

We need gun debate based on facts, not emotions

By: Rex O. Kenyon – March 16, 2013

The debate on the Second Amendment and all other debates should be based on facts and not emotions. We all have an emotional response to a tragedy or loss of a loved one. But that should not be the basis for making change; it could however, be the motivation to work toward a discussion on making change in a law or condition to prevent a tragedy from reoccurring. If we follow the emotional logic without a logical discussion, we would ban cars because they kill people, we would ban cancer and we would ban pencils because all of these cause us suffering or embarrassment. We have laws against killing people, robbery, running stop signs, speeding in school zones, but none of these laws have eliminated the problem. The problem is the person behind the wheel of the vehicle, or the knife, club or gun.

The Second Amendment is a "right" given to the citizens of the United States by our founding fathers to prevent the government from oppressing the citizens. Without a means to defend them a government could become all powerful. The founding generation didn't trust standing armies. Based of the English history of colonies, the government was prone to use the armies against the citizens. The Supreme Court determined the meaning of the Second Amendment in the District of Columbia V. Heller. The court said:

"The Second Amendment protects an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home."

There was discussion on whether the court opinion applied to states and cities or just to federal enclaves like Washington, D.C. In the Supreme Court opinion in McDonald v. Chicago, the court resolved that issue and said:

Justice Alito delivered the opinion of the court with respect to Parts I, IIA, IIB, IID, IIIA, and IIIB, "concluding that the 14th Amendment incorporates the Second Amendment right, recognized in Heller, to keep and bear arms for the purpose of self-defense."

So now there needs to be a debate, using facts not emotions, as to what the limitations to the Second Amendment, should be if any. As reasonable people we understand that a child should not be allowed to walk the streets with a machine gun. Machine guns were banned in 1934.

The discussion on banning "military style" weapons is a popular topic and an emotional issue. If it looks like a military weapon it should be banned. None of the weapons that are "military style" are automatic or machine guns, they are semi-automatic meaning the trigger must be pulled for each round that is fired. Why do we have this "style" of weapon in our homes? The military designed the weapon to make it accurate and flexible for various situations. Hunters use it for small game in many parts of the country where rifles are used for hunting. Some use this type of weapon for competition

and recreation. Others have the weapon for self-defense because of its capabilities. In the year 2011, the FBI statistics show that almost 13,000 were murdered with a weapon, 1,700 with knives, 500 with hammers, 728 with bare hands and 323 with rifles of all kinds.

High capacity magazines have been brought into the discussion and the argument is that with fewer bullets less people would get killed. Magazines on pistols or rifles can be changed in a matter of seconds. If a 10 round magazine can be changed in 3 seconds, it would take 6 seconds longer to shoot 30 rounds, the capacity of most high capacity magazines in military "style" rifles.

Guns are the most highly regulated consumer product on the market today. You can only buy a handgun in the state of residents. Firearm retailers, wholesalers and manufactures all have federal licenses. The retail purchase of a gun has to be preapproved by the federal government. There are thousands of laws regulating guns in the United States and more than 2,300 have been introduced by city state and federal government since the 1st of January this year.

The Cato institute has said in the last 60 years every mass shooting that has occurred, they all have occurred in a gun free zone, except for two. Maybe we need to consider reducing the number of gun free zones instead of increasing them. The people that are out to cause harm are not going to pay attention to a sign on the door or a sentence in a law.

In order for the government to make laws that affect the Second Amendment the Supreme Court has said that the law must make us safer and not unduly compromise the individual rights. When we can debate the issue using facts we will reach a better solution and treat the problem and not the symptom.

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