

Issue and Debate

Fight Over Gun Control Faces Test as

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WASHINGTON — The handgun played a valuable role in helping win the West. But its value on the urban frontier is less clear.

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Urban violence, and the resulting fear have produced a domestic arming of enormous proportions. Death by handguns increased almost 50 per cent in a decade. Accidents with guns, and family deaths caused by guns—added to the rising homicide rates—have caused the public and the policy makers to take still another look at the place of the gun in American life.

The type of gun most questioned is not the rifle or shotgun, used for hunting, but the handgun, which is most often used to shoot people.

Last Sunday, the Attorney General, Edward H. Levi said that the Justice Department was considering a number of proposals to reduce or eliminate the possession of pistols in metropolitan areas.

And Representative John Conyers Jr., chairman of the Crime Subcommittee of the House Judiciary Committee, said that he would begin hearings in Washington tomorrow on gun legislation and would take the hearings in Chicago next Monday and Tuesday.

"We want the people who want to preserve the use of guns for sports to meet people for whom guns are the No. 1 menace," he said in making the announcement.

With many groups now on record in favor of some type of gun control and some of the fervent opponents of control moderating their stand, the issue has become less whether there should be stronger gun control laws and more whether the country should begin a disarmament program that would eliminate civilian ownership of handguns or set the conditions under which private citizens are entitled to them.

The Background

There are 40 million handguns in the United States, less than one million of them in the hands of the police, according to the Bureau of Alcohol, Tobacco and Firearms, the agency in the Department of the Treasury responsible for enforcing gun laws. Citizens of New York City alone own more than two million illegal handguns, recent figures show. And more than 2.5 million new handguns enter the national pool every year.

Handguns were used in al-

most 10,000 homicides in 1973, including those of about 127 police officers.

A classic example of arms escalation is Detroit, where the riots of 1966 and 1967 started a wave of gun buying.

Accidental deaths by handguns tripled in a year. Criminal gun attacks increased twice as fast as any other type of assault. Today, 60 per cent of all arrests in the city involve some type of firearm—even routine traffic arrests.

The same pattern can be seen in a number of cities,

including Chicago, where half of all fatal firearm accidents occur in and around the home, and about 40 per cent of the victims are children.

As a result, 71 per cent of the respondents of a recent public opinion poll said they wanted some type of gun control, and a new liberal Congress is considering more than 40 bills, all introduced since the session began in January.

The Law

Does the Second Amendment to the Constitution give individuals the "right" to bear arms?

The Amendment reads, "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

In 1939, the Supreme Court ruled in *U.S. v. Miller* that the reference meant that states have the right to maintain a national guard.

Most opponents of organized gun control have dropped the Second Amendment argument in defense of their cause.

Curbs on gun ownership have been attempted in the past.

In 1927, Congress passed a law prohibiting the mailing of concealable firearms to private individuals.

In 1934, the National Firearms Act became law and provided some regulation of all firearms and many classes of ammunition. The Federal Firearms Act of 1938 put control of firearms in the hands of the Treasury Department, where, at the very least, it was subject to control through taxing.

These laws stayed on the books until 1968, when Senator Robert F. Kennedy and the Rev. Martin Luther King Jr., were assassinated within a month of each other, precipitating the passage of the Gun Control Act of 1968. It banned mail order sales and the importation of certain weapons and sought to keep dangerous or unstable people from obtaining firearms.

However, the statute is considered ineffective in solving the current problems.

The Argument For Disarmament

The United States Conference of Mayors, the National Council for a Responsible Firearms Policy, individual

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Levi Favors Curb

police chiefs and a host of legislators are pushing for domestic disarmament this year. Why?

In addition to the statistics on crime, many feel that guns are just too dangerous to keep around in such numbers.

Those armed for self-defense have a greater chance of killing a loved one or being killed when they confront an armed person, figures show.

"While store merchants who kill hold-up men get most of the publicity, most merchants who pull a gun when confronted by an armed robber have a greater chance of being shot," said Patrick V. Murphy, former Police Commissioner of New York City, in a radio interview. Mr. Murphy is head of the Police Foundation here.

An increased number of guns owned by private citizens—100,000 last year—are stolen by criminals during the commission of a crime, making them available to harm the persons they were purchased to protect.

Other countries that have disarmed their civilian population—most notably Japan—have almost eliminated deaths by handguns.

A bill prohibiting "the importation, manufacture, sale, purchase, transfer, receipt, possession, or transportation of handguns, except for or by members of the armed forces, law enforcement officials, and, as authorized by the Secretary of the Treasury, licensed importers, manufacturers, dealers, antique collectors, and pistol clubs," has been introduced in the House by Representative Jonathan B. Bingham, Democrat of New York City, and in the Senate by Philip A. Hart, Democrat of Michigan.

Mr. Bingham's comments before the House Subcommittee on Crime summarize the rationale: "I think we are literally out of our minds to allow 2.5 million new weapons to be manufactured every year for the sole purpose of killing people."

Guns, the figures show, are four times as likely to kill a person as an attack with a knife.

The Argument Against Gun Control

The Second Amendment, aside, the main argument

against gun control has been summarized by Representative Robert L. F. Sikes, Democrat of Florida, who has opposed any type of gun control in the past, but says he might be willing to compromise this year.

"Firearms are used by American citizens to protect their lives, families and property," he said. "The need to possess them for self-defense today is as great if not greater than in earlier periods of our nation's history."

The more traditional opposition groups, such as the National Rifle Association, favor "responsible gun ownership" and mandatory jail sentences for any person convicted of crimes using firearms.

"Confiscating handguns, in N.R.A. opinion, would make law-abiding merchants, homeowners, and others who obey the law easy victims of criminals who evade or disregard it," the organization says. Prohibition of guns, it predicts, would result in a black market in them.

In the wake of the moderated view of the National Rifle Association, more militant anti-gun control groups have cropped up, including the Citizens Committee for the Right to Keep and Bear Arms, with headquarters in Bellevue, Wash. The group, which says it has 55,000 members and contributors, has opened an office here and spent \$265,000 on anti-gun control projects last year.

"I will give up my gun when they peel my cold dead

fingers from around it," one of the group's bumper stickers reads.

The Outlook

Mr. Conyers, chairman of the Crime subcommittee, is listening to the whole debate.

While he personally would like to see the handgun banned, he is not introducing legislation of his own, so that he can continue to talk to persons of all persuasions.

Gun control will be incremental, he said. And he is willing to take whatever control he can get now, and work for more in the future.

The Bingham-Hart approach would legislate full disarmament now, realizing that it could take up to 10 years for the supply to dry up if manufacturing were halted, a bounty offered for submission of weapons for the next six months and confiscation of guns that surface thereafter were put into effect today.

It looks as if a compromise might form this year around the so-called Saturday night special, meaning the cheap, small handguns that are often imported. Many groups that do not want guns controlled generally would ban the Saturday night special.

The reason has been the feeling that these guns were the major source of domestic crime. Yet a recent study said that 70 to 75 per cent of the crime in the city committed with guns involved the so-called "quality guns" manufactured by the big gun companies.