

BREAKING NEWS

"We potentially have two other shooters that we have not located," D.C. police chief says.

Gun lunacy rides high in America

By John J. Donohue, Special to CNN
updated 8:47 AM EDT, Fri September 13, 2013

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Iowa grants gun permits to the blind

STORY HIGHLIGHTS

- A controversial gun measure in Missouri failed to override veto by one vote
- John Donohue: The measure's claim that a state can nullify federal law is absurd
- He says in states like Colorado and Iowa, gun rights advocates are gaining ground
- Donohue: Gun owners must be more responsible to not be duped by NRA deceptions

Editor's note: John J. Donohue is C. Wendell and Edith M. Carlsmith professor of law at Stanford Law School and research associate at the National Bureau of Economic Research.

(CNN) -- Just when one might have thought that lunacy over gun policy in the U.S. cannot be exceeded, think again.

In the wake of the Newtown massacre, Colorado adopted a universal background check system and a modest restriction on the size of high-capacity magazines. This was good news for everyone except gun sellers who don't want the sales to felons and the insane to dry up (and those who think what for most purchasers would be a five-minute background check is too much of an imposition).

Since gun sellers call the shots at the NRA, the lobbying group launched an effort to punish Colorado legislators who stood up for public safety over gun seller profits. Now, two thoughtful Colorado legislators have been recalled and the NRA is crowing at having exercised its muscle once again.

Other states are trying to up the ante. Only last week, Iowa highlighted the nonsense by [offering concealed carry permits to blind individuals](#).

[State battles intensify on access to guns](#)

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[Remember, Vladimir Putin is not an American](#)

updated 10:27 AM EDT, Mon September 16, 2013



Newt Gingrich says U.S. politicians treat Putin as someone they can deal with, but his views and values are very different -- those of a Russian nationalist.

[Zero new HIV infections among children can be a reality](#)

updated 11:32 AM EDT, Mon September 16, 2013



Jeffrey Sachs, Michel Sidibé: As U.N. leaders meet, let's make a push for reducing new HIV infections among children to zero.

[GOP strategy on shutdown courts doom](#)

updated 8:07 AM EDT, Mon September 16, 2013



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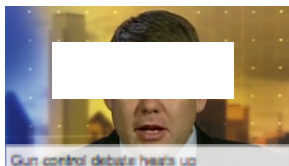


John J. Donohue

This week in [Missouri](#), by the thinnest of margins -- only 1 vote in the state Senate -- the legislature failed in its effort to make that state a haven for gun toting felons and lunatics by overriding the governor's veto of a bill designed to thwart any form of federal gun regulation, including background checks, and even trying to make it a crime for federal agents to enforce these laws.

The claim that the state can unilaterally decide to nullify federal law is so preposterous that even the strongest of gun advocates with some understanding of Supreme Court precedent acknowledge its invalidity.

Indeed, Robert Levy, who personally funded the litigation designed to convince the Supreme Court that the Second Amendment, which begins "A well-regulated militia being necessary to the security of a free state," had nothing to do with a well-regulated militia has recently conceded that the Missouri stunt flouts the very Constitution that its supporters claim to uphold.



Even Levy's concessions fall on deaf ears in the legislatures of Kansas and Montana, where the idea of state nullification of federal gun laws seems eminently reasonable -- despite the clear language of the Supremacy Clause of the United States Constitution, which states, the "Constitution and the Laws of the United States ... shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding."

While Iowa is merely highlighting the absurd laxity of gun laws in this country, the damage will be slight since most blind Iowans will have the good sense not to possess or discharge firearms. But the overheated rhetoric flowing from the NRA crowd during the Colorado recall and from Missouri (and similarly inclined states) is dangerous for at least two reasons.

First, it undermines our democracy when voters act based on false and misleading views about the actual content of state and federal laws. Second, similar hyperbolic rhetoric after the passage of the federal background check system and the (now elapsed) federal assault weapons ban galvanized the unstable gun zealot Timothy McVeigh forward with his scheme to blow up the federal building in Oklahoma City.

The NRA can succeed in its efforts to punish legislators who stand up for positions its own president once specifically advocated and push for clearly unconstitutional laws by recklessly fooling voters into believing that federal gun laws are tyrannical. In fact, federal gun restrictions are so lax that the U.S. overwhelmingly dominates the world in the number of guns held by private citizens -- and also among rich countries in its rate of gun deaths from murder, suicide, and accidents.

Just the other day, a [child killed herself with her father's gun while camping in Yellowstone National Park](#). Law-abiding citizens with guns have to recognize their obligations to prevent the types of tragedies that occur on a daily basis in the U.S. when lawfully owned guns are used, intentionally or inadvertently, to kill and maim others.

One needs to accommodate the interests of legitimate gun owners if sensible gun laws are to be passed, but gun owners must also take responsibility -- first, by not being duped by NRA deceptions to advance the economic interests of gun merchants, and second, by taking every effort to ensure that their guns do not contribute to the mayhem.



Michaela Angela Davis explains how Dante de Blasio's afro and Tiana Parker's dreadlocks got tangled in politics.

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updated 9:57 AM EDT, Mon September 16, 2013



Meg Urry says NASA's Voyager 1's achievement is a major milestone in human exploration.

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updated 12:16 PM EDT, Sun September 15, 2013



Bob Greene says art in all its forms is like message in a bottle, sent from the mind of artist to the ages

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updated 2:56 PM EDT, Fri September 13, 2013



Tara Sonenshine says writing op-eds in American newspapers is not new for the Russians.

Gun lunacy rides high in America

updated 8:47 AM EDT, Fri September 13, 2013



John Donohue says recent events in Missouri, Colorado and Iowa indicate that gun rights advocates are gaining ground.

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updated 8:34 AM EDT, Fri September 13, 2013



Tanya Lokshina says Putin may deny Russian discrimination, but he has not moved to repeal a law that silences gays, flouting Olympic Charter requirements

Putin a hypocrite with blood on his hands

updated 1:42 PM EDT, Thu September 12, 2013



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updated 11:28 AM EDT, Thu September 12, 2013



Roy Peter Clark recalls the work of a newspaper editor who held leaders of the South accountable for bombing that killed four children

The three scariest words: I don't know

updated 7:36 AM EDT, Fri September 13, 2013



Leah Cohen says one thing most people won't admit to is their ignorance.

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updated 11:58 AM EDT, Thu September 12, 2013

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The opinions expressed in this commentary are solely those of John J. Donohue.

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J.K. Rowling

Voyager 1

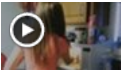
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**freedom protector** · 3 days ago

Where has 'civil discourse' gone? 'Lunacy'? 'Gun Nuts'? Can we come up with more loaded terms? Instead, we have opted for the cheap tools of the propagandist. This one is called the "Appeal to prejudice" -- i.e. Using loaded or emotive terms to attach value or moral goodness to believing the proposition. For shame.

There are real and legitimate issues at the balance between freedom and individual responsibility and the 'general welfare' --usually judged only by the dogmatic believer in a single viewpoint.

You yourself state that "it undermines our democracy when voters act based on false and misleading views about the actual content of state and federal laws." Yet, you then go on to totally gloss over the insidious details of those laws saying that they represent "a universal background check system and a modest restriction on the size of high-capacity magazines."

Those of us who have taken the time to actually read the laws know better. They impose onerous and ineffective restrictions on legitimate use. There is substantial evidence that these measures will do NOTHING to prevent or reduce the heinous acts that has stirred the pot. Bashing at your opposition with cheap and inflammatory labels does nothing but reveal your prejudice, small mindedness, and unwillingness to engage in real discussion of directions we can take to address the 'real' problem.

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**Naught Forya** → freedom protector · 3 days ago

They went from being journalists and reporters (and opinion columnists) to the equivalent of a 12-year-old, new to the Internet. No fact checking, no thought as to courtesy in discourse, and denigrating through name-calling anyone who is different than you.

Holy cow, he even made fun of the blind! What an embarrassing post for CNN.

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**CU1** → Naught Forya · 3 days ago

That's CNN for you. No surprise there.

222 12 Reply Share

DV24 → CU1 · 3 days ago

I am still upset that CNN, CBS,ABC, MSNBC and NBC never did a story on the Patriot Bikers, riding into DC on 9-11-13! I now wonder what they don't tell anymore and just how much propaganda are they feeding us. Never thought I would see this in the United States.....but then I see a lot of things like this story that I never thought I would see in my country!

191 6 Reply Share

retireme → DV24 · 2 days ago

Never in the history of our great nation have we had a more nefarious, corrupt media than what we see today. They have sold their souls and they are in the business to make everyone else do the same. Sorry sir, I will not compromise my beliefs like you have. Is it any wonder Obama hired 14 journalists to his administration recently. Noone trusts you guys anymore because you lie, cheat and spin, spin, spin, spin. Sorry, but you see how well it went with the Syria conflict. Noone bought your spins and they won't on the gun laws either. Vote out the dems, everyone of them and make sure you do't listen to CNN, MSNBC, or any

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