



What I Did Not Say to the Senate About Guns

Douglas Anthony Cooper February 4, 2013

It is flattering to be cited in testimony to a Senate Judiciary Committee. It is less flattering to be cited in an argument against gun control, by a libertarian sympathetic to the NRA. It is not flattering in the least to have my utterly transparent agenda presented as somehow sneaky and hidden.

Nevertheless, this is an object lesson in first-class innuendo: let's examine how a gun proponent takes a perfectly sensible proposal and turns it into dark mutterings by a shadowy gun grabber.

The committee is addressing the question: "What Should America Do About Gun Violence?" I get my very own paragraph. Here it is, in the written testimony by David B. Kopel, whose credentials are impressive: he teaches constitutional law, and analyzes policy for the Cato Institute.

The only true utility of a ban on "assault weapons" is to condition the public to bans on more guns. For example, Douglas Anthony Cooper advocates a ban on "assault" semi-automatics and "high-capacity" magazines, though he grants such legislation makes little or no difference. His solution is to ban all semi-automatic rifles and all pump-action shotguns, writing that pump-action shotguns "are in some ways more useful than many often-banned weapons, if you intend to shoot a huge number of people, quickly."

That first sentence sure is ominous. Anyone arguing for an assault weapons ban (as I do) is complicit in the sneaky subversion of civic mores. We're proposing to "condition" the public: to soften them up for the brutal gun grab to follow.

Now, I'll give Professor Kopel credit: after suggesting that I'm a citizen-softener, he does point out that I'm more honest than most in aiding and abetting this sneakiness. I do announce the impending brutal gun grab. My announcement is distorted only slightly in his testimony.

Here is what I in fact wrote in the Huffington Post:

I do not intend to propose that because banning the ugliest guns does not work, we should therefore ban none of them. This line of thinking is embraced by only two groups, who have little else in common: defeatists and thugs. Chief spokesman for the latter, Wayne LaPierre of the NRA, stressed this week that his organization retains complete faith in this non-approach to the issue.

Of course you ban assault weapons. Of course you'd be foolish to permit high-capacity magazines on the streets. I simply intend to demonstrate that you'd be foolish to stop there. It's a first step, but it's a specific kind of first step: the sort that's thoroughly useless if you don't take the second and third.

So, it's not that this legislation would make "little or no difference." It would make a huge difference, if properly augmented.

I do not suggest that we "condition" anybody: there is nothing gradual about the "steps" mentioned here; I transparently advocate a sensible ban, all at once, rather than limp and ineffective legislation.

The remarks concerning pump-action shotguns insinuate something more subtle. Professor Kopel implies that I was inflating the dangers of this category of weapon, by suggesting that they were as lethal as semi-automatic rifles. What I was in fact saying was that they are more useful in a mass shooting than semi-automatic shotguns. This happens to be correct: semi-automatic shotguns have a tendency to jam.

Now, Professor Kopel is not really accusing me of making a factual error. He is slyly accusing me of being sly. He wants you to believe that I was carefully placing all of these weapons in the same category: that I wished to equate pump-action shotguns with "assault weapons" -- here meaning semi-automatic rifles with high-capacity magazines.

In short, he wants you to believe that I am in favor of grabbing all guns, indiscriminately, because I refuse to discriminate.

This is, I'm afraid, inaccurate. I am in favor of grabbing some guns -- okay, many guns -- but I do discriminate. Let me be clear: pump-action shotguns are generally less useful to mass shooters than semi-automatic rifles with high-capacity magazines.

Note that I don't feel the need for quotation marks when designating a rifle magazine as high-capacity. Any gun capable of firing over ten rounds effortlessly is not a low-capacity weapon. It is not a mid-capacity weapon. It is the kind of weapon you simply do not require, unless you're in the mood for mass murder.

Now, many pump-action shotguns are capable of holding eight shells, which are loaded more slowly than rounds in a semi-automatic shotgun, but quickly enough, and dependably. You really don't need one of those either.

Australian legislation -- which I am advocating -- discriminates carefully between various kinds of weapons. "Category C" includes pump-action shotguns capable of firing five rounds or less, as well as semi-automatic rifles limited to ten rounds. These are highly restricted. They are not banned outright; whereas higher-capacity weapons -- the ones useful only to murderers -- are.

Hence, I advocate a law that very much discriminates, albeit somewhat severely: you probably won't be able to get your hands on a Category C weapon unless you use it professionally.

Eh. You'll live. As will many thousands of Americans every year who otherwise would not.

No question that this is a serious ban. That's why it works. The Australian model allows hunters and target shooters to keep the weapons that they require, but denies them the weapons that they don't. The legislation includes all of those pesky background checks that the NRA tells you are, well, pesky. You have to endure a bit of paperwork to own weapons, just as you do to own a car.

I advocate this legislation in a way that is not even slightly underhanded. I do not propose to "condition" anyone. The laws I am promoting are not the first steps on a slippery slope towards the complete abolition of civilian weaponry -- I am proposing that we take all the necessary steps at once. These are the first and last steps: the only steps that need to be taken. I'm announcing -- without softening the blow in any way whatsoever -- that I favor the Australian legislation. As should you.

If you float around the web, you will find all sorts of gun-lovers trying to distort the Australian statistics. My favorite is a site that refers to me, in quotation marks, as "novelist and expert" Douglas Anthony Cooper. That should of course be novelist and "expert." You don't get to turn me into a non-novelist, just because you don't consider me an expert in gun control. I am in fact not an expert: just a guy who does his homework. As should you.

I won't go into the statistical debate now. The site that has determined that I am not really a novelist because I grab guns is here. One of the many experts who explain how the American gun lobby likes to twist the Australian statistics is here.

Meanwhile, the lesson to draw from the Australian model is right here, below, in this very article. Should the Senate Judiciary Committee invite me to testify personally -- not all that likely -- I will yield the chair to Gun-Grabber-in-Chief John Howard, who was Prime Minister of Australia in 1996. That was the year of the Port Arthur massacre, when Martin Bryant murdered thirty-five people in south-eastern Tasmania: the worst mass shooting in Australian history. One of the weapons employed was a semi-automatic AR-15, similar to the Bushmaster used by Adam Lanza to murder twenty children and six adults at Sandy Hook Elementary School.

It was Prime Minister Howard who courageously implemented the gun control legislation that I am advocating. These are his words:

The Australian Institute of Criminology found that gun-related murders and suicides fell sharply after 1996. The American Law and Economics Review found that our gun buyback scheme cut firearm suicides by 74 percent. In the 18 years before the 1996 reforms, Australia suffered 13 gun massacres -- each with more than four victims -- causing a total of 102 deaths. There has not been a single massacre in that category since 1996.