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DA Supports Private Gun Ownership for Self-Defence

Why the DA supports private gun ownership for self-defence

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John Steenhuisen

Guest Column for News24

The belief, seemingly prevalent among policy-makers and legislators in South Africa, that allowing individuals to own firearms for self-defence will lead to a violent and trigger-happy society is quite possibly alarmist and not based on any real evidence.

That South African society is already violent is self-evident. Last year, the number of murders in the country rose by 6.9%, from just over 19 000 to more than 20 000 – between 1 April 2017 and 31 March 2018, 56 people were murdered every day. In the same period, almost 110 people were raped every day and at least one seriously assaulted. Citizens must have the right to defend themselves and their families when in danger.

Despite these high crime statistics, replies to parliamentary questions posed by the DA show that South Africans actually do not possess firearms in overwhelming numbers.

The number of private firearm owners registered with the Central Firearms Register (CFR) on 31 December 2016, was just 1 586 279. That is roughly just under 3% of the total population.

The number of firearms registered to these private owners

stood at 2 778 073 in 2017 – less than two firearms per private firearm owner. In terms of section 11 of the Firearms Control Act, Act 60 of 2000 (the "FCA"), each of these firearms must have a separate license. Many would have been licensed for purposes other than self-defence, such as for occasional hunting or sport-shooting (section 15 of the FCA), professional hunting (section 16 of the FCA) or private firearm collections (section 17 of the FCA).

The DA supports the right of law-abiding citizens to own and carry firearms, provided that reasonable safety requirements are met. We are satisfied that the FCA provides appropriate checks and balances to ensure this.

Sections 13 and 14 of the FCA deals with the issuing of licences to possess a firearm for self-defence. A license for this purpose may only be issued if the applicant needs the fire-arm for self-defence and has no other means of defending him or herself. These restrictions are reasonable and absolutely necessary.

Being issued a license in terms of sections 13 or 14 of the FCA does not provide the firearm owner with a free pass to use his or her firearm and claim self-defence.

"Self-defence" is a legal term with a very specific meaning and strict requirements.

According to eminent South African criminal law specialist Prof CR Snyman, a person legally acts in self-defence if

he/she "uses force to repel an unlawful attack which has commenced, or is imminently threatening upon his life, bodily integrity, property, or other interest which deserves to be protected, provided that the defensive act is necessary to protect the interest threatened, is directed against the attacker, and is reasonably proportionate to the attack".

From this definition it should be clear that a person will not be entitled to claim self-defence if he or she has used their firearm to repel an attack which is not imminent or already in process (by, for example, pre-emptively shooting at someone you perceive to wish harm upon you), or which does not immediately threaten the life, property or bodily integrity of the person under attack.

Most importantly, the act of self-defence has to be "necessary" (which in law mostly means there was no other option), and "reasonably proportionate" to the attack. Firing at an unarmed lone trespasser will not qualify as self-defence.

Where an act is claimed to be in self-defence the DA believes that an open, fair, and thorough investigation should be conducted into the circumstances. If such an



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Continued...DA Supports Private Gun Ownership

investigation reveals that the recognised bounds of self-defence has been exceeded and there is in actual fact cause for a prosecution for a crime – for example for murder – this should meet with the full force of the law.

The DA believes that unreasonable delays and applications for firearm licenses rejected without reasons are not in the best interests of a society that should be empowered to protect themselves against crime.

Given the clear failure of the ANC national government to create an honest and professional police service that keeps communities

safe, obtaining a legal firearm should not be criminalised. This is yet again another instance where the failing ANC is misdiagnosing the problem and seeking a scapegoat for their own inefficiency.

- John Steenhuisen is a Member of Parliament and the DA's Team One SA spokesperson on crime.

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Draft Legislation Update

On 18 October SAGA sent out a release about the so-called draft Firearms Control Amendment Bill. (See our website)

Since then there have been numerous calls for firearm owners to remain calm until the formal publishing of the draft legislation, once it has been finalised by the department and Cabinet.

There has been widespread condemnation of the proposed changes to the legislation from gunowners, firearm associations, political parties and more.

Over the weekend of 27/28 October SAGA representatives engaged in the first of a series of proposed meetings with other leading South African firearms organisations with a view to agreeing a common way forward to best address the concerns which arise out of the leaked proposed amendments to the Firearms Control Act.

SAGA welcomes the initiative to work together and is in full agreement with unity in the ranks.

Members will be notified in due course of further developments, as and when appropriate, but should in the mean time be reassured that all necessary steps will be taken to appropriately protect the interests of South African firearm owners.

Watch this space ...for more interesting firearm snippets

Gun Manufacturing: Quality Control

<https://www.nrafamily.org/articles/2018/10/2/gun-manufacturing-quality-control/>

by NRA Staff
Tuesday, October 2, 2018

Quality control plays a pivotal role in firearms manufacture. In fact, manufacture of modern firearms would not be possible without suitable quality-control systems. Quality control begins with a specification and a dimensional tolerance.

A specification determines the physical characteristics of the part for it to perform its function. A specification for a part will describe in detail its material, surface finish, hardness, heat-treatment, toughness, yield strength, tensile strength and coating or plating. Parts made to a specification can be tested to determine if they meet specification or not. A specification will also establish performance parameters, such as the expected number of rounds in the service life of the gun, the mean time between failure (breakage) and other attributes.



A dimensional tolerance determines the measurement limits of parts. These consist of numbers normally expressed as a range of values with a desired median number and plus or minus figures. These tolerances allow manufacture of parts with minor variations. Quality control is the production process that governs manufacture of the parts and their performance in a firearm. Basically, there are three general approaches to quality control:

1) Full or 100 percent inspection of all parts and assembled firearms. This process is seldom used, due to the very high cost involved.

2) Statistical analysis that relies on selecting and testing samples of each batch of parts. It is very popular today due to its low cost and proven effectiveness.

3) Some combination of the two systems above.

Most firearms manufacturers use a mixture of both of the above systems. For example, statistical sampling will be used to accept or reject a batch of parts, but all completed firearms are proof-fired.

Most shooters are surprised to learn that firearms assemblers in modern gun companies are not issued or allowed to use files, drills or hammers in their work. If a particular part does not fit correctly, the assembler has been trained to set that part aside and try a second, then a third part. If the third part does not fit, the entire gun is tagged and put aside for remedial inspection and rework. Such is the confidence in the quality control and modern manufacturing methods today. Just a few years ago, this was not possible.

Irrational Fear of School Shootings

<https://www.nraila.org/articles/20181026/washington-post-advice-columnist-gets-it-right-on-irrational-fear-of-school-shootings>

Washington Post Advice Columnist Gets it Right on Irrational Fear of School Shootings

Friday, October 26, 2018

These days the cynical adage “if it bleeds, it leads” seems as applicable to the news media as ever. This is all the more reason that Washington Post advice columnist Carolyn Hax should be applauded for a recent piece where she sought to quell her readers’ out-sized fears about school shootings. Titled, “Apply the empirical method to your school-shooting anxieties,” Hax urged her readers to take a moment to look at the facts about school shootings before succumbing to fear.

In the column, a parent of a kindergartner told Hax, “I am just a wreck every time I see news about a school shooting.” The Parent went on to explain “I know there are daily risks in life (getting in a car, etc.) but I am having a really hard time with the possibility that something fatal could happen to her at school,” and asked “I’d love to hear thoughts on how to deal with this anxiety.”

In the opening of her response, Hax didn’t mince words, writing, “Throw facts at your anxiety, because it is in fact irrational.” Hax explained,

Something fatal can happen to all of us anywhere — and does, eventually — but the likelihood of any U.S. child dying by any cause is very low.

When something bad does happen, it is typically accidental; you brush past the “daily risks” but the numbers are much grimmer for that car trip than for any school day. School shootings are more terrifying because they’re outside our daily risk trade-offs — such as, do we stick only to places we can walk, or accept the risk inherent in vehicle travel?

The simple truth is that school shootings are extremely rare.

In another excellent piece published in the Washington Post last March, Harvard Instructor David Ropeik explained just how vanishingly rare such incidents are. Walking readers through the numbers, Ropeik noted,

The Education Department reports that roughly 50 million children attend public schools for roughly 180 days per year. Since Columbine, approximately 200 public school students have been shot to death while school was in session, including the recent slaughter at Marjory Stoneman Douglas High School in Parkland, Fla. (and a shooting in Birmingham, Ala., on Wednesday that police called accidental that left one student dead). That means the statistical likelihood of any given public school student being killed by a gun, in school, on any given day since 1999 was roughly 1 in 614,000,000.

As one writer for the New York Times put it, “A school can expect a shooting once every few thousand years.”

Moreover, despite the prevailing news media narrative, school shootings are not becoming more common. In fact, according to research from Northeastern University Professor of Criminology,

Law, and Public Policy James Alan Fox, schools are safer than they were in the 1990s.

A February piece for Northeastern.edu that summarized Fox’s work quoted the professor as follows,

Four times the number of children were killed in schools in the early 1990s than today, Fox said. “There is not an epidemic of school shootings,” he said, adding that more kids are killed each year from pool drownings or bicycle accidents.

The trouble many Americans have in accurately evaluating the prevalence and risks of violence extends beyond school shootings. Polling routinely shows that Americans believe crime is worsening, even as it has trended downwards.

Given the obvious difficulty many have in evaluating risk, and much of the news media’s alarmist bent, it is incumbent upon those who have been exposed to the facts to share their knowledge with others. Hax’s call to reason should help some to better understand the realities of school shootings, and in a small way help inject some much needed sanity into the school safety debate.

One Magazine is Rarely Enough



by
Patrick
Sweeney

12 October
2018

Some days, I think I've been at this too long. And then I get to offer an opinion. Suddenly, life is good again. The question comes up repeatedly, as if it hasn't already been answered: "Should I be carrying a spare magazine?" My first response is usually along the lines of "Does the sun come up in the East?" Of course you should.

The two main objections to spare mags (or reloads for revolvers) are; "It takes up more space/is uncomfortable" and "The average gunfight takes [fill in the blank] rounds."

The reply to the first one is easy: If you have gone to the trouble of packing a firearm for every-day carry (EDC) then what's a magazine? You're in for a penny, you're in for a pound. Why not have a spare? And given the nature of modern America, I find it difficult to believe that we have so many people lacking belt space that they can't find room for a magazine.

As far as the comfort part of the equation is concerned, that is also part of the EDC selection. If you have found a handgun and holster (You are using a holster, aren't you? If not, consider your "man card" negated, and get a holster

before the rest of us find out how manifestly unsafe you have been for far too long.) then finding a comfortable magazine carrier is a snap. In fact, you can easily find a magazine carrier so comfortable that you've forgotten you had it on it when the time comes to go into a sterile environment. Do the self-frisking *before* you step into the courthouse foyer.

Now, about the "average" gunfight. Simple: there is no average. There is simply the fight you find yourself in. Long ago I looked into the shooting incident averages, and I found an interesting bit of info. Now, this was a couple of decades ago, when the New York Police Department still published SOP 9 reports, and you could obtain a copy. The average number of rounds fired per incident included suicides, animal control, accidental discharges, *everything*. If you sorted out all those, and just used the actual shooting incidents, you'd suddenly find yourself understanding the tactical term of art back then called the "New York Reload" (NYR).

Back at a time before speedloaders, NYPD officers commonly carried a second, third or even fourth revolver. "Reloading" was to simply drop the now-empty revolver, and draw the next one up in order.

Actual shooting incidents often involved a NYR, that is, more than five or six shots.

So, we have to assume that your EDC is not going to include an accidental discharge, animal control or a suicide. Carry a spare magazine.

"But, am I really going to need a reload?" Careful there, sport. If you go using statistics to determine EDC choices, you won't pack a gun, because you won't,

statistically, need it. You've chosen to be responsible, so be responsible.

Then there are malfunctions. If your handgun breaks, well, you are done, unless you have a spare. Magazines, however, fail at a greater rate than handguns do. If your magazine fails, and you have a spare, you are still in charge of your own fate.

A recent nationally reported shooting incident had body cam video where an officer with a rifle comes running up to a position to shoot, and he discovered that his rifle lacked a magazine. Not having a spare magazine for it, he had to ditch the rifle and draw his sidearm. There are a lot of ways your magazine can fail on you, and lacking a spare, your sidearm then becomes a clumsy club. With a spare magazine, you are just a few seconds away from continuing your status as a voting member of your particular emergency situation.

The question isn't, "Should you have an extra magazine," but how many?

<https://www.americas1stfreedom.org/articles/2018/10/12/one-magazine-is-rarely-enough/>

Brazil: “Firearms Safeguard Freedom”

Extracted from: <https://www.theguardian.com/world/2018/oct/30/firearms-safeguard-freedom-brazils-new-president-vows-to-relax-gun-laws>

'Firearms safeguard freedom': Brazil's new president vows to relax gun laws

Brazil's far-right, pro-gun president-elect has signalled he will seek to relax his country's firearms laws in a bid to combat a homicide epidemic that last year claimed nearly 64,000 lives.

In his first television interview since being elected on Sunday, former army captain Jair Bolsonaro said it was time to abandon what he called the politically correct fallacy that Brazil would be a safer place if everybody was unarmed.

“It won't be any better. If there were three or four armed people here now, I'd be certain that some nutter wouldn't be able to come in through that door and do something bad,” the right-wing populist told his interviewer from Record, a television channel owned by one of his powerful supporters.

In the 30-minute interview, Bolsonaro – whose sons and supporters are often seen sporting clothing or hats celebrating automatic weapons and the National Rifle Association – said he believed gun laws should be made more flexible. “I ask myself: ‘Why can't a truck driver have the right to carry a gun?’” he said. “Just think about it; put yourself in the shoes of a truck driver. He nods off at the petrol station ... and when he wakes up the next day his spare tyre has gone.”

Allowing more people to carry weapons and defend themselves with guns would certainly reduce violence, Bolsonaro claimed. “Statistics show that when the number of *autos de resistência* [police killings] carried out by the military police goes up, violence goes down the region where they took place.”

“More than safeguarding someone's life, firearms safeguard the freedom of a people,” Bolsonaro added.

Bolsonaro's remarks about loosening gun laws were not his only controversial comments of the night. In an interview with another Brazilian broadcaster, Globo, he said he would withdraw government advertising from media outlets he deemed to be “lying” and refused to significantly row back threats made last week to imprison or force into exile left-wing political opponents.

“It was a fiery speech and I was referring to the top brass of the PT and also of the PSOL,” Bolsonaro said, referring to two leftwing parties.

“It was a moment of anger. It was a heated address. In Jair Bolsonaro's Brazil those who disrespect the law will feel the weight of that very same law.”

Bolsonaro's incendiary comments provoked an immediate reaction from his political opponents. “The majority of the Brazilian population is against the right to carry weapons and wants more intelligent solutions,” tweeted former environment minister and presidential candidate Marina Silva, calling Bolsonaro's proposal “appalling”.

“Firearms are responsible for 71% of recorded homicides in Brazil. That is why I don't tire of saying ... The more guns, the more violence,” Silva added.

Bolsonaro also told Record that “if it were up to me” social movements such as the Landless Workers' Movement would see their activities classified as terrorism.

Earlier in the day Marcelo Freixo, a leading leftist politician, called for resistance to Bolsonaro's attempts to criminalize legitimate activism. “Bolsonaro has clearly threatened activism. He has said he will put an end to activism ... We cannot sit around waiting for this to happen,” Freixo told the Guardian. Anti-Bolsonaro protests are planned for Tuesday in cities across Brazil.

In Monday night's interviews, Bolsonaro, who is also notorious for his racist and homophobic statements, rejected claims he was a bigot. “I'd like to know ... what's a minority? What are the rights of these ‘minorities’?” he asked his interviewer. “We're all the same. There's no difference between me and you. It doesn't matter what the colour of your skin is, your sexual preference, the region where you were born, your gender. We're all equal ... We can't take certain minorities and think they have super powers and are different from the others.”