

On Guns: Tucson Shows Two Visions of America

The gun issue confronts us with two competing visions of America. The Tucson tragedy puts those visions in stark, clarifying relief.

The gun lobby's vision is guns in every corner of American society. The National Rifle Association wants guns in more American homes. It wants more guns on the streets, in grocery stores, in restaurants, in coffee houses, in bars, in churches, at workplaces, at political events, and on college campuses. Guns everywhere, to deter criminals from attacking and to shoot back when they do.

Arizona is fast becoming the quintessential realization of this vision. Arizona has virtually no restrictions on guns (the Brady Center gives it 2 points out of a possible 100 in its state law ratings) and the state recently became the third state to allow people to carry concealed weapons in public places without a permit. The state also recently allowed concealed carriers to take their guns into bars.

Have weak gun laws made Arizonans safer? The state ranks 6th in the nation in gun deaths. FBI data indicates it ranks 13th in homicides per 100,000 population. Arizona criminals don't appear to be cowering in fear of armed, law-abiding citizens. Arizona also has become a favorite source of lethal weaponry for the Mexican drug cartels. Three Arizona gun dealers are among the top 12 American dealers in supplying Mexican crime guns.

Indeed, Arizona's gun laws are so non-existent that it was entirely legal for Jared Loughner to be carrying his Glock outside that Tucson Safeway up until the moment he pulled the trigger. He actually *was* one of the "law-abiding citizens" the NRA thinks is making us safer by carrying concealed weapons where we live, work and shop. If Loughner's community college, which expelled him because he was thought too dangerous to be in class, had reported his behavior to the Tucson police, Arizona law allowed them to do nothing to prevent him from carrying a concealed weapon.

All those Arizonans packing heat did not prevent the carnage in Tucson. There was, in fact, a law-abiding citizen with a gun on the scene at that Safeway. He told Ed Schultz he got to the shooter after someone else had grabbed the gun from the shooter's hands and he initially thought the hero was the shooter. In the NRA's America, where everyone has a gun, it is tough to tell the good guys from the bad.

Most Americans support a very different vision of America. It is a nation that allows responsible citizens to have guns in the home for self-defense, but imposes reasonable restrictions on guns to make it harder for dangerous people to be armed. In this America, a Jared Loughner would not be permitted to legally carry a gun to a Tucson Safeway. And he would not have available to him ammunition magazines that allowed him to fire

over 30 shots from a semi-automatic without the need to reload, firepower that one law enforcement official has said "increased the lethality and body count of this attack."

Don't tell me the Second Amendment enforces the gun lobby's vision for America. The Supreme Court's recent rulings are entirely consistent with the alternative vision of reasonable restrictions. In its landmark opinion in *District of Columbia v. Heller* interpreting the Second Amendment to grant an individual right to have a gun in the home for self-defense, the High Court went out of its way to make clear that it was not recognizing a "right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose." Justice Scalia pointed to a host of gun restrictions that remain "presumptively lawful" even under the newly-recognized right, including bans on "dangerous and unusual weapons."

Loughner's 33-round ammunition magazine made his Glock pistol a very "dangerous and unusual" weapon. It is telling that Robert Levy, Chair of the libertarian CATO Institute and the mastermind behind the *Heller* case, this week told reporter Michael Isikoff that he thought a ban on high-capacity magazines would not violate the Second Amendment and makes sense from a policy standpoint.

There are pundits who say that now is not the time to address divisive issues and that we should move to the middle of the political spectrum in our policy debates. The punditry needs to understand, however, that support for reasonable restrictions on guns *is* in the middle of the political spectrum. Contrary to the conventional wisdom, gun control is not an issue that necessarily must divide those who own guns and those who do not.

If you don't believe me, ask Republican messaging maven Frank Luntz, who about a year ago did a far-reaching survey of gun owners, and particularly self-acknowledged NRA members, on their attitudes toward gun control. In an op-ed he wrote with Tom Barrett, Democratic Mayor of Milwaukee, Luntz reported, for example, that 86% of non-NRA gun owners, and 69% of NRA members, support extending Brady Law background checks to all sales at gun shows. Luntz said his poll "also found support among NRA members and other gun owners for numerous other policies to strengthen safety, security and law enforcement." He concluded that "the culture war over the right to bear arms isn't much of a war after all."

There is, in fact, a strong national consensus supporting specific additional gun restrictions that still allow law abiding and responsible adults to make the ultimate choice about owning a gun. This consensus has not been translated into public policy because too many of our elected officials are intimidated by the NRA -- a noisy, threatening lobby that does not even represent its own members on the question of reasonable regulation of guns.

Those who own guns and those who do not, to a surprising degree, have the same vision for America. Now that a much-admired Member of Congress lies seriously wounded, and the nation mourns yet another mass shooting and the fatal wounding of yet another child, is it too much to ask for a modicum of courage from Congress, and the President, to make

that vision a reality?

For more information, see Dennis Henigan's *Lethal Logic: Exploding the Myths that Paralyze American Gun Policy* (Potomac Books 2009)