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Gun Control: A European Perspectiveⁱ

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Abstract

From a European perspective the US debate about gun control is puzzling because we have no such debate: It seems obvious to us that dangerous weapons need tight control and that ‘guns’ fall under that category. I suggest that this difference occurs due to different habits that generate different attitudes and support this explanation with an analogy to the habits about knives. I conclude that it is plausible that individual knife-people or gun-people do not want tight regulatory legislation—but tight knife and gun legislation is morally obligatory anyway. We need to give up our habits for the greater good.

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THE VIEW ACROSS THE ATLANTIC

The debate about gun control in the US has long puzzled me, and not just me; all Europeans that I know feel the same: We don't have guns and we think it obvious that guns must be tightly controlled: Use for hunting is all right, but a civilian owning a gun for self-defence should be a rare exception. This is not just a majority opinion; it is the consensus, a political non-issue. This difference between Europe and the US is remarkable, since our cultures appear fairly similar, otherwise.

So, with this background of a European (German) who lives in Europe (Greece, also the UK) I read Chris Riddle's introductory remark in the Call for Papers, "Gun violence is an unfortunate reality in our global society. Recent discussions surrounding this topic have been polarizing and emotionally charged." ... and my first response is: No; not where I live. Here, gun violence is not a reality and discussions are not emotionally charged. In fact, we don't discuss this issue because we agree.

Let me explain my 'reality' a bit more: I live in the city centre of a one million town (Thessaloniki) in a state of lasting economic depression. But in my experience there is no gun violence: Armed robbery with guns is rare enough to make the headlines for days and police usually do not ever fire their gun in a lifetime of service. We don't have the dangerous 'no-go areas' our American visitors ask about. In 2014, we had 14 homicides total in town, and 5 serious robberies.ⁱⁱ I have never owned a gun and have only

ⁱⁱ Greek police crime statistics show 14 homicides in 2014 (same for 2013) for the Prefecture of Thessaloniki with 1.1 million inhabitants; which is a homicide rate of 1.27 over 100.000 inhabitants. In 2014 we had 402 robberies, of which 197 of mobile phones and 2 bank robberies

ever touched small calibres. To my knowledge, nobody I don't know has a handgun, and only two people have hunting rifles. Of course, it is not impossible to buy a gun on the black market but I would not be sure where to start searching (while getting drugs would be easy). The UK and Germany offer similar pictures: In the UK even police do not carry guns (except in Northern Ireland). In Germany police do carry guns, but no ordinary citizens has a handgun; everything is tightly regulated, and gun violence is, again, a fairly exotic phenomenon. I can only speculate why criminals in Europe do not use guns more: It probably has to do with high risk and low reward of using guns: significant penalties, a lack of acquaintance with gunsⁱⁱⁱ and low risk of encountering armed resistance.

Is there anything that can be learned from this contrast of cultures? If I had to find arguments for gun control, I would suggest that the need for guns (small arms)^{iv} in the hands of civilians depends on the society one lives in. The right to 'bear arms' should find its limits when it infringes on the rights of others to 'safety', and whether that is the case or

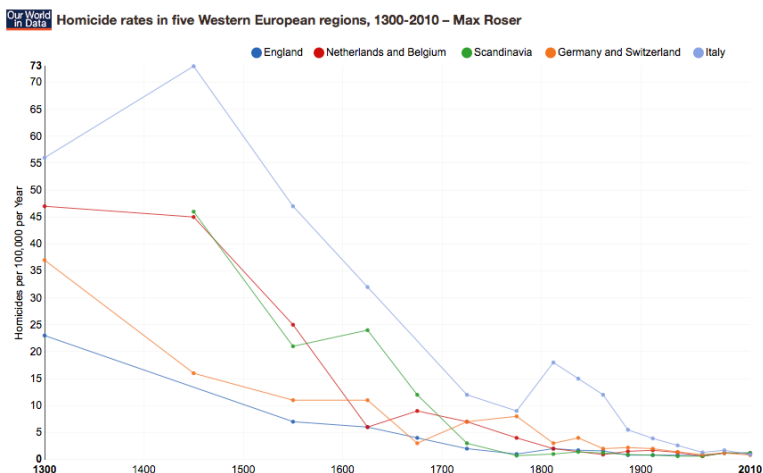
(Greek Police 2014). The situation is by no means uniform across the country (of ca. 11 million): The area around the capital Athens (Attiki) has multiple times the violent crime level than more rural areas, especially with a much increased level of violent crime in the last decade.

ⁱⁱⁱ For a funny illustration of English gangsters trying to acquire and use guns, watch the movie "Lock, Stock and Two Smoking Barrels" (1998).

^{iv} The definition of the 1997 *United Nations' Report of the Panel of Governmental Experts on Small Arms* was: "*Small arms*: revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns, and light machine guns. *Light weapons*: heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-tank and anti-aircraft guns, recoilless rifles, portable launchers of anti-tank and anti-aircraft missile systems, and mortars of less than 100 mm calibre." (cited in GIIS 2007, p. 3)

not depends on how much safety a society provides. So, the essential consideration between these two rights is one of utility—a consideration that is close to American cultural habits but usually secondary to European ones where duty (German style) or virtue (Greek style) tend to take precedence. In the absence of a functioning ‘social contract’, in a society with no sufficient ‘rule of law’, I know that I have to depend on myself and the other members of my group, so having better weapons provides more safety for me, and the members of my group. In my present condition, however, in a EU member state with a broadly successful rule of law, I know that the state and society overall makes it very unlikely that I will be faced with gun-armed attack, and that the state will come to my rescue if needed - though of course it might be too late. It might still be true that I, personally, would be safer if I had a gun but the overall rule-utility calculation makes it very clear that my society with tight gun control (European style) generates higher utility than my society with loose gun control (USA-style). I will return to this point later on.

Let me illustrate this with a long-run comparison over the last 700 years in Europe. (Haldane 2015: 9) points out that violence indicates a “lack of cooperation or trust within or across societies” and that it has fallen by a factor of five from the 15th to the 18th Century. In fact, homicides in Europe have fallen from a stunning ca. 40 in 100.000 (around AD 1500) to ca. 1 in 100.000 now (Roser 2015):



© Max Roser, [CC BY-SA](https://creativecommons.org/licenses/by-sa/4.0/). Data and more information may be found at www.ourworldindata.org/data/violence-rights/homicides. Data sources: UNODC for 2010 and Eisner (2003). Long-Term Historical Trends in Violent Crime. In *Crime and Justice*, 30, 83–142.

So the objective probability of facing ‘gun violence’ *is* a factor. From the data above, it looks like in Europe of the 15th Century, or the ‘Wild West’ the calculation would have come out differently—but the situation was also far less safe with far more guns (cf. McMahan 2012). McMahan argues that an unsafe situation does *not* actually become safer with more guns and uses the US prisons as an example—where this argument seems to say that prisoners, rather than guards, should be armed to improve safety (McMahan 2015). Does the objective probability of gun violence explain why Americans often think differently about these issues? After all, crime rates are much higher than in the European Union: Homicides are ca. 5 times

more frequentⁱ, with guns 10-20 times more frequent, and ‘major assault’ is said to be 10 times more frequent than in Europe (Harrendorf, Heiskanen, & Malby, p. 23).ⁱⁱ

THE VIEW FROM WITHIN: ATTITUDES

But I think that different levels of crime today may not actually be the explanation for different attitudes. Allow me to use a piece of illustrative evidence:

I often carry a knife and find that quite unproblematic. I like knives. My *habit* of carrying a knife shapes my *attitude*: For example, I am annoyed that UK regulations are so tight. In the UK, I can only carry a folding knife with a blade of 3" (7,62cm) and no locking mechanism. I feel that the state shouldn't regulate my ability to carry or use knives at all - after all I am a responsible person! Of course I keep my child away from knives and I have noticed that

ⁱ More precisely, for 2011: USA: 4.7, UK: 1.0, Greece 1.7, Germany 0.8. For the last year that has full primary statistics (2012), we get rates of 0.6-1.8 in the EU (Eurostat 2014) and 4.9 in the USA (FBI 2013); see also (UNDOC 2013). The FBI data initially shows 4.7 murders per 100.000 in habitants but, unlike Eurostat, this data excludes “justifiable homicide” of felons by police officers (410 victims) and civilians (310 victims). So, to compare we have to add these to the 14,827 murders = 15,547 homicides; i.e. over 4.9 homicides per 100,000. This is 42 per day. The US data also exclude victims of death penalty, another 43 in 2012—of course these are 0 in the EU.

ⁱⁱ Crime statistics beyond homicide are so unreliable and hard to compare (due to differing definitions and reporting rates) as to be nearly worthless. This is made quite clear by the methodological remarks that Eurostat adds to their statistics: “For these reasons, direct comparisons of crime levels in different countries should be avoided. Rates per head of population (which might imply that such comparisons could be made) are therefore not presented in this publication, except in the case of homicide and the prison population, where the figures may be more readily comparable.” (Eurostat 2012, p. 1)

some people feel uneasy about knives, but I tend to dismiss this as founded on ignorance and irrational fear of a danger that is easily controlled. So, if I and other knife-people had a say, regulations on knives would be pretty loose, perhaps nil. Knife control is a paternalist nuisance to us.

If I had a similar habit with guns, I would probably feel the same as other gun-people—and even now I can feel the fascination. For gun-people, guns are beautiful, safe to use, they have value: Gun control is a paternalist nuisance to them. The habit shapes the attitude.

The political reality is that in Europe a (political) majority of non-gun-people has pushed for tight regulation, while in the US a (political) majority of gun-people has pushed for loose regulation. While there are comparatively many guns in the US,ⁱⁱⁱ it is very likely not the case that the majority of adults own a gun.^{iv} Of course there are other factors in the actual causal chain, but it is clear that whether the many arguments heard on both sides have fallen on fertile or barren ground depended on individual *attitudes*—and not

ⁱⁱⁱ The US has 88.8 guns per 100 inhabitants (GIIS 2007) and 2.97 homicides by firearms in 100,000 inhabitants (Guardian 2012). For comparison: Germany 30.3 (0.19), Greece 22.5 (0.26), England & Wales 6.2 (0.07). This puts the USA at number 28 in the list of countries ordered by homicides by firearms (Guardian 2012). I suspect that the relatively large numbers of guns for Germany, Greece and other European countries are due to large hunting communities.

Reports on various statistics around guns on <http://www.gunpolicy.org>.

^{iv} Which percentage of adults (voters) own or co-own guns is not clear. In 2014, 34% of US inhabitants responded in a web and phone survey (response rate ca. 50%) that they have a gun “in the household” (Pew Research Center 2015). An earlier survey found 24% of respondents “say they personally own a gun” (Pew Research Center 2013, sect. 3). While the actual figure of ownership is certain to be higher than the one admitted in such responses, it appears unlikely that it is double the 24% found by the Pew survey.

on actual empirical differences. What matters politically is which attitude prevails, not whether the situation objectively makes tight gun control necessary or not.

THE OBJECTIVISED VIEW

I need to return to my points above about estimating the long-term outcomes of rules. So, if I step back from my attitudes as what I termed ‘knife-person’ above, what should I say? Are knives dangerous? Yes, of course. Will I ever use a knife on a person? I think that the probability is extremely low; except perhaps in especially rare justifiable circumstances, such as last defence of someone’s life. One reason not to use a knife would be the fear that it will be turned against me. I trust myself that I will only make good use of a knife.

But can I vouch for ‘average person’ or even for everybody else? Hardly. It is hard to see how the right to carrying my knife should be balanced with the right of someone else to be safe of it—if anything, that balance would come out against my knife habits. It is unfortunately quite clear, given the current societal situation, that the utility in allowing people to carry *certain* knives is lower than the risk associated with it, e.g. this calculation speaks against carrying fixed knives and knives that can be ‘flicked’ into fixed position. It also speaks against allowing children to have knives with locking blades. For these kinds of knives where fatal outcomes are more probable a user would need special reasons why they need to carry them (e.g. for camping). Knife and gun legislation usually differentiates between ownership and carrying. So, I must admit that rationality dictates that knives be regulated, even if I don’t like it and even if I think it would not be necessary for me, or my friends.

Similar simple things apply to guns. The primary concern is whether a gun can kill a human under normal circumstances, so probably air guns and guns with low power ammunition are not a prime target for regulation (as small knives and kitchen knives are not). The mere availability of guns that can kill at the mere pull of a trigger increases the probability of fatal outcomes, intended or accidental. It also increases the probability of injuries, accidents,^v armed crime, suicides, threats, etc. therefore *reducing* that availability would *increase* overall utility. For ‘availability’ it is not just relevant how many guns exist but also how easily accessible they are and how tightly controlled their carrying and use is.

What use does a knife have? Having one available, I find uses for it all the time though of course in a city-dweller’s life there are hardly any situations where I need one in my pocket. For guns, what use can ordinary citizens have? Shooting for fun, as a sport, is one use but that can be done with small calibre guns and the additional utility gain from large calibres is tiny, in comparison to the risk. In fact, I can only see one use: Hunting. So what kinds of guns can be useful for hunting while not creating an undue risk? This is a matter for experts to debate, but I think it is fairly clear that on these grounds handguns (pistols or revolvers), automatic weapons, weapons over a certain calibre, weapons with silencers and certain kinds of ammunition are bad for society. Handguns for example are easy to conceal and use, but never really needed for hunting—in Germany they are illegal for hunting, except for a finishing shot (BJagdG §19;1). We don’t even need to begin talking about

^v I know of no serious statistics that compares different places for involuntary homicide, suicide or injury with guns. This evidence would be very important for my kind of argument.

‘light weapons’ such as grenade launchers, small mortars, anti-tank missiles etc.

To sum up, in a functioning state, there is space for weapons for hunters and people who have special needs for self-defence—but only for them. By and large this is the legal situation in European states today.

Perhaps Switzerland is a useful example. Switzerland deviates somewhat from the European mainstream in that it has a long tradition of gun ownership—in my terminology it has many people with gun *habits* and pro-gun *attitude*. It has a relatively high rate of gun ownership but homicide rates like similar European countries. Its gun laws used to be loose but have been tightened in recent decades. It used to be the case that all males who entered compulsory military conscription kept their military guns at home indefinitely (which explains high gun ownership rates). Today, only active members of the Swiss army reserve do keep guns at home but these must be locked up safely and returned when reserve duty ends, typically at age 34. Ammunition used to be provided in a sealed container (“Taschenmunition”) but since 2007 no ammunition is kept at home. Civilian gun control is increasingly tight: Acquisition of weapons or ammunition requires a *purchasing license*. In the application, one must state what gun one will buy (kind, model, 3 items maximum), and what for: sports, collection or hunting. License will be denied if the applicant has a criminal record, is not a legal resident, or is a national of certain countries. Certain kinds of guns or gun parts cannot be purchased at all (semi-automatics, silencers, laser guides, etc.). To carry a gun outside the home, an additional *permit to carry* is needed (lasting a maximum of 5 years), which requires particular reasons for self-defense or protection of others, and an examination. Practically, only security professionals will

get such a permit. https://de.wikipedia.org/wiki/Waffen_gesetz_%28Schweiz%29. A 2011 initiative that would have brought Switzerland entirely in line with the rest of Europe failed narrowly (56% against).

But what about self-defence? I'm afraid that if a functioning state provides general protection, then a general permission of guns for armed self-defence clearly tilts the utility scale to the negative. So generally permitting guns for self-defence is bad for such a society. What matters for this calculation is not how safe I 'feel' or how much I 'trust' the state to do its job. It is just a matter of objective utility, so while the traditionally lower trust in state authority in the US is part of the *explanation* for attitudes, it cannot be part of the *justification*.^{vi}

To make this point is not to suggest that more guns cause more murders and to support this claim with a statistical correlation between gun ownership and homicide rates. Correlation is not causation and, as (Lott 2014) points out, that correlation is by no means clear-cut. My point here is a much simpler one: Imagine two worlds, one (a) with tight gun control and one (b) with loose gun control and now estimate which of the two has more happiness and less pain in it. Assuming that both worlds have a functioning state that guarantees the rule of law, it is clear that world (a) has less pain and more happiness overall, so we have a moral obligation to bring it about.

^{vi} One argument that appears occasionally is that guns are necessary to defend oneself against the state. This also strikes Europeans as bizarre for a place where the rule of law is largely intact, like the USA. In any case, it is practically hopeless: In an organised state the real weapons are in the hands of the state, even with loose gun control.

This is true even if a given individual would be safer with a gun: Having this gun would actually be a violation of the social contract (gaining an individual advantage) and would lead towards a situation where others will also find it rational to acquire a gun, etc. etc. The gun owner is the ‘free rider’ here, not the people without guns. The gun owner’s acquiring the individual ability to ‘self-defence’ is at the cost of greater overall risk. In this arms race the contract tends to break down and we move towards what Hobbes calls the ‘state of nature’ and a situation that has less safety. (McMahan 2012) argues that this is what is happening in the US right now and suggests we would all be safer in a world without guns—that extreme is surely true, but not the real question.

Our question is whether we need tighter gun control, given that any control will be imperfect. In other words, we need the additional premise that there is a state that can enforce the social contract to a large extent: World (a) with tight gun control is preferable to world (b) with loose gun control, if and only if a state exists that can enforce gun control to a significant extent. I agree with McMahan that a world (c) with no gun control at all is clearly inferior to both (a) and (b). It is the responsibility of the state to enforce gun control to a significant extent, because otherwise the social contract will break down again. So, if the state loses the ability to control guns, at least to a significant extent, then the contract breaks down. There is now a distinct possibility that this might happen with the technical development of ‘digital DIY’ where the transfer of a digital file allows a DIY production of artefacts that were previously beyond the ability of DIY. One can now purchase a digitally driven CNC system that makes the central components of a handgun—we are investigating these risks in a new EU project at www.didiy.eu.

The current situation in the US is paradoxical, since it has a largely functioning state but no tight gun control. Your attitude might be pro-guns, and tight gun control might not be good for you, individually, but the regulatory situation needs to change: Tight gun control is the morally right thing. I am not optimistic that much change will be achieved in the coming decades, however, because the political pressure does not seem strong enough and people do not like to give up their habits and passions for the greater good.

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