

Control guns with amendment

By Maurice J. Holland

I am in general agreement with the editorial "Deadly weapons fail as inalienable rights" (ODE, Jan. 25) lamenting the irresponsible and often tragically easy availability of weapons in this country, especially weapons such as the AK-47 which lack any legitimate purpose in the hands of private citizens.

But I take exception to the editorial implication that those who, like the National Rifle As-

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sociation, assert a constitutional right to acquire and possess weapons, enlist a "tired defense, stretched to absurdity."

While counting myself among those favoring much more stringent gun controls, I nonetheless think they have been mistaken in concocting ever more clever arguments that the Second Amendment does not mean what it clearly

states: "(t)he right of the people to keep and bear arms, shall not be infringed."

That is about as clear and unequivocal a right as can be found stated in the Constitution. I am aware of the language of the amendment I have omitted expressing the background purpose for the right ("A well regulated militia, being necessary to the security of a free state ..."), but the right is set forth independently of the purpose.

Although logically unconnected, it seems that most people who favor gun control also favor the right to an abortion. The problem is that what these people would restrict is literally protected by the Constitution, whereas the constitutional right they would assert is nowhere stated or even hinted at in the text, and was not in fact "discovered" until the Constitution was nearly 200 years old.

To urge courts or legislatures to ignore rights plainly provided for in the Constitutional text and also to create rights lacking

any textual support is to risk playing fast and loose with the central premise of our Constitution, which also includes quite explicit methods of amendment.

Those outraged by ready availability of lethal weapons should confront the problem candidly and straightforwardly by working for an amendment to repeal the Second Amendment. That would place both responsibility and authority on our legislatures to begin to get this national disgrace under some semblance of rational control while at the same time respecting the commands of the Constitution.

There are many precedents for amendments repealing or modifying other provisions of the Constitution which have become archaic, obsolete and harmful, such as those prohibiting a federal income tax, providing for election of U.S. senators by state legislatures, and permitting states to deny women and blacks the right to vote.

Maurice J. Holland is Dean of the University Law School.

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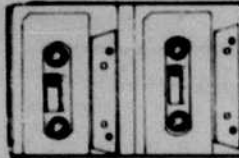
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Letters

Little hope

Christopher Ramko's letter "Medication" (ODE, March 3) made it apparent that once again it must be pointed out that the animal rights movement does not advocate or promote saving non-human animals instead of or before humans.

Let me spell it out clearly: Millions of animals are being exploited and are suffering each year for human benefit, and many humans have benefited. Unfortunately, however, a great deal of animal experimentation does not lead to medical breakthroughs but is done out of simple curiosity or for military purposes.

The amount of money going into this unnecessary research each year is astounding. Consider the possibilities, given

human ability to advance technologically, if all the money put into unnecessary research was instead used on research for alternatives to animals in the laboratory. Within five to ten years, we could very possibly eliminate the need for animals in research.

I would like to add — in reference to Ramko's statement that humans are "the only species known to adapt its environment to itself" — that humans certainly do manipulate the environment, and just look at the state of the planet now. The exploitation of animals is an integral part of the environmental crisis. Until humans realize they can't place everything on the globe second to themselves, there is little hope.

Jill Freidberg
Anthropology

Letters Policy

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Oregon Daily Emerald

P.O. Box 3159, Eugene, Oregon 97403

The Oregon Daily Emerald is published Monday through Friday except during exam week and vacations by the Oregon Daily Emerald Publishing Co., at the University of Oregon, Eugene, Oregon.

The Emerald is operated independently of the University with offices on the third floor of the Erb Memorial Union and is a member of the Associated Press.

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