

Confusion for Cheeseheads: How Contradictory Expert Opinions Have Stalled Wisconsin's CCW Legislation.

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Table 5
Analysis of Variance Summary Table

Day 2 Time					
Source of variance	<i>SS</i>	<i>df</i>	<i>MS</i>	<i>F</i>	<i>p</i>
A	140.08	1	140.08	.05	$p < .05$
S/A	25730.83	10	2573.083		
Total	25870.92	11			

Note. Was not significant at $p = .05$ alpha level. A = Enriched v. typical groups;
S/A = Variability within groups.

Statistical Abbreviations

Abbreviation	Definition
<i>df</i>	Degrees of freedom
<i>F</i>	Fisher's <i>F</i> ratio
<i>MS</i>	Mean square
<i>p</i>	Probability
<i>SS</i>	Sum of squares

Confusion for Cheeseheads: How Contradictory Expert Opinions Have Stalled Wisconsin's CCW Legislation

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Abstract

This study argues that Wisconsin's failure to pass any concealed carrying of weapons (CCW) legislation stems from the multitude of differing opinions and findings on CCW. This assertion is made by focusing on three studies on CCW with contradictory conclusions, coupled with a history of CCW in the United States. I show that the multitude of opinions and findings offered by the experts has delayed Wisconsin in passing CCW legislation.

Introduction

Twice in the last three years, in 2004 and more recently in 2006, a concealed-carry weapons (CCW) law has passed both the Wisconsin state Assembly and Senate—only to be vetoed by Governor Jim Doyle. In 2006, though, the Senate overrode the veto, and the Assembly nearly overruled the veto, failing by only two votes. In the United States, Wisconsin and Illinois are the only two states that do not have laws on record that allow individual citizens to carry a concealed handgun in most public areas. With its tradition of hunting and shooting sports, Wisconsin is on the short list of states without a CCW law. For much of the rest of the United States, CCW appears less controversial in the recent political climate, and after years of discussion, the debate may soon reach a close in much of the United States.

Concealed carry hardly qualifies as a new idea. New Hampshire enacted CCW law in 1923, and Georgia, Vermont, and Washington followed suit (Squires, 2001, p. 82). However, by 1986 only eight states had shall-issue concealed carry laws (citizens with no criminal record and adequate training can carry a concealed weapon), and 21 states did not allow concealed carry at all (NRA, 2006). In the past 20 years, states with shall-issue CCW have increased more than fourfold to 35, and only Wisconsin and Illinois lack any form of CCW (NRA, 2006).

CCW has expanded for many reasons. For instance, many interest groups have spent much time and money on influencing states to adopt CCW. According to Packing.org (2006), a group dedicated to the passage of CCW, national groups such as the National Rifle Association have voiced and financed their support for CCW, while groups such as the American Association of Retired Persons (AARP) and the American Bar Association have opposed its passage. Grassroots groups also have played a large role in supporting and opposing CCW legislation. In Wisconsin, groups like the Wisconsin Concealed Carry Association have pushed for the passage of CCW legislation, while groups like the Wisconsin Grassroots Democrats have remained strongly opposed. The involvement of such groups makes it obvious that CCW has remained a highly contested issue for some time.

Economist John Lott poses one rationale for passing CCW legislation. In his controversial book *More Guns Less Crime: Understanding Crime and Gun Control*

Laws (1998), Lott proposes the theory that the citizenry arming itself would deter crime. Lott (1998) argues, with statistical support, that the passage of CCW legislation has led to a reduction in murder, rape, and other violent crimes. This book has sparked many studies in response to Lott's findings. Although detractors argue that Lott's county-by-county analysis is flawed, an *Economist* book review (1998) observes that "Mr. Lott's arguments seem to have prevailed with many politicians." If, indeed, many politicians have accepted Lott's theory, the large increase in states (nine) that have allowed for concealed carry since 1998 may have been influenced by Lott's work (NRA, 2006). Lott's inconclusive findings, and the works of supporters and critics who have followed, have contributed to Wisconsin's continued ban on concealed-carry weapons by failing to give politicians and citizens a unified theory. Studies have failed to offer a unified belief that CCW law lessens violent crime. In fact, some have argued that an increase in firearms may lead to an increase in crime. Most agree that, at worst, CCW legislation simply has no effect on violent crime. Due to the multitude of findings offered by experts, Wisconsin lawmakers have failed to give CCW the bipartisan support it needs to become law. Without one unified accepted study, Wisconsin lawmakers must choose whether or not they favor Lott's results derived from his county-by-county level analysis, or if they support the results of state-by-state level analysis touted by others.

Literature Review and Methodology

To examine the potential effect of Lott's and others' findings, I selected recent studies that responded to Lott's highly influential theory. I selected these articles from among those indexed in two scholarly journal databases: JSTOR and Social Sciences Full Text. The articles I chose respond to Lott's theory by offering either a critique, or posing an alternative explanation, or expanding upon "the more guns-less crime" theory. I also chose an article that took the middle ground in the CCW debate, for many have argued that, at the very least, violent crime does not increase or decrease.

To understand alternate explanations and expanded theories, I first needed a better sense of Lott's theory. Jens Ludwig's (1999) book review of John Lott's *More Guns Less Crime* outlines Lott's theory that many of the articles I studied challenge: an armed population would lead to a decrease in violent crime. I chose Ludwig's review for his strong critique of Lott's theory. To expand the range of scholarly opinion on the issue, I then read Ian Ayres and John Donahue's (2003) *Stanford Law Review* article challenging Lott's proposed idea. I chose this article over the many other anti-Lott articles because the authors have written several articles supporting their argument for the state-by-state analysis that they claim has greater credibility than the county-by-county analysis favored by Lott. The differences between their study and Lott's show why lawmakers and citizens alike have such difficulty in determining the "facts" when two studies that appear similar differ so greatly in their results. Next, Stephen Bronars and John Lott's (1998) *American Economic Review* article deserves consideration because it both affirms many of the findings in Lott's controversial book and presents their notion of geographic spillover, the idea that areas without CCW may see an increase in crime in areas neighboring those with CCW laws as criminals move to areas where they feel a smaller likelihood of losing their life to an armed citizen. Finally, a *Journal of Law and Economics* article by David Olson and Michael Maltz (2001) both

affirms and denies many of the arguments made in the other articles, underscoring the difficulty in swaying the citizenry enough to vote for politicians who will provide the bipartisan support needed for CCW legislation to pass.

Findings

Lott's book *More Guns Less Crime* (1998) sparked political interest in the effects of CCW on a population. As the title suggests, Lott argues that if the citizenry would arm itself, crime would be reduced due to increased "costs" (health, safety, freedom, etc.) to the criminal (Ludwig, 1999, p. 466). Ludwig questions Lott's findings for a few key reasons. For example, Lott found that between 1977 and 1994 CCW led to a decrease in murder by 67% (Ludwig, 1999, p. 466). However, the Department of Justice states there were 4,210 more counts of murder in 1994 than in 1977 (U.S. D.O.J.; see Table 1). Accurate or not, a search in any research database proves that Lott's findings have led more researchers to study the CCW phenomena and to present their own theories and challenges to his analysis. Lott's "more guns-less crime" theory has greatly increased the amount of literature on the subject, and with so many varying conclusions, citizens on either side of the debate can easily find some data to support their opinions. The range in recent conclusions by other researchers establishes a situation where any person with any view of CCW can support that view with scholarly works. Scholarly evidence to support any opinion has resulted in the lack of a unified call by citizens for the implementation of CCW.

Table 1

Murder and Nonnegligent Manslaughter 1977–1994

Year	United States—Total Murders and Nonnegligent Manslaughter*
1977	19120
1978	19560
1979	21460
1980	23040
1981	22520
1982	21010
1983	19310
1984	18690
1985	18980
1986	20610
1987	20100
1988	20680
1989	21500
1990	23440
1991	24700
1992	23760
1993	24530
1994	23330

From "FBI, Uniform Crime Reports" by the National Archive of Criminal Justice Data.

*State offense totals are based on data from all reporting agencies and estimates for unreported areas.

Lott supported his theory further in 1998 with the assistance of Bronars. Lott and Bronars (1998) studied the phenomenon of geographic spillovers. They attempted to determine whether the adoption of CCW law by a state alters crime in the surrounding area without a CCW law (p. 475). Lott and Bronars argued that when a state begins a CCW program, bordering counties in neighboring states without CCW almost always suffer from a spillover of criminals moving to these areas, leading to an increase in crime, especially property crime (p. 479). They claim that this occurs because criminals prey on defenseless victims, and when a state has implemented CCW, the criminals fear that their potential victims might be carrying a concealed weapon. Further, Lott and Bronars argue that the adoption of CCW causes a greater spillover rate than a state choosing not to implement CCW and simply increasing arrest rates would (p. 479). Finally, Bronars and Lott indicate a rapid decrease in all violent crime except rape once the area affected by the spillover adopts CCW laws of its own (p. 479). It can therefore be argued that if geographic spillover does occur, then both Wisconsin and Illinois may have to deal with an increase in crime that could be curbed by enacting a CCW law, giving the CCW debate even more importance. However, one could say their argument may be flawed because it uses the same county-level numbers opposed by many. Debate about the methodology of a county-level study leaves open the possibility that this study is flawed, too.

Ayres and Donohue's (2003) article in the *Stanford Law Review* markedly differs from Lott's. The authors used a different regression model than Lott, one that used a state-by-state level analysis rather than Lott's county-by-county level analysis. This different methodology leads Ayres and Donohue to call into question Lott's arguments in all of the states (p. 1375). Ayres and Donohue believe that more states have seen an increase in crime as opposed to a decrease and that states have seen a \$1 billion yearly increase in costs related to crime. Further, the authors argue that county-by-county analysis leaves itself open to criticism because it disproportionately gives equal weight to counties with starkly different populations. This criticism garners particular relevance in states like Wisconsin that have uneven population distributions. For example, Lott could argue that in Wisconsin all but three counties saw a decrease in murder with the adoption of CCW law. The three that didn't see the decrease, however, might include areas like Milwaukee and Madison, which are highly populated urban areas. Such results might not be relevant throughout the state's less populated regions. Ayres and Donohue offer convincing findings, but they did not find the same results as Lott because their analysis utilized a different level of measurement, as well as a different regression model. Further, Ayres and Donohue failed to specify why a state-by-state level of study is superior to county-by-county. However, had they included any credible reasons for preferring the state-by-state level of study, they could have strengthened their argument. They could have gone even further and set this model as the standard for further CCW studies.

David Olson and Michael Maltz (2001) appear to take the middle ground, where the "truth" likely lies. Like Ayres and Donohue, Olson and Maltz attempt to replicate Lott's work, but with a different data source. First, Olson and Maltz found that firearm homicides decreased by more than Lott had found, although non-firearm homicides saw an increase (p. 760–761), which they suggest could have resulted from the different datasets (p. 767). They argue that in states with CCW laws "individuals

involved in a spontaneous altercation may respond as though the other person is carrying a concealed handgun and be triggered into a more lethal attack" (p. 767), which could explain the increase in non-firearm homicides. A study such as Olson's and Maltz's could be used by Wisconsin politicians on both sides of the CCW debate if the study does not receive the criticism other studies have faced—legislators and citizens must ask themselves what is more important, a decrease in the overall murder rate or a decrease in gun murders? Other criticism of the Olson and Maltz article might arise from their focus on murder only, leaving open inquiries about other crimes. The authors might have decided to focus on murder because it remains the most violent form of violent crime. The article also predicts a positive outcome from CCW: a decrease in murder. But, one could ask, if people are brutally beaten to death, due to fear of a concealed weapon, would politicians and their constituents view this as an acceptable trade-off? And is their data sufficient to support such a claim?

Conclusions

These articles show the lack of certainties in the data and methodology in studies of CCW. The many varying opinions on the CCW topic are exacerbated by a lack of concrete answers. As the articles studied here indicate, researchers have not arrived at the same results, and no one has yet released a study that other researchers—or a majority of politicians, or the general public—have come to accept. With this uncertainty, groups have simply chosen the study they prefer and have used those data and conclusions to support their opinions. Therefore, this issue requires further study to find more concrete answers so the citizens and legislators in Wisconsin can make more informed decisions. In particular, future research should focus on justifications for the methodologies employed. If researchers and theorists find one methodology superior to the others, conclusions resulting from the superior methodology should and would have greater credibility. If county-by-county studies stand superior, the possibility for Wisconsin to lower the amount of violent crime could be increased through CCW, as Lott has suggested. By contrast, if state-by-state studies are more accurate, the passage of CCW legislation could lead to an increase in crime and money spent to thwart crime, as Ayres and Donohue and others have suggested. Only further study will allow Wisconsin to reach a consensus and for lawmakers to make a decision that will work—not only for a majority of Wisconsin counties, but also for the state as a whole.

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Combating Invisibility: Older Women Stereotypes Revised

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Abstract

This essay discusses the difference between television and literary portrayals of middle-aged and older women in the last 30 years of the 20th century. TV writers rarely included older women in programming, and when they did, the older women were often characterized as useless, undesirable, and passive. The popular and critically acclaimed novels, *Song of Solomon* and *Paradise*, by Toni Morrison, and *The Weight of Water* and *The Pilot's Wife*, by Anita Shreve, revise the TV stereotypes, creating central, vital, and complex older female characters. These novels illuminate that a mother is to the family what a shaman is to his or her community. The methods are different, but their goals to preserve their tribe or family and their functions as healer and storyteller are the same. The authors' expansion of the older women stereotypes creates a new paradigm for measuring the value of older women.

If you were a superhero, what would your superpower be? Besides flying and X-ray vision, invisibility often captures popular choice. Imagine the mischief possible—with no fear of getting caught! On the other hand, negative complications could develop if no one could see you: people might inadvertently sit on you, kick you around, or ignore you completely. If no one knows you are there, you may not be appreciated as a person or acknowledged for the work that you do. A person without the ability to control invisibility may find it to be a hindrance rather than an asset.

Middle-aged and older women who lived during the last 30 years of the 20th century found themselves rendered thus invisible by society. Even feminists of the period largely ignored female seniors. Television writers frequently depicted this significant percent of the U.S. population as useless, undesirable, and passive—if they portrayed them at all (Davis, 1985). Television, as a major means of enculturation, will serve as the standard against which literary portrayals can be measured. Two female authors, Toni Morrison and Anita Shreve, themselves middle-aged during the last 30 years of the 20th century, highlight older women in their novels *The Pilot's Wife*, *The Weight of Water*, *Paradise*, and *Song of Solomon*, revising the stereotype of sidelined mother by giving their mature female characters shaman-like roles and functions, which revise the negative value judgments concerning older women.

One may ask, “Why these novels, why these authors?” We were interested in what middle-aged or older women, for our purposes defined as 50 years or older, had to say about themselves. But we did not want to read just anything. We wanted to read critically acclaimed literature and novels that have achieved a significant degree of popularity. So we developed criteria for selecting books for this study. They had to be written by a middle-aged or older female author, on Oprah's Book Club list, on *The New York Times*' bestseller list, and respected in academic circles. Two authors met the age requirement: Toni Morrison was 46 when she wrote *Song of Solomon* and 67 when she wrote *Paradise*; Anita Shreve was in her 50s when she wrote both *The Weight of Water* and *The Pilot's Wife*. Oprah's Book Club list stood out as a reasonable measure