

The U.N. Small Arms Conference

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The Winter-Spring 2002 issue of the *SAIS Review* contained several articles condemning the United States' position at the 2001 United Nations Conference on Small Arms and Light Weapons. More specifically, Albrecht Gero Muth, Rachel Stohl, and Loretta Bondi disagreed with the U.S. delegation's opposition to a ban on the transfer of arms to non-state actors. What supporters of the ban either do not realize or are not concerned about is that non-state actors may be oppressed groups attempting to secure their legitimate rights in the face of a tyrannical government and should therefore be entitled to receive arms.

A look at the governments that support the ban indicates that it will likely be used to bolster the power of regimes that lack legitimacy. For example, the totalitarian theocracy governing Iran took a leading role in promoting the proposal. This Iranian position reflects the fact that the government of the Islamic Republic is highly unpopular and has reason to fear a popular uprising demanding the formation of a legitimate government. The ban on small arms to non-state actors will only make it easier for the Iranian government to put down an insurrection and continue its dictatorial rule. The Chinese government also supported the ban on small arms to non-state actors, in part no doubt to prevent the Taiwanese from being able to protect themselves in the event of a Chinese attempt to take over Taiwan, which the Chinese dictatorship does not consider to be a state. In short, illegitimate, undemocratic regimes like the ban on small arms to non-state actors because it limits opposition groups' ability to resist oppression.

A look at history also suggests that a ban on small arms to non-state actors is unwise. The United States itself was a non-state actor during the American Revolution, receiving arms from France. This experience should make the U.S. government especially keen to preserve the right to arm oppressed groups attempting to secure their legitimate rights. The non-state actors language would have also made it illegal for the United States to help the French anti-Nazi underground, and for anyone to help the Jews in the Warsaw ghetto. U.S. Undersecretary of State John Bolton understood this when he pointed out that the non-state actors proposal "would preclude assistance to an oppressed non-state group defending itself from a genocidal government."^[1]

The non-state actors language does allow gun possession by groups authorized by but not officially part of a government; however, these are the same groups that frequently do the government's dirty work. Such groups include the Ku Klux Klan in the southern United States during the Jim Crow

era, the genocidal gangs of Indonesians in East Timor in the 1980s, or “Hitler” Hunvzi’s terrorist militias in Zimbabwe. A ban on small arms sales to non-state actors would have forbidden gun transfers to groups being persecuted by their governments, such as freedmen in the antebellum South, East Timorese Catholics, or white farmers and black supporters of the Movement for Democratic Change in Zimbabwe. Significantly, the genocides of the last century were preceded by intensive government efforts to disarm non-state actors—including Asians in Uganda, Armenians in Turkey, Jews and Gypsies throughout Nazi-occupied Europe, and Cambodians under Pol Pot.

At the Conference, the UN alleged that small arms kill 500,000 people a year: 300,000 in war, and another 200,000 from murder, suicide, and accidents. For the sake of argument, let us ignore the fact that most war deaths are caused by governments, which would not be disarmed under the UN program. Also, we will ignore questions about whether the antigun programs would effectively disarm murderers and reduce gun suicides and gun accidents, despite strong evidence to the contrary.^[2] Rather, let us presume that the UN prohibition would save all 500,000 lives.

Now, compare those 500,000 annual deaths with the more than 169 million *civilians* who were murdered by governments from 1900 to 1987, as detailed by University of Hawaii political scientist Rudy Rummel.^[3] Given that democide—Rummel’s term for mass murder by government—is confined almost exclusively to regimes that have attempted to disarm their victims, many—perhaps most—of those lives would have been saved if everyone owned a working firearm and ammunition. In other words, if we accept the premises of the disarmament lobby, gun prohibition appears to be three to four times deadlier than gun proliferation.

Once we acknowledge that people may legitimately possess small arms in order to resist illegitimate governments, especially democidal governments, then another favorite term of the disarmament lobby, transparency, also appears to promote limiting people’s fundamental rights. Applied to individuals, transparency is a euphemism for the abolition of privacy. Applied to gun ownership, transparency means that governments keep track of everyone who owns a gun, and precisely which guns they own. In other words, transparency should be more properly defined as “government registration of private activities.” No freedom-loving person would want to register the books that she owns or reads, or her personal medical and health conditions, or her sexual behavior. The same is true of small arms. Transparency has repeatedly been used by governments to facilitate confiscation of some or all guns—in democracies such as Bermuda, Canada, and England, and in dictatorships such as Nazi Germany, the Soviet Union, and the states conquered by them.

Because political power often grows out of the barrel of a gun, it is not surprising that kleptocracies would strive to prohibit small arms transfers to “non-state actors.” Nor is it surprising that they would advocate transparency as an important step towards establishing a government monopoly on force.

There is no legitimate reason for the government to monopolize small arms, newspapers, religious institutions, home ownership, or any other form of property that helps to preserve a free state. Mencius, the most influential developer of Confucian thought, advocated rebellion against illegitimate governance. Quoting from the *Shu Ching*, Mencius wrote: “Heaven sees as the people see; Heaven hears as the people hear.”^[4] Thus, the dissatisfaction of the people revokes the Mandate of Heaven from a corrupt ruler, and transfers it to another. Government is responsible to the people, not to itself. Confucius and Thomas Jefferson, Mencius and James Madison all understood this fundamental truth of political legitimacy. Those who supported the U.S. delegation at the UN Conference also believe that the *Declaration of Independence* and the wisdom of the Confucians are the common heritage of all mankind.