Firearm Regulation and Mental Health Confliction

Since 1791, the citizens of the United States have had the Constitutional right to bear arms (Greenberg, 2018, p. 40). Only a quarter of Americans own guns, but hundreds of millions of firearms are possessed by individuals within the country, creating very few areas with large concentrations of gun possession. With so many recent mass shootings in the United States, the blame has not rested on the guns themselves, but the mental stability of the person wielding the weapon. Gun control and gun laws are an ever-growing topic of discussion that even those without strong political voices tend to have some ideas on the matter. Changes in gun laws to prevent mass shootings while still preserving Constitutional rights and being able to please the majority of people is an incredibly difficult task, and this is why it is an extremely important issue for everyone interested in the safety of the country as a whole.

Benjamin Mueller published the article “Complicated Balancing Act Between Mental Health and Right to Bear Arms” to the New York Times on February 16, 2018. The article’s chief focus is on the difficulties of enforcing gun control on the mentally ill without infringing on the 2nd amendment rights of everyone else (Mueller, 2018, p. 1). The author makes claims about legislation that regulates mentally ill gun owners, red flag laws, and 2nd amendment rights of the mentally ill that each identify different aspects of gun control reform and where they need to be fixed.
The first claim Mueller makes is to address the laws surrounding the mentally ill who pose an armed threat; he explains how there are not any Florida laws that allow authorities to take guns based off of disturbed behavior, despite Trump’s insinuations that reporting any behaviors will prevent mass shootings (2018, p. 1). This claim is important because a lot of people against gun control blame mental illness for mass shootings, and they say that that is the issue that needs to be fixed and regulated in terms of gun accessibility. However, with no legislation in place enforcing those beliefs, this leads to no gun reform ever being enacted. With no changes in the legislation to reflect the safety needs of the people, there is not effective government policy and policies are not effective, and then we do not have popular sovereignty or a democracy.

Next, the author discusses how an increasing number of states are allowing law enforcement and/or family members to “petition a court to temporarily take guns from people who pose a danger to themselves or others” (Mueller, 2018, p. 1). These red flag laws give people an opportunity to remove weapons temporarily from those in some sort of traumatic state, but would obviously be ineffective in a long term mentally affected situation.

Giving a family member the opportunity to be able to remove guns from the hands of the person in question is also an effective way of starting difficult conversations and working towards resolving the issues without feeling threatened by law enforcement directly (Mueller, 2018, p. 1). While these measures and other similar laws can be effective in temporary situations, the majority of mentally ill people in possession of guns who pose serious threats are not going to be stopped by temporary measures such as these. However, when we get into the difficulties of regulating people affected by mental illness, there are many difficulties. First, Mueller explains,
“... Mental illness is not the root of most cases of gun violence, though it does pose an increased risk for suicide” (2018, p. 2). When looking at examples such as the Parkland shooting, we see that mental illness can potentially play a definite part in gun violence, but that does not mean that it is the source of them all, or even a significant source. Therefore, does a person’s status as a medically diagnosed depressed individual mean that they are not granted the same rights to bear arms as all other citizens? The article states that in an analysis of some 350 mass killers in the past century, about 22% likely had psychosis, but an extremely smaller amount had severe depression (Mueller, 2018, p. 2). Mental instability and diagnosis can waver extremely in terms of danger to others, and an unfair diagnosis could easily lead to discrimination and unequal protection because of any mental illness. If mental health regulation and enforcement advances too far in this direction, it could lead to the infringement on 2nd amendment rights to bear arms of all those deemed mentally ill in any sense, and allow a minority of “mentally fit” individuals to be the only in possession of firearms. It is worth examining whether or not this is a worthy price to pay to avoid regulation on the actual weapons themselves.

In my opinion, placing the blame of mass shootings on mental health is a way for gun rights advocates and interest groups to avoid being restricted in the necessary ways for safety for all. While various laws are being passed and others discussed on ways to limit firearms and place different restrictions on when, where, and how you buy them, I believe that there should be no limits on these restrictions due to consideration of the people firing them. However, I also believe background checks and mental health screenings are necessary for all those looking to buy a gun. I respect those who own guns for whatever reason, but I believe that unless larger
restrictions are enforced on them, then it is in no one’s best interest to continue to allow things to progress the way they are.
References
