

Don B. Kates and Gary Mauser. "Would Banning Firearms Reduce Murder and Suicide? A Review of International and Some Domestic Evidence" *Harvard Journal of Law and Policy*

The article appears in a publication, described as a "student law review for conservative and libertarian legal scholarship." It does not appear to be a peer-reviewed journal, or one that is searching for truth as opposed to presenting a certain world view. The paper itself is not a scientific article, but a polemic, making the claim that gun availability does not affect homicide or suicide. It does this by ignoring most of the scientific literature, and by making too many incorrect and illogical claims. Here I will discuss just a few of the many problems with the paper.

1. What do the international data suggest about the relationship between gun availability and homicide? The authors rightly claim that many factors affect homicide rates. Then in eye-ball comparisons of the relationship between gun ownership rates and murder rates across countries (controlling for no other influences on homicide), they include very disparate nations. In particular, they include both the old Soviet Bloc countries (Second- World middle-income countries in troubled transition from dictatorial socialism to capitalism) and stable First-World high-income established democracies. Not surprisingly, the Soviet Bloc countries—e.g., Russia, Moldova, Estonia, Latvia, Lithuania, Belarus, and Ukraine--all have high homicide rates compared to Western Europe.

It is crucial to compare likes to likes. It makes sense to examine the experiences of high-income democracies, because they have the most reliable data, and their experience is of the most relevance for the United States. A study (not mentioned by Kates and Mauser) that examined all the populous countries high-income countries (as defined by the World Bank) found that "In simple regressions (no control variables) across 26 high-income nations, there is a strong and statistically significant association between gun availability and homicide rates." (Hemenway & Miller 2000). One of the studies Kates and Mauser cite that did not find such an association between guns and homicide included three middle-income countries like Estonia (Killias et al 2001); when these are excluded the association between gun availability and homicide is strong (Hemenway 2006).

A review of the scientific literature (more than 20 studies) finds that a broad array of evidence indicates that gun availability is a risk factor for homicide, both in the United States and across high-income countries. Case-control studies, ecological time-series and cross-sectional studies indicate that in homes, cities, states and regions in the US, where there are more guns, both men and women are at higher risk for homicide, particularly firearm homicide. The conclusion is that "None of the studies prove causation, but the available evidence is consistent with the hypothesis that increased gun prevalence increases the homicide rate" (Hepburn & Hemenway 2004). For a recent article on homicide rates across U.S. states and firearm prevalence, see Miller, Azrael & Hemenway 2007.

2. Kates and Mauser throughout claim there is no relationship between gun prevalence and suicide and that "in the absence of firearms, people who are inclined to commit suicide kill themselves in some other way" (p. 691, also 662). They are incorrect, and do not cite the many studies showing that a gun in the home is a risk factor for completed suicide (e.g., a dozen case-control studies in the United States). The scientific literature is summarized in a variety of places (e.g., Miller & Hemenway 1999; Brent 2001; Brent & Bridges 2003). A review of the scientific evidence by twenty-three suicide experts from fifteen countries concluded that restricting access to lethal means (e.g., guns in the United States) is one of only two suicide prevention policies with proven effectiveness (Mann et al 2005). The overwhelming evidence that guns are a risk factor for suicide in the United States is summarized on the Harvard Injury Control Research Center website. <http://www.hsph.harvard.edu/means-matter/>

For youth, the American Association of Suicidology consensus statement on youth suicide concludes that “there is a positive association between the accessibility and availability of firearms in the home and the risk of youth suicide; guns in the home, particularly loaded guns, are associated with increased risk for suicide by youth, both with and without identifiable mental health problems or suicidal risk factors (Berman et al 1998).

There are many other misleading aspects of the paper; here are three:

3. Kates and Mauser (pp. 658-660, 671) provide a distorted review of the literature on the effect of concealed carry laws in the United States. A more complete and accurate description can be found as one of the “Bulletins” at the Harvard Injury Control Research Center’s website, which provides the main conclusions from some two dozen published studies.

[http://www.hsph.harvard.edu/research/hicrc/files/Bullet-ins\\_Fall\\_2008.pdf](http://www.hsph.harvard.edu/research/hicrc/files/Bullet-ins_Fall_2008.pdf)

4. Kates and Mauser (pp. 671) cite as correct that there are “more defensive gun uses than crimes committed with firearms” in the United States. All studies show the opposite. The explanation for the invalid claim can be found as one of the “Bulletins” at the Harvard Injury Control Research Center website. [http://www.hsph.harvard.edu/research/hicrc/files/Bullet-ins\\_Spring\\_2009.pdf](http://www.hsph.harvard.edu/research/hicrc/files/Bullet-ins_Spring_2009.pdf).

5. The Kates and Mauser claims about firearms in English history, taken from the Malcolm (2002), are not convincing (see my book review, The Smoking Barrel in Psychology Today)

<http://www.psychologytoday.com/articles/200304/pt-book-review-the-smoking-barrel>.

There are many other aspects of the paper which are problematic; here are three:

6. Kates and Mauser see the world as a dichotomous one filled with only bad guys and good guys, criminals and decent-law-abiding citizens. The criminals are very bad, and the good guys are always good. In their world they seem to believe the bad guys can always get guns, and the good guys will always use guns appropriately. The policy conclusions are clear. In a more realistic model, there is a continuum of people with good and bad behavior, and how they behave depends on their disposition that day (e.g., are they tired, drunk, afraid) and the situation. In the latter model, the effects of various policies become an empirical question.

7. Kates and Mauser are often confusing because they are talking about homicide, and then they present claims about “violence” or “violent crime” (e.g., 653). But most violent crimes have little to do with guns. Guns primarily make hostile interactions much more lethal.

8. While Kates and Mauser often cite the old Wright studies of criminals, they don’t cite many of the more interesting findings (e.g., three quarters of felons who fire guns in criminal situations claim to have had no prior intention of doing so, and about half who fire guns while committing crimes claim to have done so in self-defense) (Wright, Rossi & Daly 2003).

Too many of the other claims by Kates and Mauser are also misleading; most of the issues are discussed in Private Guns and Public Health, which tries to discuss all the relevant scientific literature, rather than just one side for some debate. The Kates and Mauser article is simply a one-sided polemic, usually misleading, and does not deserve much attention.

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