



# F.A.C.S. REPORT

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## The Gun Owner's Arsenal II

by Ian Hodge, Ph.D., AIMM

**I**N 1991, A MASSACRE at Strathfield shopping centre in Sydney prompted an article entitled *The Gun Owner's Arsenal*. In the wake of the Port Arthur massacre, it seems appropriate to review that article with some additional comment.

As in the 1991 event, the recent massacre has raised, in a highly visible manner, the gun ownership debate. Automatic and semi-automatic weapons of all sizes are to be banned. While there is a move afoot to ban all weapons, there is almost universal agreement that these two classes of weapons must be eliminated from the hands of ordinary citizens.

Watching the television coverage of the leadup to Prime Minister Howard's meeting with state Police Ministers revealed two important ingredients in this debate. First, it was difficult to conclude that all the media were biased in their reporting. While it was clear that many of the commentators had their own firm opinions on the matter, there were opportunities for the gun ownership groups to air their view.

The response of some gun owners, however, was the second important ingredient that I noticed. There was an appalling lack of ability on the part of pro-gun people to present their view in a manner that would be likely to win people to their cause. One, an unsmiling representative of firearm owners, soon launched into an attack on the left-wing media when, in reality, they were providing him (at their expense!) an opportunity to clearly express his view. He failed to do this, because the few minutes they had allotted him became an attack on the media. It is hardly likely that the inter-

viewers would give him favourable comment in their summing up.

On a second occasion, another pro-gun representative lost credibility with the interviewer when he claimed that such massacres could occur with knives, machetes, or even spears. Could one person with a spear inflict such damage in such a short space of time before his activities were halted, the interviewer asked? The question is intriguing, since it also has implications in the gun issue. One newspaper reporter begged the question by insisting that it seems highly probable that had the killer been armed with a bolt-action or single-shot firearm, people in the vicinity would have mobbed him and brought his killing-spree to an end. This, however, seems more like wishful thinking, since it is obvious that if people were going to be killed anyway they had nothing to lose by attacking their killer before he fired.

It is interesting to explore this assumption. Did no one attempt to stop the shooting spree? Clearly the kind of firearms carried by the killer were a deterrent. But were they the *only* reason no one apparently attempted to halt the killing?

On the other side of this question lies the thought that perhaps if others in the vicinity had been armed, they might have been willing to risk life and limb in an effort to stop the killer. At least they would have the means to do this. But the private apprehension of criminals, or the private halting of serious crime, is not something that is about to be encouraged, even if it is the logical and moral response to the manifestation of sin in criminal activity.

Unfortunately, not all reporting was fair and accurate. Following the nationwide decision to ban automatic and semi-automatic weapons, gun owners in Queensland were reported to be calling for the shedding of blood in order to keep their guns. What was actually said was that freedom, once lost, can only be regained by the most expensive currency of all: blood. Hardly a call to civil violence that some in the media seemed to detect. It is, on the other hand, a real story that history reveals.

Generally speaking, few of the arguments on either side of the debate are philosophically based. Some of them are not even logical. Guns kill people: let's ban guns. The pro-gun lobby, however, argues that guns don't kill: only people kill. Perhaps we should ban people instead.

Occasionally, an argument is put forth that merits attention. One appeared from the pen of a radio commentator after the Strathfield massacre. He spoke, not so much in defence of gun ownership, but pointed out the fallacy of the argument that says that guns should be banned. It was correctly pointed out that we've had guns in this country for 200 years, but massacres of recent years are precisely that: recent events. It appears we cannot blame guns, not even military style automatic and semi-automatic models, some of which have been available for most of this century, for the rise in violence. Maybe it's time someone turned off the TV!

In the week following the shooting, I happened to be consulting to a company owned by Swiss expatriates now living in Australia. Gun ownership and military

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training are compulsory in Switzerland, and the kind of killing we have seen in recent years has not occurred there. In fact, it is a curious phenomenon, that the kind of mass killing seen in Strathfield, Dunblane and Port Arthur, as with similar incidents in the United States, seem to occur in the English-speaking world. People of other nationalities rely more on other means, such as home-made bombs, which offer even higher destructive powers than the guns about to be banned.

## Fallacies

**T**HE GUN CONTROL advocates are winning a battle which will have serious repercussions. An unarmed population is ever at the mercy of those who don't believe in gun control and who, despite all the legislation, insist on using firearms to enforce their demands upon others. In both the United States and Australia, there is a gradual tightening up of gun ownership, with the ultimate aim of making it difficult, if not impossible, for the private citizen to defend himself, his wife and family. Perhaps this is what Prime Minister Howard had in mind when he said:

I can't pretend for a moment that this decision [nationwide bans on the importation, sale and possession of all automatic and semi-automatic weapons] can prevent the recurrence of tragedies in the future but it does represent a practical, powerful, effective, legislative and governmental response to a problem.

This statement is simply amazing. The Prime Minister is admitting that the decision to ban particular weapons can-

not prevent such tragedies occurring in the future. Why then, we might ask, is the ban against guns going ahead? Surely its whole premise is based on the fact that banning the guns will prevent crime. If such action cannot prevent crime there is no apparent reason to make gun ownership of certain weapons a criminal activity.

In addition to this, if banning guns cannot prevent crime, why then are the people of Australia compelled to finance the enforced confiscation of all existing weapons that are to become illegal? Spreading the cost is a moral argument, not just an economic one. Why should innocent people, some of whom have never even owned a gun, now be taxed to compensate gun owners? And why have gun owners who have never killed anyone become the scapegoats for the Port Arthur massacre?

These are the kind of questions that are unlikely to be answered in the current debate. It is necessary to recognise that this is an emotional issue, not a logical one. And when it becomes an emotional issue, any sense of external moral demands are easily ignored or suppressed.

If present signs are an indication, Mr. Howard will be remembered as the man who divided the nation. Never have so many people come out to public meetings as they have to support gun ownership. Yet Mr. Howard refuses to back down. And the result can only be a bigger rift between town and country, between those who own and use guns, and town dwellers who, by and large, see no need for them.

Nor should we necessarily expect any sympathy from the Prime Minister. Mr. Howard, it should be remembered, is the person who was willing to use retrospective legislation in the early 1980s against those who used the law to reduce their taxes. Mr. Howard was prepared to make a previously legal action into an illegal one. Citizens who had acted in conformity to the law would now be declared criminals *because* they acted within the law. But he would do that *after* the fact, not before it.

In the name of a "higher" virtue, men are willing to abandon moral principles. The result is not a better world, but less freedom, more tyranny from governments, and a false hope that somehow

# Competition

by Ian Hodge, Ph.D., AIMM

**I**t is difficult to have any confidence in the items we read in the newspapers when reporters cannot agree on some basic concepts. Recently, I read two articles to do with competition and both offered opposing views on the effects of competition in the market place.

The first article appeared in *The Sydney Morning Herald* of April 19, and concerned the problems in child-care centres in New South Wales. In 1991, the Federal (Labor) Government gave child-care fee relief to parents who used private child-care centres. Previously only parents whose child[ren] attended non-profit-making centres qualified for the support payments. Naturally, this change in policy led to an increase in privately-operated child-care centres. The result, as could be predicted, has been an oversupply of child-care centres, and many are no longer paying their way.

The article goes on to say that the oversupply "would lead to cost-cutting and deteriorating quality." Now there are two things being claimed in this statement. First, that oversupply would lead to cost-cutting and, secondly, that quality of child-care would deteriorate. Before commenting further on these, let's look at the other news item along similar lines.

As a young boy, the name Jeep was synonymous with military and four-wheel drive vehicles. Today, Jeep, now owned by Chrysler, has been making a comeback as a quality four-wheel drive vehicle, with significant growth in sales in the Australian market. The man behind Jeep's revitalisation is Malaysian-born C.K. Liew. This story was told in the April 1996 *Motoring Guide* published by Ansett Australia for its Golden Wing members.

The automobile industry generally appears overstocked with vehicles. These numbers have grown recently, as cars from Korea (including the Festiva), Spain (Barina) and South Africa (BMW 3-Series) have entered the local market. The result, similar to the number of child-care centres has been a growth in the supply of vehicles.

Mr. Liew, however, is not perturbed about this growth in the supply of vehicles. "The result," he says, "will be bigger choice, new brands, more competition and better pricing. It will put pressure on car makers to be more efficient and dealers to

the politicians can save us from sin and the effects of sin.

As if an indicator of what is to occur, within two weeks of the Port Arthur massacre, a man shot two people in Sydney with an unlicensed pistol. Now hand guns have been banned for years and this has not prevented killings. Clearly legislation cannot solve the problem.

We might ask what really is the problem. Isn't it the taking of innocent lives by violent means? If this is the problem, then of necessity we must ask: What about abortion? Is not this, too, the violent taking of innocent lives? Will the doctor's scalpel and syringe now be banned? Will people be taxed so that doctors may be compensated for their confiscated equipment? Answers to such questions are not forthcoming, for they display the ultimate hypocrisy that is within many of the people calling for gun control, especially the politicians.

### Assessing Risk

The reaction of the politicians and many other Australians highlights the difficulty many of us face in assessing risk. Not one of us is perfect, nor can we

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assess present and future situations with absolute certainty. Given our finite stature, it is no wonder that we make so many mistakes when we assess risk, whether it is in the area of personal insurance, business planning, or who should own and control guns.

Many of us are very good at assessing risk after the fact. We are burgled, so we buy home contents insurance. After the car accident, we increase our insurance. Not only do we underestimate risk before the fact, but there is a tendency to overestimate it afterwards. We have inadequate information and often costly decision-making processes. Often times we are battling our misconceptions and misperceptions about situations. So we make mistakes in assessing the risk of a particular situation.

This is the reaction that Mr. Howard appears to have taken, and it is an exag-

gerated reaction after a particularly horrifying massacre. Banning firearms, when it is evident that killers are not bothered about the legality of the weapons they use, is a clear indication that "full cover" insurance is trying to be purchased. The problem is that the insurance being purchased is the wrong kind so it can never protect us against mass killings.

### The One and the Many

**I**F LEGISLATION CANNOT SOLVE the problem, and the Prime Minister recognises this, why the continuation with the legislative response to the issue? It is because the legislative response appeals to some more basic desire within the heart of man. Such desires are the subject matter of religious discussion, and form a backdrop to what is transpiring before us.

In his 1971 publication, *The One and the Many: Studies in the Philosophy of Order and Ultimacy*, R.J. Rushdoony has explored the meaning of the Christian doctrine of God as Three Persons yet one God. Basic to the question of gun ownership is the question of authority, and this has implications for all legislators. As Rushdoony notes, the contemporary world, having abandoned a Christian view of things, "cannot resolve, with the philosophical tools at hand to them, the problem of authority."

This is at the heart of the problem of the proper function of government, the power to tax, to conscript, to execute for crimes, and to wage warfare. The question of authority is again basic to education, to religion and to the family. Where does authority rest, in democracy or in an elite, in the church or in some secular institution, in God or in reason?<sup>2</sup>

In the debate over gun ownership, we see the issues of the rights of the individual versus the rights of the community in contrast. In all instances, the rights of the individual are trampled to serve the so-called rights of the crowd. The philosophical *one* (unity) is more important than the *many* (diversity). Totalitarianism is more acceptable than anarchy. But is there a compromise, and if so, on what basis shall the lines of demarcation be drawn?

offer better service. That's all to the customer's benefit."

Most buyers (that's just about everybody), know that more choices mean lower prices. The larger the number of suppliers and the better informed the buying public, real choices can be made between suppliers and manufacturers who will lower prices as a means of obtaining customers.

Not so, it seems, in the child-care centres. There, we're informed, a larger supply will mean deteriorating quality. This is a rather silly comment by a reporter in a national newspaper and does not indicate confidence in the editing department either. If deteriorating quality is the way to attract customers, then the car companies are in for a gloomy future. If, on the other hand, Mr. Liew is right, that cost-cutting and improved service is the way to attract customers, then neither the child-care centres nor the car manufacturers have too much to worry about. Unless, of course, they cannot match the service and price of their competitors.

There is little reason to wonder why our economy is in such a mess. When our journalists who understand neither business nor economics can write such silly comments, we have every reason to wonder what our educators have been teaching in the classroom. Maybe they have been reading newspaper articles such as this.

Competition, on the other hand, might just be what the buying public needs to help it get lower prices and better service. This, in other words, means better value for money. And that, in the long run, cannot be bad, since it makes money available to spend in other areas. And this is what fuels economic growth. Government funding cannot create this economic expansion, since the government can only spend what it first takes from its citizens. It can only re-direct wealth. Nor can government limitation of competition create economic expansion, since controls can only limit the pressure on suppliers to improve their quality and service.

Buyers need more competition. While sellers in some industries will not like this, and it is understandable that they do not want to be subject to raw market pressure, it is equally clear that there are no moral or economic grounds for the government to use its legislative powers to limit competition. We need more suppliers of goods and services, some of whom will "price themselves into the curve", thereby offering cheaper prices while gaining a significant portion of market share.

James Jordan, in an essay entitled "The Israelite Militia in the Old Testament" highlights the biblical origins of the militia and an armed citizenry. He concludes his essay noting the theological and religious significance of the issue.

I should like to comment briefly on the theological importance of the militia as a check against statist power. God is three and one, and thus in the Christian faith, the oneness of human society (made in His image) is not more important than the manyness of human society. What this has meant historically is that Christian nations operate in terms of balances of power. In the United States, for instance, there is supposed to be a balance of power among the executive, legislative, and judicial branches of government. There was originally a balance of power between the states and the national government. There was also originally a balance of power between the states and their citizens, seen in the fact that federal senators were appointed by state governments while federal representatives were elected by the people directly.<sup>3</sup>

Jordan clearly sees the relevance of the doctrine of God and its practical implications. An acceptance of the Christian concept of God has real political and legal implications, and the current debate over gun ownership is really the manifestation of a higher debate over which God shall be acknowledged by the people within Australia. Within that framework the debate then revolves around authority and its limits. Who, in other words, sets the rules: God or man? If man, is it to be the individual (anarchy), the family (patriarchy), the church (ecclesiocracy<sup>4</sup>), or the political order (democracy, tyranny of the majority — or totalitarianism, tyranny of the king or parliament)?

Neither the anti-gun lobby, nor the pro-gun lobby can be on the right path if the arguments are not framed in their proper religious context. The individual does not have an unconditional right to do whatever he likes. Neither can we agree that the individual and his desires must always be sacrificed to the higher common good as defined by those who exert sufficient political clout to affect the outcomes at the ballot box.

Rather, we should assert that the debate over gun ownership is really a debate over authority, and therefore a

debate about God. And it is a debate that asks who shall be the real authority in this nation. Until that question is settled, the gun ownership issue has not been resolved. For if we accept the Christian doctrine of God, we must also accept the Christian doctrine of original Sin and the Fall and therefore accept that no amount of legislation will solve the problem of mass murder.

### The Case in Favour

**T**HE GUN ISSUE is a highly emotive one. Both sides of the argument tend to argue with passion rather than reason. Yet the arguments in favour of easy gun ownership are there for those who wish to seek them out. In fact, what every gun owner needs is an arsenal of arguments that will not only present his case with the clearest logic, but will also counteract those of his opponent.

There are, however, a number of very good reasons why gun ownership, rather than being prohibited, should be positively encouraged. For example, the high use of guns in crime is often cited as a reason for gun control. The advocates of this argument, however, rarely cite the US Justice Department report that 83% of felons using guns to commit crime obtained the gun illegally.

Another example will help reinforce the proposition that the gun owners have the best arguments on their side. One question the anti-gun lobby refuses to answer is this: if the people of Australia are disarmed, who will defend the country? This is a fair question, and an important one. We are still waiting for an answer on this. Probably it will be suggested that the military will defend us, but we have neither sufficient manpower nor weapons to fully protect this continent from invasion. For a start, the coastline cannot be patrolled effectively, and in the case of invasion the military would need to be reinforced with additional recruits. Now recruits who have no knowledge of weapons are about as useful in a war campaign as is fielding a cricket team of men who have never played the game against the West Indies. It would be a plan for quick defeat.

Probably the best argument *in favour* of guns is the Port Arthur massacre itself. Where were the defenders and protectors of the weak, the innocent, and the

Pricing into the curve is the practice where, let's say, a manufacturer obtains his costs for producing 7 million items. His selling price must recover his manufacturing costs, administration expenses, plus profit (the future costs of staying in business). On this basis, he calculates a minimum selling price he is happy to sell for, and if there are sufficient buyers at this price he will succeed in business (assuming he can find the buyers in order to sell to them).

What is the result, on the other hand, if he prices his product as if he made 10 million (assuming his production costs and expenses are proportionally lower on this higher volume)? He can sell at a lower price and still cover his costs, expenses and profit factors. If there are people in the market willing to pay this lower price he now sells 10 million units, and this represents a larger portion of the market than if he sold only 7 million. For this strategy to work, however, the manufacturer must be able to sell the 10 million units. But if he is successful, he has purchased this larger market share using this strategy. (This is how Ford captured the automobile market early this century.)

When child-care operators learn to operate their businesses like car manufacturers, then maybe we'll get better child-care, cheaper child-care, lower maintenance costs and a wider choice of options. Let's hope not too many readers took *The Sydney Morning Herald* article seriously nor the call by one child-care operator for "regulations on how many can open." Note this is not a request for regulation to maintain standards nor keep undesirables out of the industry. It is a blatant call for the government to guarantee existing operators the right to stay in business without the threat of competition.

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## Improving Educational Standards

**F**or over 20 years now, there has been growing discontent over education standards. Ways to improve the standards have been proposed, but there is no noticeable change anywhere (even in the Christian school movement) that there is any improvement (significant or otherwise) in education standards. Christian schools can provide a better moral environment, but

3. James Jordan, "The Israelite Militia," in Morgan Norval, ed., *The Militia in 20th Century America* (Falls Church, VA: Gun Owners Foundation, 1985), pp. 36-37.

4. You don't need to get out the dictionary. I made the word up.

unarmed? If they cannot protect us against one senseless shooter, what hope have we against organised attack?

Perhaps the anti-gun people don't feel threatened at this time. While this may be a true assessment of the current climate, it is surely naive to believe that we won't need guns to protect ourselves in the future. History reveals an often recurring theme: war. The societies which are best armed, generally tend to be those who have staved off war and military intervention in their internal af-

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***"...a police force is not owned and controlled by the state, but is an extension of a person's right of self-defence...."***

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fairs. This is the rationale behind Switzerland's defence plan to keep every able-bodied man armed and ready to defend his family and country.

An interesting statistic appeared in the May 1991 edition of Don McAlvaney's *The McAlvaney Intelligence Advisor*.<sup>5</sup> According to Mr. McAlvaney, "on average, over 2,700 Americans each day use a handgun, or a rifle, or a shotgun to resist a criminal attack." For most Australians, that's a staggering piece of information. We don't appear to have the violence we read of in America, nor the attitude to guns found in that country. We are a relatively peaceful society, and few of us find it necessary to carry a gun, let alone own one as a means of protection. We are simply not threatened to that degree — at least not at present.

An even more fascinating piece of information is this. Dr. Gary Kleck, a criminologist at Florida State University, "has found that in fact, one is nearly twice as likely to be harmed when failing to resist a criminal as when resisting," says Mr. McAlvaney. We are encouraged in Scripture to resist evil, and this is clearly not meant to be confined to only *thinking* about evil. When evil manifests itself we may well need to take *physical* action against it and its perpetrators.

Continuing, Mr. McAlvaney says: "Surveys of felons have shown that their proclivity to commit criminal acts is more constrained by fear of encountering an armed victim than by fear of police and courts. Last year about 645,000 citizens

*used their handguns to protect themselves from robbers, rapists and murderers.* Hard statistics have proved that armed citizens are far less likely to become crime victims than those who are unarmed. Citizens acting in self-defense kill about three times more assailants and robbers than do police."

It is clear that when it comes to brute force the gun is an important equalling device. Instead of being dependent upon brute strength, a person can obtain a gun and use it against a bully that he might not otherwise be able to defeat. And when a criminal is prepared to use the gun, the private citizen has little choice but to ensure he is equally matched against those who have evil intentions toward him.

The anti-gun lobby, however, by limiting or prohibiting the ownership of guns, will force each one of us to depend upon the local police force for protection from criminals of various kinds. It is this dependence, however, that must be questioned seriously. Can the police force protect all citizens? Clearly not. If it takes half an hour for the police to respond to an appeal for immediate help, then it is little use in hoping for protection from this quarter. (Can you imagine the victim appealing to his attacker to take it easy for the next 30 minutes until the police arrive? This would hardly be a deterrent to the hardened criminal.)

### Whose Police?

**I**T IS THIS DEPENDENCE UPON the state controlled police-force that is curious in the light of our history. At least up until 1839, there was no state police force in Britain. In fact, "a majority of people at that time saw no need for a statutory police force."<sup>6</sup> Voluntary associations were more than sufficient to provide a viable, privately run police force. Too easily we are led to believe that the state has somehow always been in the protection racket, whereas in reality, at least in the English speaking world, the idea of the state operating the police force is a novel idea.

Nothing else explains the rise and use of guns in the English speaking world, or other parts, for that matter. Control of weapons has long been argued, as various kings sought to control bows

this does not necessarily translate into better educational standards than other schools.

A new motivation to improvement in public education has been launched by two 20-year old girls. Both have filed for damages against the NSW Education Department, and they are seeking \$250,000 each. They claim the school they attended in the Newcastle area "failed to prepare them adequately for an HSC exam" (*The Bulletin*, April 23, 1996; p. 10).

While Tasmania has remained in the spotlight over the Port Arthur massacre, a mother in that state has also threatened to sue teaching authorities who have failed to teach her 4th grade child how to read above a second grade level. She has correctly put her finger on the lack of phonics in the classroom. Threatening to sue, however, is not the same as having a court judgment passed against the teachers, so the sooner the rhetoric stops and the court action begins, the sooner there might be further outcry against appalling educational methods and standards.

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**T**he name Michael New might not be a household name in Australia. He's a Texan, a 22-year old medical specialist in the US Marine Corps. Or, at least, that was his status until recently discharged for bad conduct.

Mr. New is a man of principle and conscience. With strong Christian convictions, Michael New was confronted with a serious issue which required him to disobey an order from his superior officers.

In Europe during 1995 for the events in the Balkans, Spec. New was commanded to wear the insignia of the United Nations. His unit was to be sent to Macedonia. This command was refused by Spec. New on the grounds that it was unconstitutional for him to wear the blue beret and shoulder patch of the United Nations. He had sworn an oath to defend the United States Constitution. He said, "I took an oath to defend the Constitution of the United States against all enemies, foreign and domestic. My Army enlistment oath is to the Constitution. I cannot find any reference to the United Nations in that oath."

While consistently maintaining that he will obey all lawful orders, Michael New questioned the legality of the orders that would transfer him from a volunteer American soldier under the American Constitution into an involuntary mercenary soldier under the United Nations.

5. P.O. Box 84904, Phoenix, AZ 85071 USA, \$US125 p.a. air mail for foreign subscriptions.

6. Stephen Davies, "Edwin Chadwick and the Genesis of the English Welfare State," in *Critical Review*, Autumn 1990, Vol. 4, No. 4, p. 532.

and arrows prior to the invention of the modern gun. It is the Englishman's struggle for freedom from political tyranny, however, that clearly indicates his cherished desire to own and maintain the means of self-defence, not only against local criminals, but also — indeed most of all, perhaps — against the political order which has sought to take his liberties from him.

Not surprisingly, when political tyrannies have arisen, one of the first steps is to confiscate guns from private citizens, since the armed citizen remains a threat to despotism. In China, for example, when the communists came to power, they first made great efforts to make a good impression on the people. They appealed for funds "to help the government," and many of the wealthy class contributed hoping to win favour with the new authorities.

After a while, however, the wealthy land owners were called in and told their financial contributions were insufficient. The authorities must give guns, and the land owners would be forced to buy on the black-market to fulfil the quota demanded from them. Soon, they would be called again, and fined another quantity of rifles. Again they would be forced to spend a small fortune on the acquisition of the rifles to hand over to the communists. By the third time this happened, the land owners realised, far too late, that one day their usefulness to the communists would disappear.

It was an established practice that the Chinese communists would fine people on any pretext and demand payment in guns. The alternative was to be shot, so the average citizen had little choice but to comply with the demands. Such is the practice of political tyrannies.

The Western tradition of a local militia, however, as a means of self-defence and a check against tyranny has an ancient origin. As Jordan noted,

In terms of this conception of balance of power, the presence of an armed populace, trained in the use of weapons, and loosely organized into local militia, is a tremendous check on the power of any national government and its professional army. This is true in two ways, as we have seen. First, it enables the citizenry to resist tyrannical moves on the part of the state. Second, it enables the citizenry to refuse being drafted to fight in unjust or pointless wars. Biblically speaking, all men are

commanded to come when summonsed to the muster, but this can be a very dangerous thing for the state to do. The assembled host might decide to refuse the demands of the king (as the Puritan parliament refused the demands of Charles I). Thus, the king is constrained to be wise and circumspect in any attempt to use the militia. . . .<sup>7</sup>

When the militia becomes a tool of the state, there is no longer a true police force but a state-controlled body of political agents whose purpose, according to Dr. Rushdoony, "is not police work but the maintenance of political power."<sup>8</sup>

### A True Police

**W**HAT, THEN, IS THE TRUE nature of a police force? The idea of voluntarism carries with it the idea of the right of self-defence. This is the origin of a true police force. Dr. R.J. Rushdoony makes this point in an appendix in his book, *The Nature of the American System*. In this essay, entitled "Localism and Police Power," Dr. Rushdoony argues that a police force is not owned and controlled by the state, but is an extension of a person's right of self-defence. He lists seven points that evidence a true police force. These are:

1. A locally controlled and hence decentralized agency which is unrelated to other police bodies of other cities or counties and lacking any national federation or union. The police, properly, are city and county law enforcement men.

2. The police are not a military body, even if in uniform. They are civilians in every sense of the word, and their authority is a civilian authority.

3. The police are supported by the local property owners, whose agency they are, by means of a tax on property. The entire support of the police is local, and it is the property tax.

4. Their orientation is accordingly local, and the protection of life and property is their essential task. They are thus essentially a non-political body.

5. The local orientation of the police means also no national responsibility. Federal law is outside the jurisdiction of the police.

6. The police are not only supported by the local citizenry through a property tax, but their source of power and author-

In his written statement to his superiors, Spec. New said, "I am not trying to avoid a difficult or dangerous assignment or to get out of the Army. I served in Kuwait last year and have offered to serve anywhere in the world, in my American uniform, in the capacity as a US. Army medic under American command and US. constitutional protections.

"I simply cannot understand the legal basis of the Army order to change my uniform and thus shift my status and allegiance against my oath of enlistment, my conscience and against my will. Despite my request for information up my chain of command, my questions about justification and thus, the lawfulness of such an order or about how my allegiance can be transferred to the UN. without my approval have gone unanswered."

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**I**N ANOTHER CASE involving conscience, American dentist Randon Bragdon, from Bangor, Maine, is being prosecuted for refusing to treat a declared HIV-infected patient in his surgery. He was willing to treat the patient at a local hospital where the risk to other patients of infection by the HIV virus would be greatly reduced. Dr Bragdon, a member of the Bangor Baptist Church, has been targeted previously by gays and lesbians when he refused to treat a male patient infected with AIDS four years earlier.

The dentist has been sued under the Americans for Disabilities Act, claiming discrimination, making his trial a federal case. The plaintiff offered to settle out of court if Dr Bragdon would pay \$5,000 and give up his infectious disease policy. Dr Bragdon has refused to be intimidated, and prefers to go to trial even if it means giving up dentistry.

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**A** RECENT REPORT on welfare prepared by The Smith Family claims that families earning up to \$40,000 per annum would be better off on the dole (*Courier Mail*, 3/2/96, p. 3). This assumes, however, that the family on welfare (two adults, three children) is also benefiting from subsidised public housing.

Disposable income for the welfare family, after tax, housing, travel, and medical, is \$15,500. For a family earning \$40,000, paying medicare levy, medical bills, travel, housing and tax, disposable income is \$16,200. A family on \$30,000 p.a. has only \$9,850 disposable income.

With this kind of disposable income disparity, there is little incentive for many

7. Jordan, *ibid.*, pp. 36-37.

8. *The Nature of the American System* (Fairfax, VA: Thoburn Press, 1965), p. 158.

ity is by delegation without surrender from the local citizenry. Men can elect a councilman or congressman and delegate to him the right to vote on their behalf; they do not possess and do not maintain a right to vote in those bodies themselves; it is a privilege held as a member of the electorate in the person of the representative officer. But the citizenry (originally the propertied citizenry) does not surrender its police power to the police. It is delegation without surrender. The citizenry retains the right to exercise, as needed, its police power, the right of citizen arrest. This right, of course, is under law, as is the official police arrest, in each case subject to legal fences designed to protect the right of the innocent and the orderly process of law. *True police power is thus in the citizenry and not in the state; it is delegated, not surrendered. This is the identifying mark of a true police, and the source of its offense to a totalitarian order.*

7. The police are an aspect of the local citizenry's self-government and their *right of self-defense. Attempts to destroy the police by destroying their purely local nature are thus veiled attacks on the right of self-defense.*<sup>9</sup>

Dr. Rushdoony continues to make the point that *"a slave state has no true criminal law, and no police. The slave population have no rights to be defended, and no police power, or right of self defense, to delegate. If all are slaves of the state, there is no police power but only state power."*<sup>10</sup>

Perhaps we have an indicator here which tells us the true nature of the citizen's relationship to the state at the present time in Australia. Is our police force a true extension of the individual's right to self-defence, or is the police force an arm of the state? If it is the latter, then it is clear we have lost the very means to self-government and the freedom which goes with it. Dr. Rushdoony adds, "In a free society, the citizenry can establish a local police force, exercise their own police rights, and also create private police, patrol or detective agencies to further their right of self-defense."<sup>11</sup>

At the heart of the gun-control debate, therefore, is the far larger issue of individual liberty, or freedom. Our English heritage once reflected to a far larger degree than it does today a biblical so-

cial order. We did have the right of self-defence, and the local constabulary were not an arm of the political order. That changed last century in England, In Australia, the police have always been an arm of the government, and this has left us in a quandary. Coupled with the very poor teaching most of us have received in applied Christianity, we find ourselves struggling to find the right answers to the problems which surround us.

Finally, we would do well to remember this incisive comment by Dr. Rushdoony:

An attack on the local police is an attack on the right of self-defense. When the local police are destroyed, the totalitarian state will have arrived in full force. That great civilian army of local police, and a citizenry with police powers and the right to bear arms, is thus a major target of subversive activity, assault, legislation and propaganda.<sup>12</sup>

The gun-control movement is an assault on the idea of self-defense and, by extension, on the idea of a true police. That Australia does not have a police in the sense outlined here is another issue. Perhaps it is necessary to ask what kind of police do we want and find the right answer to that question. Once that has been achieved, we might be in better shape to deal with the gun-ownership issue.

To surrender our means of self-defence is to make ourselves slaves to those who offer to protect us. Yet such an action is prohibited in Scripture. "You were bought at a price; do not become slaves of men" (1 Cor 7:23 NKJV). We do not have the liberty to make ourselves or our offspring slaves to a human master when it is clear that we are already slaves of another Master, one Jesus Christ.

Even more tragic, however, is the acceptance by many in the Christian community that gun controls will solve the problem. This is a tacit acceptance of the argument that it is the social environment which causes people to act in certain ways. Change the environment, it is suggested, and the problem will disappear. This is only a valid argument if the thing to be prohibited is evil (i.e. murder, or theft), but gun-ownership itself carries no such biblical prohibition.

According to Scripture, on the other hand, man's problems are moral and

families to work. Only a strong work ethic and a desire to pay one's own way in life can motivate many lower income families to stay off welfare.

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**P**ROHIBITION IS OFTEN considered an American phenomenon. But such a restriction would be too hasty. Any law, rule, or regulation designed to prohibit or even *restrict* the use of something is rightly to be seen as belonging to the idea of prohibition.

In this regard, taxes on certain items are rightly to be seen as prohibition. Often called "sin" taxes, they are designed to tax the user of certain goods and items in an attempt to discourage him from using them. Alcohol and tobacco are the obvious examples. (Is there a parallel with speeding fines?)

Recent increases in state taxes as a result of the federal government's attempt to charge the state sales tax have indicated that rather than act as a prohibition, the taxes are there because of the certainty to raise revenue for the taxing authority. In fact, just the contrary to the intention is true. The state governments, rather than seeing the taxed goods reduced in their use are now banking "pun intended) on the continued use of those items. The state governments have a vested financial interest in the continued use of the taxed goods and services (e.g. tobacco, gambling), so why to do anything that might limit the use of these items would be contradictory, to say the least.

Rev Robert A Sirico, President of the Acton Institute for the Study of Religion and Liberty, in an Occasional Paper entitled, *The Sin Tax: Economic and Moral Considerations* (published by the Acton Institute, 1995), has listed several results from the "sin" taxes. *First*, the taxes reduce the incomes of the buyer. They pay more for the taxed items than they need to. *Second*, sellers could get some of this higher price, but it is going to the government, so the taxes mean reduced profits for sellers. *Third*, the taxes are so low that they do not seriously discourage consumption habits, especially when the goods are desired intensely. *Fourth*, it can create underground markets as black market operators offer tax-free goods. *Fifth*, this can mean lower government revenue as the illegal alternatives are purchased. *Sixth*, it creates a moral dilemma for policy makers who, on the one hand, desire the reduced use of the goods, while, on the other

9. *Ibid.*, pp. 159-160, emphasis in original.

10. *Ibid.*, p. 161.

11. *Idem.*

12. *Ibid.*, p. 166.

ethical. The problems of life all stem from the one root: man's ethical rebellion against his Creator, and his desire to be his own god, determining for himself what is right and wrong (Gen. 3:5).

If this is the problem, then its solution is in God's plan of salvation. Salvation (Greek: *soteria*) has the meaning of health. And the health of any society can only be achieved and maintained by accepting God's plan of salvation which alone can overcome the effects of sin, both in this life and in the life hereafter. Faith in Christ as the Saviour of mankind, coupled with obedience to His commandments is the God-ordained plan for salvation.

### Conclusion

**L**EGISLATIVE ACTS TO PROHIBIT gun ownership cannot solve moral problems, since man is incapable of saving himself from the effects of sin. Thus

the gun-control lobby is properly seen as man's attempt at self-salvation through the political order.

Against all such false notions of salvation, the Christian is called to declare the faithful witness. May God grant us men and women who will proclaim, with the apostles of old "Nor is there salvation in any other, for there is no other name under heaven given among men by which we must be saved" (Acts 4:12).

The gun-ownership debate is a test of our allegiance to the King of kings. Either we are slaves of Christ and follow His commandments for our social policies, or else we follow the ideas of men, and identify ourselves as slaves to rebellion against our Creator. This is the choice that confronts us at this time. May God, again, grant us the wisdom and the strength to stand firmly in His name, and on His word, the Scriptures, on the issue of gun ownership.

hand, becoming increasingly dependent upon the revenue from the sale of those "prohibited" goods.

Sin taxes also distort the differences between vice and crime in a way that is detrimental to the community and the proper dealing with real crime. When crime and vice are treated the same, vice is not raised to the level of crime. Rather, crime is now seen as being no more serious than vice. This is a part of the reason criminals are so lightly treated.

We need moral governments, unlike the present ones in Australia that are making the crime of owning a gun one of the most serious in the country, who will take crime seriously because they no longer treat vice like crime. Governments should get out of the reform business, stop trying to reform hardened drinkers and gamblers, get into the restitution business by ensuring hardened criminals are treated the way that God's law demands.

Until that distinction is made by our church and civic leaders we cannot expect the ordinary citizen to take either crime or vice seriously. When the leaders show leadership, then perhaps we will see some real change in both the taxing of vice and the punishment of crime. In the meantime, we can expect both our taxes and crime to increase.