

# BOOKS

## Guns and Violence: The English Experience

by Joyce Lee Malcolm

Harvard University Press • 2002 • 352 pages  
• \$28.00

*Reviewed by Clayton Cramer*

Joyce Lee Malcolm's new book is not the masterpiece that her previous book, *To Keep and Bear Arms: The Origins of an Anglo-American Right*, was. Still, there is much to commend, and much to be learned from it.

Malcolm's strongest work here is her examination of the legal history of the right to keep and bear arms, the transformation of English law concerning the use of deadly force, and how British society has changed from supporting that right to actively opposing it. Not that many decades ago, gun ownership enjoyed widespread support in Britain; gun control was a distinctly minority position.

In 1893 the government proposed limiting ownership of handguns "less than fifteen inches long," ostensibly to reduce gun accidents. Members of Parliament pointed out that the government's own figures showed there simply wasn't a serious problem, and objected that the bill "attacked the natural right of everybody who desired to arm himself for his own protection. . . ." Two years later, a revised form of the bill, again motivated by gun accidents, received an even more ferocious scolding. MP Hopwood condemned its "disregard of individual liberty." MP Moulton criticized "interfering with such a large number of people" in the hopes of reducing "an accident list which amounted to something like eight or nine cases a year."

Malcolm explains that bureaucrats in the Home Office justified such a proposal because Britons were carrying pistols: "even ladies are taking to it." Indeed, and appar-

ently frequently. London police were still unarmed in 1909, when they chased payroll robbers across the north end of London. Along the way, these unarmed Bobbies "borrowed four pistols from passersby while other armed citizens fulfilled their legal obligation and joined the chase."

Malcolm's use of historical crime statistics is less persuasive because of the scattered, incomplete, and inconsistent nature of the data. Trying to use medieval crime statistics is a task fraught with difficulty; we should admire her willingness to make the attempt, even if the results are less than satisfying.

As Malcolm shows, violence in Britain had been in decline since guns became common in the late medieval period. Even after guns became common by the fifteenth century, violence seemed to be somewhat in decline. By Victorian times, when even handguns could be, and were, purchased over the counter by any adult, murder rates had fallen to levels that would make any American big-city mayor dance with joy.

While correlation does not establish causality, Malcolm's necessarily impressionistic evidence suggests that if gun availability causes violence, it cannot be a strong factor. Only in the last few decades, as the British government has adopted the most stringent gun-control laws in the Western world, has the violence problem increased. As I was writing this review, the *Manchester Guardian* reported that regular police foot patrols now included handguns and automatic weapons.

Though I doubt that the historical crime statistics that Malcolm has compiled will persuade many people that gun control is a poor crime measure, it should still provoke discussion. At a minimum her evidence suggests that if there is a connection between gun availability and violence in Britain, it's not in the direction that gun-control advocates—and most Britons—assume. Those who would like to believe otherwise will need to respond to the evidence that Malcolm presents.

The best case that gun-control advocates can make, based on the historical crime statistics that Malcolm has gathered, is either

that the medieval violent-crime statistics greatly exaggerate Merry Olde England's problems, or that the British government for the last two centuries has covered up 90–95 percent of modern murders. To Malcolm's credit, she points out some possible problems with the data from the last century or so, quoting the economic historian Howard Taylor that even nineteenth-century English murder statistics are suspect. Many murders may not have been reported in some jurisdictions "[b]ecause the discovery of a suspicious death and its subsequent investigation and prosecution could make a large dent in a police authority budget. . . ." It is *possible* that the apparent improvement in murder rates is far less impressive than it appears for this reason. But I think few historians or criminologists would want to claim that nineteenth-century undercounting of murders explains a two-orders-of-magnitude drop in murder rates.

The weakest part of Malcolm's book is the seventh chapter, where she writes what seems to be an excessively political argument concerning gun control and its effects on violence. I agree with her conclusions and find her arguments persuasive; they just seem out of place in an otherwise scholarly history. □

*Clayton Cramer has written books about weapons regulation in America, black history, and the Civil War. His most recent book is Concealed Weapon Laws of the Early Republic: Dueling, Southern Violence, and Moral Reform (Praeger, 1999).*

## Vouchers Within Reason: A Child-Centered Approach to Education Reform

by James G. Dwyer

Cornell University Press • 2002 • 248 pages  
• \$32.50

Reviewed by Cathy Duffy

**F**inally, someone on the left has presented a thoughtful rationale for why the left should favor vouchers: They can be used to push religion out of private schools and

further reduce the ability of parents to inculcate their children with their values.

In *Vouchers Within Reason*, James Dwyer tells us, "The great promise of school vouchers is that they provide a mechanism for accomplishing what some states once tried to do but ultimately found required more effort and resolve than they were willing to expend—namely, to rein in the practices of the worst religious schools, whose operators and parent clients vehemently and forcefully resist involuntary imposition of regulations." An animus toward religious schooling and parental influence over their children's education resides at the heart of Dwyer's argument. Those who share his animus are likely to find his arguments compelling, and others might give them serious thought, considering his position as an assistant professor of law at the College of William and Mary and his expertise in this area evidenced by his previous book, *Religious Schools v. Children's Rights*.

One of Dwyer's contentions is that most voucher arguments on both sides have been based on adult-centered, rather than child-centered, concerns. In making his own proposal, he outlines requirements that he claims are child-centered. However, those requirements (including nonsexist teaching, rejection of at least some religious instruction, and inculcation of state-approved viewpoints) are based on his own adult belief system and "liberal," statist view. Dwyer totally misses the irony in his claim that what he advocates is child-centered rather than adult-centered, since his central concern seems the best interests of the state—which was under adult control last time I checked. He writes that "the state must ultimately decide what the interests of children, individually or collectively, are." This makes it acceptable to him to impose those beliefs on children and protect children from parental beliefs.

Dwyer believes that many parents will keep their children in religious schools no matter what, so it is up to the state to look out for children's interests by using vouchers as a mechanism to force "improvement" in the secular education provided within such