



## MORE GUNS, MORE VIOLENCE

By Rana Odeh

Last week, with a 5-4 vote in the *McDonald v. Chicago* case, the U.S. Supreme Court decided that the Chicago and Oak Park ban on guns is unconstitutional by upholding the Second Amendment which grants all citizens the right to keep and bear arms in self-defense.

While the Supreme Court decision reaffirmed that the Second Amendment gives citizens the right to bear arms, and is forcing the City of Chicago and the village of Oak Park to remove their ban on handguns, it still gives states the right to create reasonable restrictions. States and local authorities are best equipped to ensure the safety of their communities, and should be allowed to determine safety rules that govern the ownership and use of handguns.

The Second Amendment made sense when it was enacted back in 1791 in a society with relatively weak and fragmented national security and law enforcement infrastructures. In such a society, gun ownership was the only sense of security people had to protect their lives, liberty, and property. However, in the 21st century, our society has developed a very sophisticated national security infrastructure, reliable law enforcement and advanced home security systems that make gun ownership unnecessary and obsolete.

Even if people want a gun for the sole purpose of self-defense, it is very unlikely that a gun owner would be able to get to his/her weapon on time in the case of an emergency self-defense situation. If gun ownership is constantly defended in the name of self-defense, let us be realistic and say that in order to get to a gun on time to defend oneself, on average, each household would need three guns in each bedroom, six in the living room, five in the kitchen, four in the garage, one in each bathroom, two on the deck, three in the front yard, 12 in the basement, three in each vehicle, and one in the laundry room. Of course, all the weapons would need to be fully loaded and easily accessible to effectively defend the household.

The *Brady Campaign to Prevent Gun Violence* reports the following facts, which can be found at: <http://www.bradycampaign.org/facts/>

- ▶ A gun is 22 times more likely to be used in a completed or attempted suicide, criminal assault or homicide, or unintentional shooting death or injury than to be used in a self-defense shooting.
- ▶ The mortality rate from accidental shootings is 8 times higher in the four states with the most guns compared to the four states with the fewest guns.
- ▶ In 2006, 642 people died from an unintentional shooting.
- ▶ In 2008, 17,215 people were wounded in an unintentional shooting but survived.

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▶ Over a million people have been killed with guns in the United States since 1968, when Dr. Martin Luther King, Jr. and Robert F. Kennedy were assassinated.

In Tennessee, a 3-year-old toddler accidentally shot and killed herself after mistaking her stepdad's loaded .380-caliber pistol for a Nintendo Wii game controller. This fatal accident is just one case in which an irresponsible parent left his loaded gun within the reach of a child, and allowed a toddler to play such a violent game. Unfortunately, violent games with realistic gun controllers contributed to the tragic death of the toddler.

Last year, in Texas, a 9-year-old boy was shot by one of his siblings while three children were left home alone in a house with a loaded gun. In two other states, within 48 hours, two other children were shot by their siblings at home. In Las Vegas, a 2-year-old girl was in critical condition after being shot by her 4-year-old brother at their home, and in South Carolina a 4-year-old boy was

shot in the stomach by his 3-year-old brother after the younger boy found a gun. The incident in Las Vegas happened after the girl's brother found a loaded 9mm handgun inside their home. It went off while he was holding it, hitting his sister in her torso. According to the police, the father was home at the time and the gun appears to have been improperly secured. Other than the responsibility of the

parents to protect their children from guns, we must also question what makes children in our society want to pick up a gun, play with it and point it at their siblings.

The proper response to gun violence must be a comprehensive long-term policy that is committed to eliminating the root causes of violent crimes. First, gun laws must limit gun ownership to those who can justify the absolute necessity for owning a handgun instead of a taser gun or pepper spray. Second, gun owners must undergo periodic safety training and background checks. Third, educational and co-curricular after school programs must be expanded to keep children and teenagers away from gangs. Fourth, jobs and vocational training programs must be increased to eliminate the incentive for young people to resort to violent criminal activities. And last but not least, as a society, we need to rethink the kind of images with which our media, music, entertainment and video game industries are allowed to bombard our youth. That is the only realistic way to end gun violence.

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## ALERT THE MEDIA: SECOND AMENDMENT IS AN INDIVIDUAL RIGHT

By David H. Landon



It's only taken us 219 years for the Supreme Court to affirm what the Founding Fathers thought they had made abundantly clear with the adoption of the Second Amendment in the Bill of Rights. An American citizen has an individual right to own a handgun in any village, town, city and state in this country.

With its recent decision in the case of *McDonald v. Chicago*, the Supreme Court forever changed the terms of debate over the right to bear arms. The 5-4 vote extends the same principles the Court laid out in 2008, when it struck down a handgun ban in Washington, D.C. In finding that the Second Amendment extends to state and local laws, the High Court has unequivocally affirmed the right of an individual to own handguns for self-defense and has restricted every city and state in the kinds of gun-control laws they may enact. In its decision the Court overturned 19th century decisions that said the Second Amendment restricted only federal gun laws, not local or state measures.

The decision is a continuation of the Court's reasoning in the 2008 case, *District of Columbia v. Heller*, which struck down Washington, D.C.'s blanket ban on handguns. The gun laws in D.C. were so ridiculous that they included not only a ban of handguns, but also a restriction from having a loaded rifle in your home. In the event that you confronted a burglar inside your home you had the option of confronting him with harsh language or asking him to wait while you loaded your weapon. In the *Heller* case, the Court addressed the meaning of the Second Amendment by affirming the right of citizens to own handguns. But since the city of Washington D.C. is under the jurisdiction of the federal government, the question of whether or not it applied to draconian gun restrictions in non-federal cities and states (and that's pretty much the rest of us) remained unsettled. In *McDonald*, the Court found that the due process clause of the 14th Amendment extended the same right to bear arms the Court announced in *Heller* to state and local jurisdictions.

The decision changes the debate over the issue from the question of whether a city can make a blanket ban of handguns (according to *McDonald* it can not) to what kind of reasonable restrictions a city or state can impose without violating the Second Amendment. And judging by the childish reaction of the Mayor of Chicago, who threw a tantrum in his press conference in which he discussed the Court's decision, handgun owners in Chicago shouldn't expect an easy path to packing a pistol in the Windy City. The mayor is expected to demand registration of all handguns, mandatory training for gun owners and a limit of one

handgun per person.

It seems to me that Mayor Richard Daley and those who approve of his gun restricting philosophy need to open their eyes to the reality of his failed gun policy. The Chicago handgun ban that was passed back in 1982 didn't have the effects promised by supporters. Not only did it fail to eradicate handguns, gun violence escalated during the period of the ban. In the weekend before the Supreme Court decision, 26 people in Chicago were shot, three fatally. During the previous weekend more than 50 were shot, with at least eight dying. Daley downplays the obvious fact that his ban hasn't spared the city from what he argues is the "the full scope of gun violence in America."

Perhaps the strongest indicator that the argument in favor of gun bans has been dispatched to the status of a historical footnote is the dreadful arguments attempted by the Court's four dissent-

ing justices. Worrying that overturning gun control laws undermines democracy, Justice Stephens wrote, if "the people" want to ban handguns, "the people" should be allowed to implement that desire through their elected representatives. The answer, of course, is that "the people" can't enact a law that violates the constitution. If "the people" of a state, through their elected representatives, wanted to pass a law that discriminated against a group based on their race, creed or religion, Justice Stephens

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would be the first to point out that according to the due process clause of the 14th Amendment, such a law would be unconstitutional. And rightly so. And he should be embarrassed to raise the argument of not wanting to interfere with a decision of "the people" when it comes to the Second Amendment. You cannot allow the people to violate the constitution simply because you don't like guns.

Since the 2008 election, the fear of Obama's anti-gun philosophy has sent gun and ammunition sales skyrocketing. With the recent *McDonald* decision, perhaps gun owners can relax their grip on those guns to which they have been clinging. Before *McDonald*, the High Court never affirmed that the individual right embedded in the Second Amendment existed. Liberals and anti-gun activists have used the militia clause for years to argue that the language of the Amendment only created a collective right to bear arms. That debate is now over.

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