



# Responding to the Arguments of Gun Rights Activists

*by Tom Mauser of Colorado Ceasefire*

In order to present a case for enacting stronger gun laws, it's important not only to argue one's case, but also to be able to respond to the arguments commonly used by gun rights activists. Based on my years of experience in this field, below I offer brief responses to some of their most common arguments.

The reality is that a majority of Americans support the right to bear arms—yet a majority also support the need for restrictions. It's important to reach out to these people in “the moveable middle” to promote those restrictions. They are often repeatedly battered by the weak arguments and clichés of gun rights activists, so it's important to be proactive in sharing another perspective with them.

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**1. “Gun control doesn't work! Just look at places like Chicago that have strict gun laws but a serious gun violence problem.”**

- a. As for Chicago, yes, it has a gun violence problem. But many of the guns misused there are obtained in states like Indiana that have weak gun laws. Guns cross state borders just as easily as cars do—that's why we need strong, comprehensive federal gun laws.
- b. Cities like New Orleans, Memphis and St. Louis actually have a gun homicide rate almost as bad or worse than Chicago—and they are in states with weak gun laws. Chicago is often singled out because of its strong gun laws.
- c. To see if gun laws work, let's look at the national level. America has more than ten times the gun death rate of other similar industrialized nations like England, Germany and Canada. Those other countries have strict gun laws and low gun homicide rates. America has, by far, the highest gun ownership rate, the weakest gun laws, and the highest gun homicide rate. How can anyone argue that

these are just coincidences, that strong gun laws don't work and that a permissive gun culture is safer?

**2. “More guns mean less crime. States with strong gun control have more gun violence.”**

- a. That's simply not true. Based on FBI data, the weak gun law states of Louisiana, South Carolina, Missouri and Mississippi all recently had more than twice the gun homicide rate of the states of Hawaii, Connecticut, Massachusetts and New York, which have strict gun laws (more than four homicides per 100,000 people vs. under 2.0). It's true that rural states like Wyoming have a low gun homicide rate and high gun ownership. But when comparing states that have urbanized areas, most of those with stricter gun laws have a lower homicide rate than those without them.

**3. “These gun control laws won't stop gun violence.”**

- a. Nobody can claim that any law will stop all gun violence, especially in the U.S., where there are over 300 million firearms, and such

easy access to them. It's ridiculous to insist that the test of any gun law would be its ability to stop all gun violence. Instead, we need laws that can reduce and prevent gun violence.

- b. Americans are already heavily armed, and there's certainly no evidence it has reduced gun violence. Gun rights activists are pushing to add more guns, allow them anywhere, and promote "shoot first" Stand Your Ground laws--a sure way to increase gun violence.

**4. "Criminals don't go through background checks."**

- a. Nonsense! They DO go through background checks! In 2018, in Colorado, over 6,275 gun purchases were stopped when the person trying to buy a firearm failed a background check. What crimes did they commit? Twenty-nine of them had been convicted of, or arrested for, homicide; 119 for sexual assault, 12 for kidnapping; 1,107 for assault. Over 370 had restraining orders against them; background checks led to the arrests of 268 fugitives!
- b. Yes, prohibited purchasers do try to purchase guns, sometimes because they are stupid criminals or because they're "testing" the system or don't know they are prohibited from purchasing. The system works! Why would we not do a background check on every attempted purchase to keep guns from people who shouldn't have them?

**5. "Well, but criminals will always be able to get a gun anyway."**

- a. Well, if we make it easy for them, sure they will. Instead, let's make it more difficult for them. That's why Colorado's voters and legislature have passed laws requiring more thorough background checks—to make it harder for the "bad guys" to get firearms.
- b. By the fatalistic logic of gun activists (that criminals will get guns anyway), we wouldn't require buyers of alcohol to show identification. After all, we know some teenagers are going to get booze anyway, right? But, no, as a society we don't make it easy for them, even though we know some teens will find a way to get alcohol. We enact laws to make it more difficult.

**6. "If you take away the guns of law-abiding citizens..." or, "The gun grabbers' plan is to have the government confiscate all guns."**

- a. Wait a minute! Who's talking about confiscating the guns of law-abiding citizens?!? What bills have been introduced that would do that? There are none! If you are not a felon, or a spouse abuser or a mentally disturbed person, you have a right to buy a gun and would pass a background check. This talk of taking away everyone's guns is just a distraction, a scare tactic, and an attempt to get people stirred up and angry. Besides, how in the world would our government go about confiscating 270 million firearms?!?

**7. "Look at how Nazi Germany confiscated guns from the Jews!"**

- a. Yes, the Nazis confiscated the guns of Jews and other enemies, but gun ownership levels were far lower than in today's America. Are gun activists suggesting that Jews, a minority group, could have escaped persecution and overcome the Nazis simply by having firearms? This argument greatly and callously underestimates the full range of tragic persecution the Jews faced under the Nazi regime, and it distorts history.

**8. "We need guns to protect ourselves from a tyrannical government, like that of Hitler or Stalin."**

- a. There are no firearms allowed at our polling places.
- b. It's the vote that has protected us from a tyrannical government.

**9. "Gun control laws violate our Second Amendment rights! They are unconstitutional!"**

- a. Individual citizens do not rule on constitutionality, our courts do. The U.S. Supreme Court, a conservative one, ruled in 2008 (*Heller vs D.C.*) that the Second Amendment conveys an individual right to bear arms and it struck down a restrictive Washington, D.C. law that prohibited handguns in citizens' homes. But the Court also clearly signaled that other existing gun control laws were acceptable so long

as they were not as extreme as the one in D.C. In essence, the Court ruled the Second Amendment does not provide an absolute right to bear arms, just as the First Amendment's right of free speech does not convey a right to scream "Fire!" in a crowded theater if there is none.

**10. "More people are killed by cars than guns, but I don't hear you talking about banning cars!"**

- a. In Colorado, more people now die of gunshots than from car accidents. Nobody is talking about banning cars. But we do highly regulate cars: we have numerous laws on how cars can be used, we are required to register our cars and license the drivers, requiring that they show proficiency in using them. We do virtually none of that with firearms. We take steps to make cars safer, and car deaths and injuries have been in decline; that's not the case with firearms.

**11. "Mass shooters always go for the 'gun free zones' to commit their carnage."**

- a. School and workplace shooters choose their target not because it's a gun free zone but because it's their school or workplace...they have a connection to the location! Many of these shooters don't care if there are armed people at the target location because they are mentally disturbed or not thinking rationally; also, many are suicidal or want to be killed in a shootout.

**12. "None of these gun control laws would have stopped Columbine or Aurora or Sandy Hook."**

- a. Obviously it's too late to stop those tragedies. But we should take steps to try to prevent the next tragedy. Just as important, our efforts shouldn't be aimed just at mass shootings but, rather, at everyday gun violence. Every day, nearly 100 Americans are killed with guns, and over two times that number are injured by gunshots.

**13. "These gun control laws prevent people from defending themselves."**

- a. That's simply not true! It's just another fear-mongering scare tactic designed to get people angry and fearful. Laws like those requiring background checks don't

prevent law abiding citizens from defending themselves. People have a right to protect themselves.

- b. Also, research has shown that people, women in particular, are more at risk of a homicide if there is a gun in the home.

**14. "The problem is mental health, not guns."**

- a. Let's not exaggerate the problem and create unfounded fear about people with mental health issues; most of them are far more likely to be victims of violence than perpetrators. According to the CDC, people with mental illness committed fewer than 5% of firearm homicides between 2001 and 2010. We must do more to fund our mental health services and should focus on the small percentage of mentally ill people in crisis.
- b. What hypocrisy! Gun activists and the gun lobby blame our gun violence problem on mental illness and states that fail to enter the records of disturbed people, but then they usually oppose attempts to broaden the definition of mental health illnesses that would qualify for gun restrictions. The gun lobby also opposes conducting wider background checks that would keep guns from being sold to disturbed people in the first place!

**15. "'Red flag' laws don't work, and they don't provide due process to law abiding citizens, because they aren't warned of the order in advance. They can be abused by disgruntled ex-lovers."**

- a. Extreme Risk Protection Order (ERPO) laws allow families or law enforcement to ask a judge to temporarily remove firearms from persons who are in crisis or have a demonstrated risk of harming themselves or others. These laws prohibit the sale of firearms to such persons until the order is lifted. It is true that the person in crisis is not made aware of the order in advance; the same is true of most domestic restraining orders. It obviously could be very dangerous for law enforcement to attempt to remove firearms from a person in crisis if that person is warned in advance, or it could lead to a suicide attempt. Once an order is issued and

firearms are removed, however, the person has a hearing within 14 days to make their case and again later has more opportunities to challenge the order and prove they are no longer in crisis.

- b. These laws require evidence that the person is in crisis, and providing false testimony can lead to a charge of perjury. In most states, ex-lovers cannot petition for an ERPO.
- c. Because of the unusually high suicide rate in Colorado, this type of bill can play an important role in reducing the rate of suicide by firearms.

**16. “These gun laws punish and criminalize the good guys, the law-abiding citizens, not the bad guys.”**

- a. How are law abiding citizens being criminalized? Nobody is blaming law-abiding citizens for gun violence. If you’re law-abiding, you’re able to pass a background check and purchase a gun. We deter the bad guys by making it tougher for them to obtain a gun.
- b. The gun lobby tries to win sympathy by portraying gun owners as “victims.” But most people do not feel it’s punishment to undergo a security check at an airport or courtroom, nor do they feel “criminalized.” We may not like security screenings and background checks, but we accept them as a worthwhile, shared sacrifice we make for our common safety and security.

**17. “We should enforce our existing gun laws, not make new ones!”**

- a. Yes, we can agree that that we should enforce existing laws! But who says we have to choose between enforcing gun laws and making new ones?!? That’s a false choice! We can and should do both--enforce existing laws and close loopholes.

**18. “Guns don’t kill people, people kill people.”**

- a. That’s just a simplistic cliché, it’s not a constructive solution to anything. Clichés are just snappy responses that are really meant to distract people from meaningful discussions.
- b. In gun violence there are always two common elements: people and guns.

**19. “The only way to stop a bad guy with a gun is a good guy with a gun.”**

- a. It makes far more sense to try to stop bad guys by preventing them from getting a gun in the first place. There’s no valid evidence that heavily armed Americans are stopping “bad guys” in any significant numbers. The reality is that many armed people “freeze” in the face of a threatening situation, and that many have a low degree of success in hitting their target in chaotic situations. That’s true even of police officers.
- b. In many cases armed “good guys” run the risk of crossfire shootings, worsening a standoff, becoming yet another victim, or of being shot by police or others who were unaware that they were a “good guy.” How do we know who the “good guys” are? Do they wear labels? Do you know what a spouse abuser looks like?

**20. “We need more people carrying concealed weapons in order to reduce crime.” “We need more carrying of guns openly.” “We need to allow teachers to be armed.”**

- a. Why is it that the gun lobby always sees the absence of guns as the problem and never the presence of guns? If having more guns, guns in more places, and weak gun laws made a nation safer, we should be the safest nation on earth. Clearly we are not.

Tom Mauser is the father of Columbine victim Daniel Mauser, spokesman for Colorado Ceasefire, and author of *Walking in Daniel’s Shoes*. Learn about Daniel Mauser’s legacy at [danielmauser.com](http://danielmauser.com) or on YouTube at *Tribute to Columbine victim Daniel Mauser*.