

# MISSOURIAN

## Pros, cons of gun control debated at MU

By: Caitlin Kerfin – March 13, 2013

---

An MU law professor and a senior fellow from the Cato Institute argued the pros and cons of federal gun control legislation in front of a packed auditorium at the MU School of Law's Hulston Hall on Wednesday afternoon.

The panelists were professor Richard Reuben and fellow Ilya Shapiro. Rodney Uphoff, the school's Elwood Thomas Professor of Law, moderated the debate but also voiced his opinions.

The Mizzou Federalist Society decided to host the debate given that gun-control legislation is being considered in Congress and a barrage of executive orders issued by President Barack Obama in the wake of December's school shootings in Newtown, Conn.

The Federalist Society comprises conservative, libertarian and politically moderate law students who strive to preserve federalism, separation of powers and judicial fidelity to the text of the Constitution, according to the Law School's website.

On Wednesday, Shapiro argued the more conservative view of gun regulation, while Reuben took a more liberal stance.

### **A matter of perception**

One of the main points of contention was whether tighter requirements on background checks for those who buy guns are necessary.

"We need to enforce what's on the ground before we introduce more provisions," Shapiro said. He said the government doesn't do enough now to crack down on those who sell guns to people who fail background checks. "Stuff isn't being enforced."

"We do have lots of regulations. Sure, pass your background check law, pass your ban of magazines over 30 or 20 — whatever's constitutional," Shapiro said. "That will not affect anything — at all. Let's get that over with, and then we can actually start dealing with the problem."

On Tuesday, Democrats pushed a bill through a U.S. Senate Judiciary Committee requiring nearly universal background checks for firearms buyers, despite solid Republican opposition, according to the Associated Press. The proposal faces a difficult path through Congress, where GOP lawmakers say it would have little impact on crime and warn that it is a precursor to a federal registry of gun owners.

The bill would require background checks for transactions between private people. They now are mandatory only for sales by licensed gun dealers.

Shapiro believes the regulations proposed are “fluff” and would fail to address the real issues of gang-related violence, drug crime and mental illness.

Reuben agreed that some of the proposals would be “feel good” legislation but that more needs to be done.

“The issue I have with much of what Shapiro said is that it leads to a result of no regulation,” Reuben said. “It ends up leading to no regulation, and that’s fine if you don’t perceive that there’s a problem. But I do, and I think that’s why it’s an issue right now is that there’s a perception that assault weapons are a problem.”

Uphoff said he agreed that the regulations being discussed probably wouldn't put "a serious dent into the problem of crime control."

“We have other things we have to deal with but we as a nation love to pass feel good stuff,” he said.

### **Assault weapons**

In Congress, a proposal by Sen. Dianne Feinstein, D-Calif., to ban assault weapons and high-capacity ammunition magazines was scheduled for a committee vote on Thursday according to the Associated Press. That bill is expected to win panel approval but die in the full Senate when the chamber considers gun legislation, probably in April.

"As far as I can tell for practical purposes an assault weapon is anything that scares Dianne Feinstein," Shapiro said.

The panelists avoided a direct debate about the definition of assault weapons but did argue their stances on whether that class of guns should be banned. One model that did come up was the AR-15.

“It looks like one of those scary guns in movies to people that don’t know about guns, which is why it has to be banned,” Shapiro said with a note of sarcasm.

The issue with the AR-15 isn't functionality. It's cosmetic, he said. He noted that an AR-15 normally comes with a scope and a tripod and can appear intimidating.

Reuben, however, thinks people need to work toward a definition of assault weapons that both sides can agree on so that lawmakers can address the problem. There are a number of weapons that go beyond what one needs to protect him- or herself against a life-threatening assault in the home, he said.

Shapiro and Reuben agreed the black market could still arm criminals with assault weapons, regardless of any ban. Reuben, though, said he thinks a ban would push the price of black-market guns up, making it harder for criminals to get them.

Daniel Hartman, president of the Federalist Society, said he was pleased with the turnout and the tone of the debate.

“Both sides were presented fairly with equal amount of time for each to speak.”