact, their calls had somehow been lost in the shuffle while the roommate was being beaten into silent acquiescence. When her roommates went downstairs to see to her, as the court's opinion graphically describes it, "For the next fourteen hours the women were held captive, raped, robbed, beaten, forced to commit sexual acts upon each other, and made to submit to the sexual demands" of their attackers.

Having set out these facts, the District of Columbia's highest court exonerated the District and its police, because (to reiterate) it is

a fundamental principle of American law that a government and its agents are under no general duty to provide public services, such as police protection, to any individual citizen. [71](#)

In addition to the caselaw I have cited, this principle has been expressly enunciated over and over again in statute law. [72](#)

The fundamental principle that the police have no duty to protect individuals derives equally from practical necessity and from legal history. Historically there were no police, even in large

American or English cities, before almost the mid-19th Century. Citizens were not only expected to protect themselves (and each other), but legally required in response to the hue and cry to chase down and apprehend criminals. The very idea of a police was anathema, American and English liberalism viewing any such force as a form of the dreaded "standing army." [73](#) This view yielded only grudgingly to the fact that citizens were unwilling to spend their leisure hours patrolling miles of city streets and incapable even of chasing fleeing criminals down on crowded city streets -- much less tracing and apprehending them or detecting surreptitious crimes.

Eventually police forces were established to augment citizen self-protection by systematic patrol to deter crime and to detect and apprehend criminals if a crime occurs. Historically there was no thought of the police displacing the citizen's right of self-protection. Nor, as a practical matter, is that remotely feasible in light of the demands a high crime society makes on the limited resources available to police it. Even if all 500,000 American police officers were assigned to patrol they could not protect 240 million citizens from upwards of 10 million criminals who enjoy the luxury of deciding when and where to strike. But there are nothing like 500,000 patrol officers: to determine how many police are actually available on any one shift the 500,000 figure must be divided by four (three shifts per day, plus officers on days-off, sick leave etc.). After this calculation, the resulting number must be cut in half to take account of the officers assigned to investigations, juvenile, records, laboratory, traffic etc., rather than patrol. [74](#)

Doubtless the deterrent effect of the police helps assure that many Americans will never be so unfortunate as to live in circumstances requiring personal protection. But for those who do need such protection the fact is that police do not and cannot function as bodyguards for ordinary people (though in New York and other major cities police may perform bodyguard services for the mayor and other prominent officials). Consider the matter just in terms of the number of New York City women who each year seek police help, reporting threats by ex-husbands, ex-boyfriends etc.: to bodyguard just those women would exhaust the resources of the nation's largest police department, leaving no officers available for street patrol, traffic control, crime detection and apprehension of perpetrators, responding to emergency calls etc., etc. [75](#)

Given what New York courts have called "the crushing nature of the burden" [76](#), the police cannot be expected to protect the individual citizen. Individuals remain responsible for their own personal safety, with police providing only an auxiliary general deterrent. The issue is whether those individuals should be free to choose gun ownership as a means of protecting themselves, their homes and families.

2. The defensive utility of victim firearms ownership -- pre-1980s analysis

Until recently a combination of problematic data, lacunae and legerdemain allowed anti-gun advocates to claim "The handgun owner seldom even gets the chance to use his gun" -- "Guns purchased for protection are rarely used for that purpose." [77](#) The evidence to support this came from selective and manipulative rendition of pre-1980s city-level figures on the number of violent felons whom civilians lawfully kill. Due to lack of any better data these lawful homicide data were the best available before the 1980s. But anti-gun discussions did not mention the grave lacuna involved in judging the amount of defensive gun use from the number of such killings: the vast majority of civilian defensive gun uses are excluded since they do not involve killing

criminals but only scaring them off or capturing them without death. Thus failure to mention this fact speciously minimizes the extent of civilian defensive gun use. Data now available shows that gun-armed civilians capture or rout upwards of 30 times more criminals than they kill. [78](#)

Exacerbating this problem of minimization was the highly misleading way in which opponents of handgun ownership selected and presented the pre-1980s lawful homicide data. Some big cities had been keeping lawful homicide data since the 1910s. Naturally, many more felons were killed by victims in high crime eras like the 1970s and 1980s, or the 1920s and 1930s (when victims tended to buy and keep guns loaded and ready) than in the low crime era 1945-65. For instance, Chicago figures going from the 1920s show: that lawful civilian homicide constituted 31.4% of all homicides (including fatal automobile accidents); that for decades the number of felons killed by civilians roughly equalled those killed by police; and that by the 1970s civilians were lawfully killing about three times as many felons as were police. Yet no mention of Chicago or this data (or comparable Washington, D.C. figures) will be found in the anti-gun literature. [79](#)

Instead, that literature concentrated on Detroit. Even so it somehow omitted the following pertinent facts: that in the 1920s felons killed by civilians constituted 26.6% of all homicide in Detroit [80](#); that, as crime rose after 1965, civilian killings of felons rose 1350% (by 1971) and continued rising so that, by the late 1970s, twice as many felons were being lawfully killed by civilians as police. [81](#)

Without mentioning any of this, even the most scrupulous of the anti-gun analysts, Newton & Zimring, advanced the highly misleading claim that in the five years 1964-8 only "seven residential burglars were shot and killed by" Detroit householders and there were only "three cases of the victim killing a home robber". [82](#) This is highly misleading because Newton & Zimring have truncated the lawful homicide data without informing readers that they are omitting the two situations in which the great majority of lawful defensive homicides occur: robbers killed by shopkeepers and the homicidal assailant shot by his victim (e.g. the abusive husband shot by the wife he is strangling). Had these two categories not been surreptitiously omitted, Newton & Zimring's Detroit lawful civilian homicide figure would have been 27 times greater -- not 10, but rather 270 in the 1964-8 period. [83](#)

3. 1980s data on the defensive efficacy of handguns

In any event, all pre-1980s work has been eclipsed by more recent data which allows estimation not only of how many felons armed citizens kill annually but also of those they capture or scare off. This evidence derives from private national surveys on gun issues. Though sponsored by pro- or anti-gun groups the polls were conducted by reputable independent polling organizations and have all been accorded credibility by social scientists analyzing gun issues. [84](#) Further evidencing the polls' accuracy, is that their results are consistent (particularly their results on defensive gun use), regardless of their sponsorship. [85](#) Moreover, because the different surveys' data are mutually consistent, any suspicion of bias or falsification may be precluded by simply not using the data from the NRA-sponsored polls.

Based therefore only on the anti-gun polls, it is now clear that handguns are used as or more often in repelling crimes annually as in committing them, c. 645,000 defense uses annually vs. c. 580,000 criminal misuses. [86](#) Handguns are used another 215,000 times annually to defend against dangerous snakes and animals. As to their effectiveness, handguns work equally well for criminals and victims: in about 83% of the cases in which a victim is faced with a handgun, he (or she) submits; in 83% of the cases in which a victim with a handgun confronts a criminal the criminal flees or surrenders.

This victim survey data is confirmed by complementary data from a survey among felons in state prisons across the country. Conducted under the auspices of the National Institute of Justice, the survey found 34% of the felons saying that

they had been "scared off, shot at, wounded or captured by an armed victim," [quoting the actual question asked] and about two-thirds (69%) had at least one acquaintance who had had this experience. [87](#)

In response to two other questions: 34% of the felons said that in contemplating a crime they either "often" or "regularly" worried that they "Might get shot at by the victim"; and 57% agreed that "Most criminals are more worried about meeting an armed victim than they are about running into the police." [88](#)

In sum: the claim that "Guns purchased for protection are rarely used for that purpose" could not have been maintained by a full and accurate rendition of even the pre-1980s data; and that claim is definitively refuted by the comprehensive data that have been collected in the 1980s under the auspices of the National Institute of Justice and both pro- and anti-gun groups.

4. Anti-gun obliviousness to women's defensive needs: (a) the case of domestic and spousal homicide

My point here is not that opponents of precautionary handgun ownership are oblivious to domestic homicide, but only that they are oblivious (or worse) to the situation of the woman in such homicides. That obliviousness (or worse) is epitomized by the failure to differentiate men from women in the ubiquitous anti-gun admonition that: "the use of firearms for self-protection is more likely to lead to ... death among family and friends than to the death of an intruder." [89](#) This admonition misportrays domestic homicide as if it were all murder and ignores the fact that c. 50% of interspousal homicides are committed by abused wives. [90](#) To understand domestic homicide it is necessary to distinguish unprovoked murder from lawful self-defense against homicidal attack -- a distinction which happens to correlate closely with the distinction between husband and wife.

Not surprisingly when we look at criminal violence between spouses we find that "91% were victimizations of women by their husbands or ex-husbands...." [91](#) Thus, the 50% of interspousal homicides in which husband kills wife are real murders -- but in the overwhelming majority of cases where wife kills husband, she is defending herself or the children. [92](#) In Detroit, for instance, husbands are killed by wives more often than vice versa, yet men are far more often convicted for killing a spouse -- because three-quarters of wives who killed were not even

charged, prosecutors having found their acts lawful and necessary to preserve their lives or their childrens'. [93](#)

In the vast majority of cases a woman who kills a man requires a weapon (most often a handgun) to do so. Eliminating handguns from American life would not decrease the total number of killings between spouses. (If anything, it would increase it since, as we have seen, gun armed victims may ward off 25-30 attack without killing for every time they have to kill.) To eliminate handguns would only change the sex of the decedents by assuring that in virtually every case it would be the abused wife, not the murderous husband. After all, a gun is of far more use to the victim than her attacker. "Husbands, due to size and strength advantages, do not need weapons to kill." [94](#) Having a gun is not necessary to attack a victim who is unarmed, alone, small, frail ...[But] Even in the hands of a weak and unskilled assailant a gun can be used ... without much risk of effective counterattack ... [and] because everyone knows that a gun has these attributes, the mere display of a gun communicates a highly effective threat. [95](#) Of course it is tragic when an abused woman has to kill a current or former mate. But such killings can not be counted as if they were costs of precautionary handgun ownership; rather they are palpable benefits, from society's and the woman's point of view, if not from the attacker's. Thus it is misleading to the point of wilful falsehood for critics of handgun ownership to misrepresent such lawful defensive killings as what, instead, they prevented -- domestic murder.

A final tangential, but significant, point emerges from the statistics on use of guns in domestic self-defense. Those statistics strongly support the defensive efficacy of firearms. As noted above, "Men who batter [wives] average 45 pounds heavier and 4 to 5 inches taller than" their victim. [96](#) If guns were not effective for defense, a homicidal attack by a husband upon his wife would almost invariably end in the death of the wife rather than in his death c. 50% of the time.

5. Anti-gun obliviousness to women's defensive needs: (b) attacks by male acquaintances.

In arguing against precautionary handgun ownership, anti-gun authors purport to comprehensively refute the defensive value of guns, i.e., to every kind of victim. Yet, without exception (and without mentioning the omission), those authors omit to analyze the acquaintance crime to which women are most often subjected. The empirical evidence establishes that "women are more likely to be assaulted, more likely to be injured, more likely to be raped, and more likely to be killed by a male partner than by any other type of assailant." [97](#) Yet, to a man (and, invariably, they are men) anti-gun authors treat self-defense in terms of the gun owner's fears "that a hostile stranger will invade his home". [98](#)

It is only by turning a blind eye to acquaintance crime that the Chairman of Handgun Control Inc. can claim that "The handgun owner rarely even gets the chance to use his gun." That assertion restates the argument of Newton & Zimring and the Handgun Control Staff. They emphasized the unexpectedness of stranger attacks -- from which they characterized it as "ludicrous" to think a victim "will have sufficient time to retrieve" her handgun. [99](#)

As discussed above, even as to stranger crime, this view is supported only by Newton & Zimring's inaccurate and misleading rendition of pre-1980s data which is further discredited by subsequent data available today. Moreover, in relation to violence against women, the assertion

that they would almost invariably be too surprised by violent attack to be able to use a handgun in self-defense is insupportable. On the contrary, in the clear majority of instances, the man who beats or murders a woman, and often even the rapist, is an acquaintance who has previously assaulted her on one or more occasions. [100](#) Such crimes commonly occur after protracted and bellicose argument over a long-simmering dispute. The women's defensive homicide literature shows that such a victim is almost uniquely positioned for self-defense: knowing the mannerisms and circumstances that triggered or preceded her attacker's prior attacks, she has

"a hypervigilance to cues of any kind of impending violence... [She is] a little bit more responsive to situations than somebody who has not been battered might be." A woman who has [previously] been battered and then is threatened with more abuse is more likely to perceive the danger involved faster than one who has not been abused. [101](#)

In this connection consider a point that anti-gun crusaders make in another context, but ignore in this one. They (rightly) warn victims that a defense gun may be of little use if attacked by robber who is himself using a gun. The fact is that a gun is so dangerous a weapon that it is extremely risky for a victim to resist even if the victim him/herself has a gun. A basic dictum of police and martial arts training is that even a trained professional should never attack a gun-armed assailant unless convinced that he is about to shoot (in which case there is nothing to lose). [102](#)

The very strength of this point about the overwhelming power of one who wields a gun should have provoked academic anti-gun crusaders into at least considering a correlative question: where does the balance of power lie between a victim who has a gun and an attacker armed only with a knife or some other lesser weapon? Under those circumstances it seems that the victim will usually have the clear advantage (remembering Kleck's finding that in 83% of cases in which a victim has a handgun the criminal surrenders or flees). But anti-gun crusaders avoid the embarrassment of admitting that a victim with a gun might have the advantage over a lesser-armed by either ignoring the issue or assuming it away. Those anti-gun analyses that expressly deal with the situation in which a victim tries to use a gun against an attacker wantonly assume that in any such situation the attacker will have a gun himself. [103](#) In fact, however, in 89.6% of the violent crimes directed against women during the ten years 1973-82, the offender did not have a gun [104](#); only 10% of rapists used guns [105](#) and only 25% of non-strangers who attacked victims (whether male or female) had any weapon whatever. [106](#) In sum, the same strong arguments anti-gun analysts offer against the wisdom of a victim resisting a gun-armed attacker suggest that women with handguns will have the advantage since the vast majority of rapists and other attackers do not have guns. [107](#)

(At this point it may be appropriate to address the old bugaboo that a woman who seeks to resist a male attacker will have her gun taken away and used against her. It bears emphasis that this is only a theoretical bugaboo: the rape literature contains no example of such an occurrence. [108](#) Moreover police instructors and firearms experts strongly reject its likelihood. Not only do they aver that women are capable of gun-armed self-defense [109](#) they find women much easier to properly train than men, since women lack the masculine ego problems which cause the men to stubbornly resist accepting instruction. Viz. the experience of a police academy instructor who simultaneously trained a male police academy class and a class of civilian women "most of [whom] had never held a revolver, much less fired one"; after one hour on the range and two

hours classroom instruction in the Chattanooga Police Academy combat pistol course the women consistently outshot police cadets who had just received eight times as much formal instruction and practice. [110](#))

6. Anti-gun obliviousness to women's defensive needs: (c) rape.

Anti-gun academics necessarily neglect to analyze the value of a gun in defending against rape because, almost to a man, they eschew any mention of rape. [111](#) This surprising omission cannot be explained as a mere side effect of ignoring acquaintance crimes. After all, many rapists are strangers rather than acquaintances; indeed, many rapes are committed in the course of the kinds of crimes the anti-gun literature does address, robbery and burglary. [112](#) But, almost invariably, the "intruder" whom anti-gun authors discuss is not rapist but a "robber" whom they represent as "confront[ing] too swiftly" for rape or a "burglar" whom they represent as breaking only into unoccupied homes. [113](#)

This obliviousness to women's self-defense in general, and to rape in particular, leaves anti-gun authors free to deprecate the defensive utility of guns on grounds that don't apply to most circumstances in which women use guns defensively. Anti-gun works correctly stress that it is illegal to shoot to prevent mere car theft, shoplifting or trespass on land (i.e. not involving entry into the home itself). [114](#) In contrast, the law allows a woman to shoot a rapist or homicidal attacker. [115](#) Also, in some cases, a man attacked by another man of comparable size and strength may be hard put to justify his need to shoot; but this is far less of a problem for a female victim of male attack. [116](#)

In short, to the extent academic anti-gun crusaders have made valid point about armed self-defense these points do not apply to women. The anti-gun crusaders avoid acknowledging this by the simple device of never mentioning rape, or women's armed self-defense, at all. One anti-gun writer, Drinan, did discuss rape, albeit not entirely voluntarily; he was responding to an article in which I highlighted the issue as a justification for allowing women the freedom to choose to own guns for self-defense. Drinan responded, in essence, that women detest guns and don't want to own them for self-defense. [117](#) This response is both factually and conceptually erroneous. It is factually erroneous because the evidence shows that currently (though not necessarily when Drinan wrote) women constitute one half of purely precautionary gun owners. It is conceptually erroneous because freedom of choice is a residual value even as to things that many or most people do not now want to choose, and even if they may never want to.

Newton & Zimring's chapter on self-defense dismisses women's concerns about self-defense against rape (or, presumably, other kind of attack) in one contemptuous sentence to the effect that "women generally are less capable of self-defense [than men] and less knowledgeable about guns." [118](#) Feminist outrage about this derisive comment may account for the fact that Prof. Zimring's subsequent writings, including the chapter on self-defense in a 1987 book, prudently eschew any attempt to deal with women's right to, or capacity for, self-defense with guns. [119](#)

Other anti-gun treatments do not specifically address rape beyond their general position that victims should always submit to criminals unless flight is possible: the best way to "keep you alive [is to] put up no defense -- give them what they want or run" advises Handgun Control, Inc.

[120](#) However unacceptable that advice may be to feminists, at least it avoids the confusion that marks the discussion of gun-armed defense against rape by the Handgun Control Staff of the U.S. Conference of Mayors. For the first 31 of its 36 pages the HANDGUN CONTROL STAFF pamphlet harps on the prohibitive dangers of any kind of physical resistance to crime. Throughout, the Handgun Control Staff's argument against precautionary gun ownership consists in warning against handguns or any other form of physical resistance -- the risk of any kind of physical resistance is so high that victims should always submit to attackers. [121](#)

But when the Handgun Control Staff finally get to rape, it offers a startling volte face -- all the more startling because it lacks even an explanation, much less a justification of its contradicting all that has preceded it. The Handgun Control Staff just blithely announces that women don't need handguns to resist rape because of "the effectiveness of other means of resistance such as verbal and physical resistance". [122](#) Yet, if the authors believe their own prior warnings, "physical resistance" is prohibitively dangerous; e.g. the Pamphlet's twice-repeated point (each time in italics) that "a victim is more than eight times as likely to be killed when using a self-protective measure" of any kind; [123](#) or its more general admonition (again in italics) that "victims who resist experience much higher rates of fatality and injury." [124](#)

The HANDGUN CONTROL STAFF pamphlet also points out that many rapes do not occur in the victim's home but in other locations where she presumably would not be legally entitled to carry a gun. But this highlights the fact that the majority of rapes do occur in the victim's home where she is entitled to have a gun (in all but the few jurisdictions like Washington, D.C. where victims are not permitted to have guns for self-defense). In short, the majority of rapes occur where a woman may legally have a gun and the empirical evidence is that in 83% of the cases it will protect her from being raped.

7. Incidence of injury to handgun-armed victims who resist criminal attack.

Some readers may object that the preceding section of this paper shirks the crucial issue of victim injury by veering off onto the side-issue of intellectual honesty. Yes (they may say) the Handgun Control Staff's discussion of rape is inconsistent to the point of dishonesty; nevertheless, the pamphlet does marshal impressive data that victims who resist are often seriously hurt or killed. [125](#) Does that data not validate Zimring, Hawkins and Handgun Control, Inc. in teaching that victims ought to submit to rapists, robbers or other violent criminals: the best way to "keep you alive [is to] put up no defense -- give them what they want or run." [126](#)

The short answer is that the data the HANDGUN CONTROL STAFF pamphlet presents is irrelevant to the risk of injury to victims who resist with a handgun. This pre-1980s data does not deal with guns specifically. It gives only a conglomerate figure for the percentage of victims injured or killed when resisting physically in any way whatever. This conglomerate figure includes some few victims who resisted with a gun, many more who used knives, clubs or some makeshift weapon, and many who resisted totally unarmed. It is crucial to distinguish resistance with a gun from all other kinds of resistance, because a gun differs qualitatively from all other weapons in its defensive value. Criminals generally select victims who are weaker than themselves. Only a gun gives weaker, older, less aggressive victims equal or better chances against a stronger attacker; as even Zimring and Hawkins state, guns empower "persons [who

are] physically or psychologically unable to overpower [another] through violent physical contact." [127](#)

The difference is evident in post-1978 National Crime Survey data which do allow us to distinguish victim injury in cases of gun-armed resistance from victim injury where resistance was with lesser weapons, and from cases of non-resistance. Ironically, the results validate the anti-gun critics' danger-of-injury concerns as to every form of resistance except with a gun. The gun-armed resister was actually much less likely to be injured than the non-resister, who was, in turn, much less likely to be injured than those who resisted without a gun. Only 12-17% of the gun armed resisters were injured. Those who submitted to the felons' demands were twice as likely to be injured (gratuitously); those resisting without guns were three times as likely to be injured as those with guns. [128](#)

(It bears emphasis that these results do NOT mean that a gun allows victims to resist, regardless of circumstances. In many cases submission will be the wiser course. Indeed, what the victim survey data suggests differs startlingly from both pro- and anti-gun stereotypes: keeping a gun for defense may induce sober consideration of the dangers of reckless resistance; their low injury rate may show that gun owners are not only better able to resist, but to evaluate when to submit, than are non-owners who, having never seriously contemplated those choices, must suddenly decide between them.)

8. The "submission position" in white, male academia

By the "submission position", of course, I mean the view embraced by various anti-gun scholars that victims should submit to felons rather than offering forcible resistance of any kind; if an attacker cannot be "talked out" of his crime, the victim should comply in order to avoid injury. [129](#) Not insignificantly, the academic proponents of the submission position are all white males. [130](#)

This is significant insofar as the submission position is conditioned by the relative immunity to crime its proponents enjoy due to their racial, sexual and economic circumstances. In general, the submission position literature does not even mention rape. Equally significant, it treats robbery as the once-in-a-lifetime danger it is for a salaried white academic. His risk of meeting a robber is so low that he is unlikely to keep a gun ready for that eventuality. Moreover, submitting once in his life to the loss of the money in his wallet may well be "the better part of valor" for the kind of victim who can replace that money by a trip to his ATM and can minimize the loss by taking it off his taxes. A very different calculus of costs and benefits of resisting may apply to

an elderly Chicano whom the San Francisco Examiner reports has held onto his grocery by outshooting fifteen armed robbers [while] nearby stores have closed because thugs have either bankrupted them or have casually executed their unresisting proprietors... [Or] welfare recipients whom robbers target, knowing when their checks come and where they cash them [or] the elderly trapped in deteriorating neighborhoods (like the Manhattan couple who in 1976 hanged themselves in despair over repeatedly losing their pension checks and furnishings to robbers). [131](#)

Regrettably, for many victims crime is not the isolated happenstance it is for white male academics. [132](#) Let us hypothesize a Black shopkeeper; perhaps a retired Marine master sergeant who has invested the life savings from "20-years-and out" in the only store he can afford. Not coincidentally, it is located in an area where robbery insurance is prohibitively high or unobtainable at any price. In deciding whether to submit to robbery or resist, he and others who live or work in such areas must weigh a factor which finds no place in the submission position literature: that to survive they may have to establish a reputation for not being easily victimized. [133](#) The submission position literature is equally oblivious to the special factors that may have importance for rape victims; even one rape -- much less several -- may cause catastrophic psychological injury that may be worsened by submission, mitigated by even unsuccessful resistance. [134](#)

By no means am I arguing that resistance with guns (or without) is optimum for crime victims in any or all situations. I am only noting additional factors that really ought to be considered by well-salaried white, male intellectuals presume (as I certainly would not) to tell the kind of people who are most often crime victims what is best for them. It is presumptuous for scholars, however learned, to pontificate as to what course is best for an individual victim whose values and situation they may not share. Consider the reflections of a woman who (without a gun) successfully resisted rape:

I believed he would kill me if I resisted. But the other part was that I would try to kill him first because I guess that for me, at that time in my life, it would have been better to have died resisting rape than to have been raped.

I decided I wasn't going to die. It seemed a waste to die on the floor of my apartment so I decided to fight. [135](#)

COMPARISONS BETWEEN NATIONS AND OVER TIME

Anti-gun crusaders are addicted to the making of foreign comparisons which constitute probably the single most pernicious source of misinformation and misunderstanding of gun regulation issues. This misinformation and misunderstanding (which are also involved in comparisons made across time) result from a grotesque mix of statistical misrepresentation with partisan selection and presentation, and sheer historical ignorance.

Such comparisons are used to argue that gun ownership causes crime -- a causation that supposedly results in the U.S. having more homicide per capita (i.e., a higher rate of murder) than do selected other countries which virtually prohibit gun ownership. In fact, the determinants of the relative amounts of violence in nations are socio-cultural and institutional. The effects of such basic determinants cannot be offset by any gun control strategy, no matter how well-crafted and rigorous. Reducing availability of any other particular kind of weapon, including guns, in general cannot radically decrease crime because the number of guns that are illegally available will always suffice for those who are determined to obtain and misuse them.

1. Do international homicide rate differentials reflect gun availability or socio-cultural differences?

Two examples of socio-cultural differences that result in widely different murder rates come immediately to mind. The first is the unknown (to Americans) fact that each year hundreds of men in Japan murder their families and then kill themselves. This is so much a tradition of Japanese culture that it was not even a crime until fairly recently. Japanese murder rates remain admirably low because they exclude these "family suicides". [136](#)

Second, compare America's high murder rate to Europe's far higher suicide rates: sociologist Seymour Martin Lipset has suggested that cultural factors cause disturbed Americans to strike out against others whereas disturbed Europeans tend to turn their violence on themselves. This helps explain the details of American and European statistics set out in the International Intentional Homicide Table, below.

In contrast, blaming gun ownership explains nothing because that interpretation is flatly inconsistent with the international statistical evidence. If gun ownership were a major "cause" of crime and gun availability a major factor in the amount of criminal homicide: a) nations where gun availability is as or more widespread than in the U.S. would uniformly have appreciably higher murder rates than the norm for demographically comparable nations; [137](#); and b) nations which ban or severely restrict gun ownership would have appreciably lower homicide rates than the U.S. at least. Yet, as the International Intentional Homicide Table set out below shows, the homicide rates in nations where gun availability exceeds the U.S. (e.g., Israel, New Zealand and Switzerland [138](#)) are as low as those of the highly gun-restrictive Western European and British Commonwealth countries to which America is frequently adversely compared. Moreover, the two nations which very severely restrict gun ownership (and punish violation with death), Taiwan and South Africa, both have far higher apolitical murder rates than the U.S.

2. Historical ignorance and the anti-gun crusade

Likewise, the historical evidence refutes the attribution of differential international violence rates to differences in gun laws rather than socio-institutional and cultural differences. Those who attribute low European violence rates to banning guns are apparently unaware that those low rates long preceded the gun bans. [139](#) In fact, stringent gun laws first appeared in the U.S., not Europe -- despite which high American crime rates persisted and grew. [140](#) Ever-growing violence in various American states from the 1810s on, led them to pioneer ever more severe gun controls. [141](#) But in Europe, where violence was falling, or was not even deemed an important problem, gun controls varied from the lax to the non-existent. During the 19th Century in England, for instance, crime fell from its high in the late 18th Century to its idyllic early 20th Century low -- yet the only gun control was that police could not carry guns. [142](#)

In considering reasons for the differentials between U.S. and British homicide historically, Prof. Monckkonen rejects the conventional explanations including gun ownership, remarking:

Virtually every analysis put forward to explain the [comparatively] very high United States homicide rate has been ahistorical.... Had they been proposed as historical, they would have foundered quickly for the explanatory inadequacy of these "pet" theories becomes immediately apparent in a historical context. [143](#)

When most European countries finally began enacting gun laws in the post-WWI period, the motivation was not crime (with which those countries had been little afflicted) but terrorism and the political violence from which they have continued to suffer to the present day far more than the U.S. ever has. [144](#) This difference is reflected in a practice that helps to keep official English murder rates so admirably low: English statistics do not include "political" murders, e.g. those by the IRA, whereas the American statistics include every kind of murder and manslaughter.) The different purposes of European versus American laws is evidenced by their diametrically opposite patterns: many of the "Saturday Night Special" laws American states enacted to deal with 19th Century crime banned all but standard military- issue revolvers, i.e. the very expensive large, heavy Colt. In stark contrast, such military caliber arms were the first guns banned in post-WWI Europe, the purpose being to disarm restive former soldiers and the para- military groups they formed. [145](#)

Moreover, if greater American gun relative availability were the cause of international crime differences, the difference in crime would only be as to crimes with guns. Yet American rates for robbery, rape and other violent crimes committed without guns are enormously higher than the rates for such crimes (with and without guns, combined) which are uniformly low among Western European, British Commonwealth etc. countries regardless of whether they allow or ban gun ownership. England's leading gun control analyst sardonically disposes of the issues with two rhetorical questions: 1) How do those who blame "lax American gun laws" for the far higher U.S. rate of gun crime explain its also having far more knife crime: do they think that Englishmen have to get a permit to own a butcher knife?; and 2) How do those who attribute U.S. gun murders to greater gun availability explain the far higher U.S. rate of stranglings and of victims being kicked to death: do they think that Americans "have more hands and feet than" Britons? Flatly asserting that, no matter how stringent the gun laws, there will always be enough guns in any society to arm those desiring to obtain and use them illegally, he attributes grossly higher American violence rates "not to the availability of any particular class of weapon" but to socio-cultural and institutional factors which dictate

that American criminals are more willing to use extreme violence[; quoting a report of the British Office of Health Economics:] "One reason often given for the high numbers of murders and manslaughters in the United States is the easy availability of firearms.... But the strong correlation with racial and linked socio-economic variables suggests that the underlying determinants of the homicide rate relate to particular cultural factors." [146](#)

3. If increasing gun ownership caused American murder rates to rise in the 1960s, did it also cause them to stabilize in the 1970s and fall in the 1980s?

The theory that widespread gun ownership causes murder seemed plausible to Americans in the 1960s when ever-increasing gun sales went hand-in-hand with (actually, were a reaction to) ever-increasing crime rates. But this interpretation is exploded when the time frame is expanded to include statistics from the 1970s and 1980s. In those decades, handgun ownership continued to rise by c. 2 million per year, so that the American handgun-stock increased from 24-29 million in 1968 to 65-70 million in 1988. Yet homicide actually fell somewhat and handgun (and other gun) homicides decreased markedly. [147](#) The point is even more striking in comparison to the

English homicide rate: in 1974 the American rate was 40 times the English; 15 years (and 30 million more American handguns) later, the American rate was only ten times greater. [148](#) Since this trend occurred in decades in which English gun law severity increased, both administratively and by added legislative restrictions, it cannot be explained by attributing murder to widespread gun availability.

The attribution is further undermined if violent crimes are differentiated by type. Anti-gun academic crusaders do not claim that buying a handgun suddenly turns otherwise law abiding people to rape, robbery and burglary. Yet it was such crimes (and murder in the course of them) that grew spectacularly from the mid-1960s on. In contrast, there was no increase in the domestic homicides the sages theorize guns cause. (Indeed, the c. 100% increase in handguns in the era 1968-79 was followed by a 26.6% decrease in domestic homicide from 1984 on -- despite the addition of another c. 2,000,000 handguns in 1980 and each succeeding year. [149](#))

4. Concealing the declining American murder trend by combining suicide and murder statistics

Anti-gun sages have seized on a new device in order not to have to deal with these embarrassing facts. They conceal the fact of declining American homicide (particularly gun homicide) by adding in suicide figures, producing a combined "Intentional Homicide" rate which they then claim to be "caused" by widespread gun ownership. [150](#) Yet these same anti-gun academics continue to compare the American murder rate (alone) to the murder rates of specially selected foreign countries -- without mentioning that virtually every country they select to compare has enormously higher suicide rate than the U.S. For instance, Prof. Baker, the originator of the combined homicide-suicide approach, compares American and Danish murder rates, placing great emphasis on the fact that the American rate is higher by about 7 per 100,000 population. Yet Baker somehow forgets to mention that making the same comparison as to suicide rate would show the Danish rate to be much higher yet than the American: higher by 16.5 deaths per hundred thousand. Nor, of course, does Baker mention that when suicide and murder figures are combined according to the Baker method, the Danish death rate per 100,000 population is almost 50% higher than the American. [151](#)

Despite their reliance on international murder comparisons, none of the anti-gun academics who apply the combined murder- suicide figure approach (in describing American figures) follow the combined figure approach when making those international comparisons. Could that have anything to do with the following facts which emerge from the International Intentional Homicide Table (below): that of 18 nations for which figures were available, the U.S. ranks only 11th in intentional homicide; that its combined homicide/suicide rate is less than half of the suicide rate alone in gun-banning Hungary and less than 1/3 the suicide rate alone of gun-banning Rumania; that New Zealand ranks 16th despite a rate of gun ownership that far exceeds the U.S.'; and that the lowest rate on the Table is for Israel, a country that actually encourages and requires almost universal gun ownership.

INTERNATIONAL INTENTIONAL HOMICIDE TABLE

Table is based on figures from two different sources (as further specified below): insofar as they are given therein, all figures are from the 1983-6 averages in Killias' Tables 1 & 2; [152](#) insofar as Killias does not give figures they are from the latest year listed for the country in U.N. DEMOGRAPHIC YEARBOOK-1985 (published, 1987). Figures from Killias are in bold face; all other figures are in ordinary type.

Country	Suicide	Homicide	TOTAL
RUMANIA	66.2	n.a.	66.2 (1984)
HUNGARY	45.9	n.a.	45.9 (1983)
DENMARK	28.7	.7	29.4 (1984)
AUSTRIA	26.9	1.5	28.4 (1984)
FINLAND	24.4 (1983)	2.86	27.2
FRANCE	21.8 (1983)	4.36	26.16
SWITZERLAND	24.45	1.13	25.58
BELGIUM	23.15	1.85	25.
W. GERMANY	20.37	1.48	21.85
JAPAN	20.3	.9	21.2
U.S.	12.2 (1982)	7.59	19.79
CANADA	13.94	2.6	16.54
NORWAY	14.5 (1984)	1.16	15.66
N. IRELAND	9.0	6.0	15.0
(Homicide rate may not include "political" homicides)			
AUSTRALIA	11.58	1.95	13.53
NEW ZEALAND	9.7	1.6	11.3
ENGLAND/WALES	8.61	.67	9.28
(Homicide rate does not include "political" homicides)			
ISRAEL	6.	2.	8.

The evidence from international comparisons is confirmed by the various neutral attempts to determine whether gun ownership causes violence footnoted earlier and by the most extensive and methodologically sophisticated study, Kleck's application of modern, computer-assisted statistical techniques to post-World War II American crime rate data. The interactive cause and effect result he found contradicts that posited by anti-gun crusaders. Kleck concludes that from the 1960s on fear engendered by violent crime sparked enormously increased gun ownership among the general populace. This increased gun ownership did not itself increase crime of any kind (if anything, it dampened it); but an increase in gun ownership, or at least in gun use, by criminals helped cause the post-1960 increases violent crime, including murder. [153](#)

It may be of interest that Kleck simultaneously investigated the possible effect of the cessation of capital punishment of the 1960s and '70s in causing the crime wave. He concludes that the increased violence was also not attributable to the cessation of capital punishment caused. Note also that this criminological evidence does not support the gun lobby's myopic opposition to gun controls. On the contrary, Kleck endorses sweeping, strongly enforced laws against possession of any kind of firearm by persons convicted of any kind of felony. [154](#)

Guns are more lethal than some other means of death, though less lethal than others such as hanging, certain poisons and falls from great heights. Because of their lethality guns may facilitate murder or suicide among those inclined to them anyway. On the other hand, they are also incomparably the most effective means by which a victim may resist violent attack.

MASSACRES

July, 1984:

an unemployed and apparently deranged security guard with a shotgun killed 21 customers and employees at a San Ysidro, California MacDonalds Hamburger outlet.

August, 1986:

a National Guard marksmanship instructor who had been discharged from his job as a postal worker killed 15 former co-workers in an Oklahoma Post Office.

February, 1988:

a disgruntled employee in Sunnyvale, Ca. killed 7 and wounded four fellow employees with a shotgun.

January, 1989:

a petty criminal and former mental patient with an assault rifle killed 5 children and wounded 30 other people in a Stockton, Ca. schoolyard.

September, 1989:

a suicidal manic-depressive with an assault rifle killed 8 and wounded 12 in a Louisville, Ky. industrial plant.

In each of these incidents the perpetrator committed suicide or remained on the scene to be killed, eschewing any opportunity to escape before the police arrived.

It is deceptive for gun prohibition-confiscation advocates to use the pathos and horror induced by such tragedies -- and by assassinations -- to argue their case. [155](#) In more candid moments they concede that it is impossible to take guns away from those who are determined to misuse them: "No amount of control will stop a determined assassin -- or a determined street robber -- from getting a gun." [156](#) The theory of gun prohibition is bottomed on an entirely different claim. That claim (which is examined in the next section of this paper) is that guns cause acquaintance or domestic homicides committed, supposedly, by the ordinary law-abiding citizenry who would never have killed if they had not had access to a gun in a moment of wild anger. [157](#)

In sum, no confiscation effort, however broad or stringent will disarm hardened criminals, much less political terrorists or killers so highly motivated for personal reasons as to undertake massacres that are substantially likely to result in their own deaths. On the contrary, if massacre were a serious threat to life in the U.S., probably the best policy response would be that of Israel which depends upon the defensive value of widespread precautionary gun possession among vast sectors of the populace. Consider an incident in a Jerusalem cafe just four months prior to the