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**From the Selected Works of Craig B. Mousin**

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Spring 2013

# Where Does One Stand on a Slippery Slope?

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# Human Resources

## Where Does One Stand on a Slippery Slope?

By Rev. Craig B. Mousin

“Wyatt Earp birthplace, turn right.” The sign intrigued me when I recently entered Monmouth, IL. Earp’s exploits in Dodge City, KS, helped shape the national narrative of the lone law officer with a fast gun securing the streets while the citizens cowered on the sidelines. Given recent gun tragedies in various cities and even on some college campuses, the sign ignited my wonder of what Wyatt Earp might have to say about our current national debate on gun control.

Surprisingly, the history of many of the towns we recall as home to unending western shootouts does not coincide with the myth. Many had exceedingly strict gun control laws. When Dodge City incorporated, its first municipal ordinance prohibited guns within the city confines and required anyone possessing a gun to check it at the town border.<sup>1</sup>

In contrast to the fear that gun controls will initiate the slide down a slippery slope eviscerating the Second Amendment, most U.S. states had enacted prohibitions against concealed weapons when the 20th century opened. Most court cases upholding those statutes in the 1800s noted the presumption that anyone carrying a concealed weapon was either vile or up to criminal or nefarious ends. In commenting on that conjecture, one West Virginia court called it a “perfectly just and proper presumption, and one which ought to prevail in every community which aspires to be called civilized.”<sup>2</sup>

In *Hopkins v. Commonwealth*, Judge Robertson echoed the prevailing sentiment in describing what would happen if the court struck down the concealed weapon law:

...the salutary law against the pestilent and alarmingly prevalent habit among all classes, and especially among young men, and even boys, of wearing concealed arms, through false and cowardly pride, and for mock chivalry, might soon become practically a dead letter. A statute so beneficent and so often and so easily evaded, should be vigilantly upheld, and stringently enforced by the judiciary for

repressing a dishonorable and mischievous practice, which, licensed or unlicensed, leads, almost daily, to causeless homicides and disturbances, which would otherwise never be perpetrated.<sup>3</sup>

Simply stated, society needed concealed weapons laws for public safety and the states responded with concealed carry prohibitions.

Today, if state statutes are any guide, national sentiment has completely reversed course. All but one state permit concealed carry of firearms. In upholding the Second Amendment right to private ownership of guns, the Supreme Court’s *Heller* decision stressed the law-abiding citizen’s right to possess a gun for self-defense.<sup>4</sup> Our nation has explored the full spectrum, from requiring guns in churches to banning guns in churches. Recently, Arkansas enacted a law permitting concealed guns in churches, with the church’s permission.<sup>5</sup> All sides of the gun possession slope appear to be quite slippery.

### Bringing a Moral Voice to the Dialogue

The United States faces a crisis of death, disability, and loss of community caused by gun violence. The Centers for Disease Control and Prevention report that 31,000 persons die from gun violence each year.<sup>6</sup> While the classic notion of men dueling over honor seems outdated, Judge Robertson’s 19th century language eerily describes contemporary events. In light of the carnage, the legal debate over the extent of Second Amendment rights echoes with the same arguments that have been made for two centuries:

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<sup>3</sup> *Hopkins v. Commonwealth*, 66 Ky. 480, 482 (1868).

<sup>4</sup> *District of Columbia v. Heller*, 554 U.S. 570, 636 (2008); see also, *McDonald v. City of Chicago*, 130 S.Ct. 3020, 3050, (2010).

<sup>5</sup> Winkler, *supra*, 287; Church Protection Act of 2013, Arkansas Code §5-73-306(16), enacted February 11, 2013.

<sup>6</sup> Centers for Disease Control and Prevention. [Web-based Injury Statistics Query and Reporting System \(WISQARS\)](#). National Center for Injury Control and Prevention. (2012, March 15). Quoted in Johns Hopkins Center for Gun Policy and Research, “[White Paper: The Case for Gun Policy Reforms in America.](#)”

<sup>1</sup> Winkler, A. (2011). *Gunfight: The Battle over the Right to Bear Arms in America*, W.W. Norton & Company, 66. Winkler addresses the Wild West myth on pp. 149–169.

<sup>2</sup> *State v. Workman*, 14 S.E. 9, 11 (1891).

# Bringing a Moral Perspective to the Gun Debate

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first, whether the amendment protects an individual right or the group right to assemble as a militia and, second, whether guns increase homicides or act as a guard against such tragedies. While the courts have countenanced both strict prohibition and open-carry laws, changes in the laws have stemmed not only from constitutional legal arguments, but also from moral outrage and concern for the common good. One commentator critiqued the concealed carry of guns in

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1832, saying, "This cowardly and disgraceful practice, if it is really unconstitutional to restrain by law, ought to be discountenanced by all persons who are actuated by proper feelings of humanity or a just regard for the dictates of religion."<sup>7</sup> Subsequent scholarship affirms that religious voices contributed to the outlawing of both dueling and concealed weapons.<sup>8</sup>

Today, law school faculties continue to contribute to the legal arguments on the parameters of Second Amendment protection. But the current crisis calls for a renewed moral voice to stem the loss of life. Catholic colleges and universities steeped in a heritage influenced by Catholic social teaching (CST) are well poised to engage in the national debate beyond the

simple fear of the slippery slope. Mission statements posted by some Catholic university and college human resource departments describe workplaces that "embody the Catholic principles of social justice" and enjoy the "benefits of working as a community of service toward a shared aim."<sup>9</sup> These human resources offices aim to establish "a work environment that respects the dignity, value, and worth of each individual"<sup>10</sup> with values that include "integrity, honesty, diversity, community, justice, service, [and] leadership."<sup>11</sup>

Consistent with those values, many Catholic colleges and universities have formal student and employee policies prohibiting unauthorized firearms and weapons on campus. Similarly, many post policies stating that unauthorized possession of firearms can result in immediate dismissal from employment. Some human resources offices also offer integrated conflict resolution systems, mediation, and ombudspersons offices, all providing multiple models for staff, students, and faculty to pursue relief from conflict. Juxtaposed to that vision, Arkansas has recently enacted a law permitting concealed weapons on college campuses under certain circumstances.<sup>12</sup>

## Finding New Solutions to Violence

Academics duel with ideas and scholarship, and challenge through questioning and rebuttal. Unlike the Earp narrative of the rugged individual with the fastest gun, CST envisions a community that builds an environment by educating students to resolve conflict through words and engagement rather than the power of a firearm. But those values focus not just inward. As they also inspire service and leadership, they serve as a catalyst for "transformational education."<sup>13</sup>

Transformational education calls for transforming society. Catholic colleges and universities, steeped in CST, should be part of that catalyst that brings an end to the violence. Although our model for gun-free campuses may be based in part on the suggestion in the *Heller* decision that the Second Amendment permits regulation of guns in sensitive areas such as schools

7 Oliver, B. (1832). *The Rights of an American Citizen with a Commentary on State Rights, and on the Constitution and Policy of the United States*, Boston: Marsh, Capen & Lyon, 177, as quoted in DeConde, A. (2001). *Gun Violence in America: The Struggle for Control*, Boston: Northeastern University Press, 51.

8 Cramer, C. (1999). *Concealed Weapon Law of the Early Republic: Dueling, Southern Violence, and Moral Reform*, Westport, CT: Praeger Publishers, 57–60.

9 The Catholic University of America, [human resources web pages](#).

10 Quincy University, [human resources web pages](#).

11 Loyola University Maryland, Office of Human Resources, [HR's Vision, Mission, and Values](#).

12 See <http://www.arkleg.state.ar.us/assembly/2013/2013R/Acts/Act226.pdf>.

13 Marquette University, Department of Human Resources, Mission and Vision, at <http://www.marquette.edu/hr/HumanResourcesMissionVision.shtml>.

and churches,<sup>14</sup> CST suggests more about community than an accommodation provided by the Court. Given the violence in our streets, can we morally claim that our universities are more sensitive than our streets when our young children die in public parks or sitting on the steps of their porches?

Programs such as one at DePaul University's Center for Conflict Resolution educate students on the power of mediation and negotiation while offering the public mediation training. DePaul's Center for International Weapons Control is applying the lessons learned from international weapons control to shed new light on the legal debates concerning gun violence and trafficking. This is not just a mission for Catholic colleges and universities. The Johns Hopkins Center for Gun Policy and Research links the public health ramifications of the national tragedy of gun violence to proposed reforms. Monmouth College President Mauri Ditzler recently raised the need to become engaged in seeking new solutions when he joined with other college presidents inviting all concerned citizens to accept "personal responsibility for making our children safer."<sup>15</sup>

Our nation has slipped down one side and climbed up the other throughout the history of gun regulation.

<sup>14</sup> *Heller, supra*, 626.

<sup>15</sup> Ditzler, M. "[Personal Responsibility and Gun Violence](#)." Breakfast with Mauri blog.

CST provides a place to stand on that slope and give voice to the moral outrage of too many deaths, injuries, and broken communities. As in the 19th century, today's young men—whether incited by visions of anti-heroes, violent video games, mental illness, or as Judge Robertson said, "false and cowardly pride"—challenge us to find new solutions to the violence. The good citizens of places like Dodge City saw the economic and moral good of limiting access to weapons. Academic communities, immersed in robust but peaceful debate, possess the historical foundation to contest the myth of the solitary gunfighter as a source of peace. Instead, inspired by the common good, Catholic colleges and universities should engage the public sphere with the values of Catholic social teaching and the legacy of building communities where humans flourish without the needless loss of life. □

*We invite you to respond to this column through the [Human Resources and Mission blog](#). We also invite you to post links to your mission statements, as well as HR and compensation philosophy documents if you would like to share them with our readers. This will permit a fuller discussion of how mission and CST influence the employment process.*

*The opinions expressed in this column are the author's alone and do not represent those of DePaul University or the Association of Catholic Colleges and Universities.*

### Is Your Campus on a Mission?

The Association of Catholic Colleges and Universities (ACCU) has announced plans to offer a new online, searchable inventory of promising practices in Catholic higher education mission and identity. To build the database, we are looking for programs, events, curricular designs, department structures, and publications that have successfully fostered a greater sense of the institution's Catholic mission and identity in the campus community.

Do you have information to share with us?

Fill out the online survey of [Catholic Higher Education Mission and Identity Promising Practices](#). ACCU staff will select promising practices based on the quality of the initiative and its ability to be replicated at other institutions. If you have any questions, please direct them to Lindsay Weldon at [lweldon@accunet.org](mailto:lweldon@accunet.org) or 202-457-0650, ext. 224.

Be sure your campus contributes!