

Dear Mr Ruddock,

Thank you for your comments. I welcome the opportunity to respond to your points by reiterating my earlier criticism of this module.

Just to be clear, I cannot support the unduly complex and arbitrary regulatory apparatus proposed in this module. The proposals have been shown to be, at best, ineffective, overly complex and to facilitate corruption. At the worst, they would contribute to undermining democracy and encourage tyrants.

First, I am pleased that you agree with me that self defence is a basic human right. It is a legal maxim (*Quando lex aliquid alicui concedit, conceditur et id sine quo res ipsa esse non protest*) that to recognize a right while forbidding the means to exercise it would make the right a nullity. Thus, the right to self defence implies that citizens must have access to the means of protecting themselves, their family and their property. Logically this entails the right to some types of firearms. Otherwise the right is meaningless.

Second, it is telling that you did not rebut my assertion that the fatal flaw in this ISACS module – as with other ISACS modules – is that the ISACS process itself fails to adhere to the internationally accepted process for developing international standards. The resulting ISACS modules are neither international standards nor best practices. These recommendations are merely aspirational for some participants. I am not alone in my objections. I would like to remind you of the withdrawal from the process by some of the most knowledgeable and respected participants such as SAAMI. This withdrawal is a serious indictment of the ISACS protocol and the capability of ISACS to produce sensible and practicable recommendations. In the words of an earlier critique: “By circumventing careful debate and by ignoring contrary points of view the drafters of the ISACS modules have either willfully or ignorantly embraced judgmental and factual errors that defeat the credibility of the end product and the role of those involved in its preparation.”

If the goal of CASA had truly been to create international standards, ISACS would have limited the definition of SALW to military weapons, such as fully-automatic rifles, rather than attempt to extend its purview into types of firearms that are commonly owned by responsible civilians, such as rifles, shotguns and handguns, for a variety of legitimate purposes.

Third, turning to air guns: as Mr McCarthy has reiterated in his email on 5 February, air guns are not included in the ISACS definition of SALW whatever their intrinsic dangers might be.

The definition of "small arm" used by ISACS is as follows: “any man-portable lethal weapon designed for individual use that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive.”

(ISACS 01.20, Glossary of terms, definitions and abbreviations)

Your attempt to expand the definition of SALW betrays the lack of respect for civilians that lurks behind ISACS. In a democratic country, the police need to work cooperatively with civilians rather than act as a military occupying force. The recommendations in this module are already unduly complex as well as arbitrary, and as such invite citizens to become scofflaws and encourage police to abuse their authority through capricious enforcement. As I said in my earlier commentary, the proposed module violates the basic rules of policing that were set out by Sir Robert Peel, the father of modern policing, in 1822 when he founded the London Bobbies. The full list of Sir Robert's rules were appended to my previous comments, but Number 7 is crucial:

7. To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen, in the interests of community welfare and existence.

Fourth, it is telling that you would cite a canard that "firearms have only one specific use and that is to kill / maim." Olympic target shooters would be scandalized. Catchphrases aside, the real purpose of firearms is to extend the power of the user. In the hands of trustworthy police or responsible citizens, firearms serve to protect public safety, while in the hands of terrorists or criminals, firearms can indeed kill and maim. Nevertheless, I would agree that governments should legally restrict those with criminal or terrorist convictions from possessing firearms.

Fifth, you doubt the value of arming civilians. As any sensible person knows (including most police and soldiers), being armed does not magically protect one from being killed or injured. However, with proper training and experience, it does improve the odds of survival. I urge all those involved in ISACS to study the extensive body of methodologically sound research that exists outside pseudo-scientific public health and medical magazines. The research by criminologists and economists on armed self defence is clear. The preponderance of research shows that violent attacks against armed individuals are much less likely to be successful than those against unarmed individuals, and armed individuals are less likely to be injured during the attempt (See Kleck, 1997, chapter 5).

It is revealing that you would mention discredited public health studies rather than methodologically solid criminological research, such as were cited in my earlier commentary. Why ignore criminological studies? Public health activists are notorious for relying upon flawed research methods, such as the case-control design, which is inappropriate for drawing causal inferences or generalizing to target populations. Epidemiologists themselves consider the case-control design methodologically very weak (Mausner and Kramer 1985).

Both of the studies you cite rely upon the case-control approach, and thus are logically unable to back up your claims. For example, the Dahlberg study in the *Am J Epidemiology* asserts that, "having a firearm in the home increases the risk of a violent death in the

home.” This claim is unjustifiable because only homes where a death took place were selected. Retrospective comparisons with a control add little. Why did the authors ignore homes with firearms where there were no violent deaths? Logically, the hypothesized causal variable (firearm ownership) must precede the effect (violent death). Thus, to examine whether firearm ownership increases the risk of violent death, one must draw a random sample – and then compare violent death rates in homes with and without firearms. This was not done.

In contrast, research in criminology and economics routinely use more powerful methodologies, for example, pooled, cross section, time series models. For a thorough discussion of the methodological issues involved, please see the research I cited in my earlier commentary, particularly that of Professor Gary Kleck, who is an eminent criminologist, and John Lott, one of the most renowned economists.

Curiously, if gun ownership is as dangerous as claimed in the studies you cite, then it is difficult to understand why accidental firearms deaths in the USA have fallen and continue to decline, even though the numbers of guns and gun owners have increased markedly over the past thirty years (Viz. CDC, Kleck). Similarly, homicide rates have dropped precipitously in states introducing concealed-carry legislation (See Lott 2010).

In passing I'd be remiss not to point out that there are literally no jurisdictions which can demonstrate reductions in crime rates resulting from introducing controls on general civilian firearms. I would urge ISACS participants to read the studies by criminologists and economists who I cited in my original commentary.

I will close by affirming that, while I do not agree with your opinions, I certainly respect your right to disagree. It is important that we are able to carry on a courteous discussion. Unfortunately, the ISACS process has amply demonstrated that it is not open to criticism as it is committed to producing a bureaucratic SALW procedure, whether or not it will approximate international best practices. ISACS recommendations would be greatly improved if participants would adhere to internationally accepted processes for developing international standards and consult more widely.

References

Centers for Disease Control and Prevention. Injury and Prevention & Control: Data & Statistics (WISQARS). <http://www.cdc.gov/injury/wisqars/>

Kleck, Gary. *Point Blank*, Aldine, 1991.

Kleck, Gary. *Targeting Guns*, Aldine, 1997.

Lott, John, Jr. *More Guns, Less Crime*, University of Chicago Press, 3rd ed, 2010.

Mausner, J.S., and S. Kramer (1985). *Epidemiology—An Introductory Text*. Saunders, 2nd ed.

His letter:

Dear Mr. Mauser,

Thank you for the opportunity to address the points you raised:

Firstly: I agree, that anything can be used as a deadly weapon, but it is worth remembering that firearms have only one specific use and that is to kill/ maim and that is why they need to be controlled by governments, unlike pressure-cookers.

As an Ex-IEDD operator, I am fully aware of the nature of dual-use items, as used by the Boston Bombers (3 killed and 264 injured). The terrorist did use pressure cookers and it is interesting to note that all the bomb-making material involved in the IED, were everyday dual-use items, easily obtained from the local grocery or hardware stores.

Secondly; I agree with your statement that 'self defence' is a basic human right, but must disagree with the assumption that this entitles everyone the right to arm themselves. Constitutionally, only a handful of countries have the 'right to bear arms'. In most countries it is a privilege and not a right. Firearms licencing and ownership is restricted to eligible persons by the 'state', as is car licencing and registration.

What continues to amaze me is this belief "that by arming oneself – you make yourself safer". This argument does not stand up and much of the empirical evidence suggests that this is simply not the case:

A 2004 study <<http://aje.oxfordjournals.org/content/160/10/929.full>> from the American Journal of Epidemiology said: – Data from a US mortality follow-back survey were analyzed to determine whether having a firearm in the home increases the risk of a violent death in the home [. . .]. Those persons with guns in the home were at greater risk than those without guns in the home of dying from a homicide in the home [. . .].

The American Journal of Public Health published an article in 2009 <<http://ajph.aphapublications.org/doi/abs/10.2105/AJPH.2008.143099>>, which said: – After adjustment, individuals in possession of a gun were 4.46 (P < .05) times more likely to be shot in an assault than those not in possession. Among gun assaults where the victim had at least some chance to resist, this adjusted odds ratio increased to 5.45 (P < .05).

You failed to mention that in the Paris attacks, that three of the victims were armed Police officers; tragically being armed did not save their lives.

I was puzzled by the response to my raising the issue of high-pressure gas-operated air guns. In your adopted country: Canada – Air guns with both a muzzle velocity greater than 152.4 meters per second (500 feet per second) and muzzle energy greater than 5.7 joules

(4.2 foot-pounds) are firearms for purposes of both the Firearms Act and the Criminal Code. My point, which I believe is valid is that perhaps the ISACS should consider adopting a dual definition for these high powered gas operated air guns and not just adopt/use the current US definition of a firearm. This would allow sovereign states to adopt whatever definition they felt appropriate.

Finally, in my opinion, the ISACS and IATGs are the best thing since 'sliced bread' to emerge from the UN in the last few years. They allow us, the 'foot soldiers' on the ground to refer and quote internationally recognized standards and guidelines that are recognized as "International Best Practice'. Prior to these publications, there was no recognized internationally accepted standard on SALW controls.

I believe that there are probably many who agree that the current ISACS's are not perfect; however, they are an excellent beginning. The only way they are going to be improved is through this type of open technical and professional forum that CASA have instigated. I may not fully agree with your position or opinions, but I certainly respect them and take them on board. Therefore, I would ask you to extend me the same courtesies. Our remit is to constructively contribute to these discussions to produce the best SALW publication possible, which recognizes and follows the international best practices; which in turn allows individual sovereign states to make the best informed choices.

Yours sincerely, Ian Ruddock