

DAVID RITTGERS

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Gun Prohibition, R.I.P.

The Supreme Court's new Second Amendment decision is the end of an era.

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.

— *David Rittgers is an attorney and legal policy analyst at the Cato Institute.*