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National Review: Gun Control Doesn't Work

by DAVID RITTGERS



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Brendan Hoffman/Getty Images

McDonald v. City of Chicago brings the law up to speed with reality. According to David Rittgers, a generation from now, legal and policy discussions will look back and see gun control for the sham that it has always been.

June 29, 2010

text size **A A A**

David Rittgers is an attorney and legal policy analyst at the Cato Institute. He served three tours in Afghanistan as a Special Forces officer and continues to serve as a reserve judge advocate.

The Supreme Court's rejection of Chicago's handgun ban in *McDonald v. City of Chicago* is more than a recognition that the Second Amendment applies to the states as well as the federal government. The *McDonald* decision is a harbinger for the end of gun prohibition as an idea. The simple, undeniable truth is that gun control does not work.

McDonald brings the law up to speed with reality, where advocates of gun control have been wrong

since the issue became a national discussion.

Strict gun-control policies have failed to deliver on their essential promise: that denying law-abiding citizens access to the means of self-defense will somehow make them safer. This should come as no surprise, since gun control has always been about control, not guns.

Racism created gun control in America. Confronted with the prospect of armed freedmen who could stand up for their rights, states across the South instituted gun-control regimes that took away the ability of blacks to defend themselves against the depravity of the Klan.

Fast forward to the 1960s, when a century of institutionalized racism began to come to an end. While racism was no longer the driving force, social change, the drug trade, and the assassination of several national figures turned gun control into an article of faith among progressive politicians. They saw the elimination of guns as the only way to counter the rapid increase of crime in inner cities.

Truly onerous gun control came to fruition only in a minority of jurisdictions, predominantly those run by Democrat machines. The District of Columbia enacted a registration requirement for all handguns in 1976, then closed the registry so that all guns not on the books could never be lawfully owned in the District. Chicago followed suit in 1983. With each failure of gun control, the rejoinder was to do it again, this time with feeling.

Since the *Heller* case invalidated the District of Columbia's handgun ban two years ago, Chicago has served as the gun-control capital of the United States. Not coincidentally, Chicago is a dangerous place to live. Two weekends ago, 52 people were shot, eight fatally. Local politicians frequently ponder calling out the National Guard to patrol Chicago's streets.

Three times in the last month, Chicago residents have defended their homes or businesses with "illegal" guns. In the first, an 80-year-old Navy veteran killed a felon who broke into his home. In the second, a man shot and wounded a fugitive who burst into the man's home while running from the police. In the third, the owner of a pawn shop killed one of three robbers in self-defense, sending the other two running.

The Illinois legislature, confronted with clearly justified shootings like these before, created an affirmative defense for those who violate local gun bans when unregistered guns are used in self-defense. Then—state senator Barack Obama voted against this law, which passed by an overwhelming majority and over then-governor Rod Blagojevich's veto.

In passing this exception, Illinois recognized the basic injustice of the Chicago gun ban. Otherwise law-abiding citizens are victimized at a high rate. Chicagoans cannot depend on the police to defend them, cannot sue the city because the law protects officials from liability for failure to protect them, and are barred from effective means of self-defense.

Now that the Supreme Court has spoken, the de facto ban against self-defense will be overturned and Chicagoans will not have to rely on the discretion of prosecutors and the benevolence of legislators to affirm their inalienable right to self-defense.

Advocates of gun control will not be swayed by the Supreme Court's holding in McDonald. No matter the evidence, the rallying cry will continue: If gun control "saves just one life" it will be worth it. This plea ignores the irony of crusading for individual safety by disarming all of society. That logic can now be squarely turned on the advocates of gun control. If it saves just one life — or many, since jurisdictions with more legally owned (and carried) guns tend to have less violent crime — we should create a sensible legal framework for gun ownership that does not hamper the right of individuals to exercise self-defense.

A generation from now, legal and policy discussions will look back and see gun control for the sham that it has always been. The real shame is that it took decades of political action, millions of dollars in litigation, and thousands of lives lost to end the preposterous idea that governments can reduce the number of victims of violent crime by first taking away their means of resistance.

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Wrote:

"To fix Mexico problem we need to start selling guns to the Mexicans."

One of Mexico's worst problems is that the United States POURS illegal weapons into Mexico. They export drugs. We export weapons. Often as trade...

Arming civilians would cause a bloodbath.

Tuesday, June 29, 2010 1:30:44 PM

[Recommend \(0\)](#)[Report abuse](#)**Elmo Monster (Baby_Monster)** wrote:

Oh, Elmo sorry Mr. Sam. Keep rockin' the mustache, Mr. Otto!

Tuesday, June 29, 2010 1:21:29 PM

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Eugene

Wrote

Yet they use the same argument for a 3-day waiting period or a background check as they would for complete prohibition

Should you wait 3 day to have freedom of speech?

Or wait 3 days for a abortion, or wait 3 days for defent oneself?

Have a Gun IS our rights. Just like going to church.

Tuesday, June 29, 2010 12:38:15 PM

[Recommend \(0\)](#)[Report abuse](#)**Sam Aird (Samilcar)** wrote:

No one has ever really seriously proposed complete prohibition of gun ownership except fringe politicians? Wasn't this latest court decision the result of 28 years of complete prohibition in Chicago?

Tuesday, June 29, 2010 12:34:47 PM

[Recommend \(0\)](#)[Report abuse](#)**Eugene Carroll (Eugene_C)** wrote:

@Sam: My point is simply that the gun lobby opposes the majority of laws, even ones that don't stop law-abiding people from obtaining guns. Yet they use the same argument for a 3-day waiting period or a background check as they would for complete prohibition - and to my knowledge, no one has ever really seriously proposed complete prohibition of gun ownership except maybe for a few fringe groups and fringe politicians who would never get any traction on it.

Tuesday, June 29, 2010 12:13:45 PM

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Sam Aird (Samilcar) wrote:

@Elmo Monster: "Thank you, David Rittgers, and keep rocki' the mustache!!!"

I don't believe Mr.Rittgers sports a mustache. The man pictured at the top of this article is Otis McDonald. He's the man who was denied a permit to own a handgun and was the plaintiff in this supreme court case.

Tuesday, June 29, 2010 11:50:16 AM

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Sam Aird (Samilcar) wrote:

@Eugene Carroll: "But 98% of gun laws actually actually DON'T prevent law-abiding citizens from getting guns."

And that makes the remaining 2% of gun laws more legitimate?

Tuesday, June 29, 2010 11:43:53 AM

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Eric Cartman (SouthPart) wrote:

Well, The good thing we have the Bill of Rights.

Gun Rights is Our rights,

We have a right to own a Guns.

To fix Mexico problem we need to start selling guns to the Mexicans.

Tuesday, June 29, 2010 10:47:24 AM

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Eugene Carroll (Eugene_C) wrote:

But 98% of gun laws actually actually DON'T prevent law-abiding citizens from getting guns.

The Legos (thelegos) wrote:

Eugene Carroll, the argument is two part. It's not just that gun bans "don't prevent criminals from getting guns" it's that they "do prevent most law-abiding citizens from getting guns to protect themselves from the criminals."

Tuesday, June 29, 2010 10:24:54 AM

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Epsilon Epsilon (Epsilon) wrote:

Self-defense in your own home is a basic right. What is not discussed is that these politicians don't want citizens to have rights. They admit the police will not defend you; and may never ever solve the crime.

The supreme court got the balance right.

It's just time for these politicians, including Obama, to admit their screwup and just move-on.

Tuesday, June 29, 2010 10:08:24 AM

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