

GUN CONTROL: THE DEBATE

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[Inside prison. Two inmates, Reg and Clem.]

REG: Do you want me to coach you or not? *(Clem gives a grudging look of assent)*
Doing this shit gives us a chance to break out of this joint – and does something good for all cons, in or ex.

CLEM: But what does it do for *me*? It's like I'm groveling – justifying my own conviction.

REG: It was a random selection – not anyone's choice.

CLEM: Yeah. But still, the better I defend the position, the longer I stay in the pen.

REG: Think, man! If you make a strong argument, it shows that you have now moved beyond what got you sent up.

CLEM: How? – Imagine me up there saying – *(Said like a twit)* *Guns don't kill people – People kill people.* Aren't I people?

REG: You didn't kill anyone.

CLEM: Yeah, but only because I was a damn fool for not getting some glasses. I'm still in on a gun offense, and here, instead of blaming easy access to guns, I am saying – *yes, I did it, but please don't make it any more difficult for me to do it again* – and defending a position that the liberals hate. Aren't they the ones most likely to care about what happens to people like us?

REG: Yes, but don't you see, you win them over by showing that you, this jailbird called Clem, are bigger than the issue you were assigned to defend. That makes you what liberals think they are – people who can evaluate social concerns in a manner that goes beyond their personal interests. Sure, I know it's bullshit, but that makes it all the better for you in that you are defending their pretense – their phony image of themselves.

CLEM: I'm not concerned about puffing up their egos, what bothers me is that I'm stuck

with arguing a position that is commonly used as a standard for shallowness while at the same time being obviously true. I mean, leaving out earthquakes, volcanoes and our lesser living creatures, it *is* people who kill people. The gun is just a tool that may be used for that purpose. The better the argument, the more I convince them that this is the real me.

REG: Good. Very good! That's a sound basis for your argument. "*The gun is just a tool*" – you must use that!

CLEM: Right. Use it – just like I could use a rope to hang myself. They prefer to focus on the tool rather than the perpetrator and here I'm saying – *Listen, I'm a perp, I know better than anyone that I shot the MF because he was messing with me, not because I happened to find a gun in my hand.* This is suppose to be of some benefit to me?!

REG: Can't you see that you come out looking better if it's someone else blaming the gun? You must remember that there will be others arguing the contrary position. Think of the beauty of it?! There you are, a sad figure serving time on a gun felony conviction accepting your error, your act of weakness, your full responsibility. And on the other side there will be a distinguished member of society saying – *Poor Clem – Poor, honest Clem – He takes full responsibility for an act that, had those in responsible positions adopted more restrictive laws on gun availability and possession, would likely never have occurred.* Even if you fell on your knees and begged they wouldn't let you take full responsibility.

CLEM: Nah! – You've got me tricked out to be some over the top Bre'r Rabbit. Instead of begging not to be thrown into the berry patch, I fling myself into it and there lying, torn and bleeding, you say I'm bound to win them over. Besides being humiliating, they're more likely to judge me a confessed super-predator and shove me into one of those civil commitments – the kind of *release* that never lets you out.

REG: They won't do that because it's the position of the pro-gun folks – *Lock them up! We need to protect ourselves from those awful people* – and that would be giving an obvious wink to racism. No – Liberals at least know that violence comes out of social conditions.

CLEM: Then why don't they deal with those conditions rather than take away the people's

right to own firearms?

REG: Because their strong minds are balanced out with weak wills.

CLEM: Great! – That's how I'd end up in civil commitment. I'd have more respect for the guy who would shoot me because I threatened him than the sort who would consign me to a living hell because they're convinced that society made me a dangerous fiend. At least with the first guy I either make it or I don't.

REG: Well, then, look at what got you here – Did you shoot the guy just for the hell of it?

CLEM: I did a deal with this fellow and he ran off with my share. I gave him a chance to make it up. If I let him get away with it I'd be fucked in more ways than one.

REG: And so the liberal would say, *if only poor unemployed Clem over here could find work* –

CLEM: I've had jobs – lots of lousy low-paying jobs. Maybe it's just me, but I have this crazy dream that I would love to *live* a life rather than struggle through one.

REG: Then the liberal would say – *If only poor Clem had access to a decent education, he'd be happily employed in a well-paying job supporting a family – far from even thinking of committing a crime.*

CLEM: If I were a hypocrite, I'd jump into that one, but I see those rich twits, and I wonder if I'd have the nerve to get away with what –

REG: Stop there! You are moving into *incorrigible* territory if you even hint that what they do deserves a sentencing ceremony. Stay with me and I'll set you up for success. Imagine that you are up before a parole board. They want proof of your awareness and acceptance that you did wrong. You present a certificate that you whupped a bunch of rich geniuses trying to make excuses for your kind. Conservatives would wrap their loving arms around you – They'd probably jump you up from parole to outright pardon. Liberals rarely serve on parole boards.

(brief pause)

CLEM: I'm going nowhere if I have to depend on your screwy arguments.

REG: You won't have to. Admittedly being locked up has its disadvantages, but what's something that very much favors your situation?

CLEM: (*Pondering*) Ahhhh – I don't know – Is it free room and board?

REG: That and much more – *Time*. You're going to be busting it all your waking hours. I'll see to it. And because of this deal you're in, you have free time and all the books and stuff needed for research. What you are going to do is provide an historical argument that proves our beloved Constitution wanted the people to have protected access to guns.

CLEM: History, huh?

REG: Yeah, history, American history, kinda like your rap sheet, only a little bit longer. Just think of it! After going through your pathetic *mea culpa*, you, with much sadness, say that, *regrettably, our sacred Constitution preserves the right of Americans to possess firearms.*

CLEM: Oh, so I kind of make everybody happy. The liberals must respect the Constitution, and the gun nuts will appreciate my defending their rights, even if without their colorful nuttiness. (*brief pause*) But I don't know – being out there all alone –

REG: You won't be alone. You will have a debate opponent, and he will have people helping him make his case. I'll be there as your second.

CLEM: Oh, like a duel.

REG: Yeah, but never call it that.

CLEM: I meant like with a sword in days of old.

REG: They didn't use two inch swords back then – and that's all that's legal now.

CLEM: Fucking laws! Someday they'll have everybody in jail!

REG: That's right – you must make them know that. *(brief pause)* Why?

CLEM: That they are all in danger of being in my place? It's true, but I can't think of a way to convince them.

REG: What is the most fundamental way that folks can prevent that from happening? *(pause as Clem ponders)* Come on! What got you in here?!

CLEM: *(has a eureka moment)* With guns! *(Holding his arm up high as if holding a rifle.)*

REG: It's not just your freedom, or my freedom. We're going to fight for everybody's right to defend their freedom!

CLEM: *(big smile of acceptance)* Okay – I'm starting to like this thing. I guess I'll give it a shot – So to speak.

[End Scene 1]

[Scene 2]

[Center stage two music stands serve as a place for the speaker's notes. A small table and a few chairs for the seconds and the Moderator. Audience of prisoners and guests are seated. A few guards standing. Clem and Reg to the side of the stage. Clem seems shaky now that the time has come.]

REG: Don't worry. I'll be there off to your side. Give me a look and I'll come to you in a

flash to help with anything.

CLEM: (*holding a sizable stack of papers*) I'd feel a lot better had you had let me try out this stuff on you.

REG: I checked it out – you have loads of solid material – but this is like improv – an unrehearsed presentation works better. Just get out there – move around – speak forcefully in making your points – you can't go wrong.

CLEM: Then why do I have this fear of making a complete ass of myself out there?

REG: I tell you – *you can't go wrong!* Why? *Because no one expects anything from you.* Whatever you say people will be thinking – *big up to Clem, he's actually speaking.*

CLEM: (*as if he's heard it all many times*) Ahhh – Listen to you. (*brief pause*) So, anyway, what's the setup again?

REG: I've met with the Moderator and the other side – by the way, they are all casually dressed – probably didn't want to shame us because we're stuck in prison garb, (*twirls around*) though wasn't it nice of them to give us a new set of duds? – shows the guests how well we're treated. She will say a few words and introduce you to your adversary. His name is Stanford –

CLEM: Stamford?!

REG: No. STAN-ford. You will address him as *Stan*. Everything is going to be free and easy – Just enjoy it.

CLEM: What's her name again – I mean the Moderator?

REG: Lily – She's nice.

CLEM: *Lily* – That name doesn't belong in prison. Maybe I'll call her *Lil* – yeah, I'll call

her *Lil* – No, maybe not – makes her sound like a tough broad. What's she look like?

(Lights come on and Moderator and opposing team walk on stage. The Moderator begins addressing the audience at once.)

MODERATOR: Good day, my name is Lillian Berenson.

CLEM: *(To Reg soto voce)* LILLIAN! –

REG: *(pushing him on stage)* Go on! We're supposed to be out there!

LILLIAN: – We hope to present a uniquely interesting event here today. Typically they are called debates but in our case it will be a discussion, or even more casually, a conversation on a very controversial issue. Instead of a debate where the participants tend to talk at rather than to each other – or even worse, to the walls and ceiling, our two, I'll call them, not antagonists, but protagonists as if they are characters in a story, will defend a position that has been randomly assigned to them, and as in a real conversation they will sometimes politely interrupt the other if they believe a vital point must be made. At times our seconds, Reg and Wendy, besides advising our featured players, may also have their say. In the course of playing the role of Moderator, I may sneak in a personal opinion. Finally, we must acknowledge the unusual setting of this event. Many in our audience have had serious personal experiences relating to what we will be talking about. Perhaps after we have made our presentation there will be time for our listeners to rate our performances. *(brief pause)* Will our two *(smiling so that it's clearly untrue)* adversaries please come forward – *(looking at Clem)* – Clement –

CLEM: It's Clem –

LILLIAN: – Clem. *(Turning toward Stan and before she could speak)*

STAN: Stan.

LILLIAN: Stan. Our topic is gun control. Stan will argue the position that this nation must in accordance with other developed countries adopt more restrictive regulation in order to lessen gun violence. Clem will oppose such regulation as contrary to our

constitutional right and will perhaps even propose the reversal of some already enacted because of the historic and practical necessity of personal firearm ownership. Who shall we have initiate the dialogue?

CLEM: *(after brief pause)* May I *(moving forward and approaching Stan)* – since I live here I suppose I'm something of the host and Stan a guest – offer Stan the honor of inflicting the first blow.

STAN: *(smiling and offering his hand to Clem)* I thank you, Clem, even though I fear you are setting me up for a sucker punch, I will accept your kind offer.

(Aside. While Stan looks through his papers, Clem moves near Reg)

CLEM: Why did you tell her my name is Clement?

REG: I didn't – but isn't it?

CLEM: No. It's from Clemens, my mother's name. Now I'll never hear the end of being this doofus Clement – and notice how he jumped in with *Stan* before she could reveal his stuffy name.

REG: If you are half as good at picking apart important statements as you are with the trivial, you should have great success. *(pushing Clem)* But you won't even be able to make a decent ass of yourself unless you get near the action.

STAN: The issue of gun control always becomes a hot topic when we experience a horrendous massacre of the innocent in a public or a work place, and especially when it's in a school. The worst, at least in recent times, was the murder of 20 school children in Sandy Hook. Those are certainly the most egregious instances of gun violence, but we must not forget that easy access to firearms means more accidental deaths, by adults or their children playing with them as if they were toys. Firearms are also the main tool to be used in suicides – over 20,000 Americans a year –

CLEM: Stan, I'd like to have my first interruption be in total agreement. For something to contribute to an accident, or worse, it has to be made available where the event occurs.

Children with access to firearms may harm themselves or others as they may also do with matches or knives. A person may kill themselves with a gun, drugs or a car. The presence of a high bridge is necessary if one wishes to make a suicidal leap –

STAN: – but the presence of a gun is more likely to lead to an impulsive act – suicide or worse, harming another person.

CLEM: I doubt you are suggesting that the mere presence of tools of death are a *cause* of suicides or shootings – clearly the act must derive from life experiences.

STAN: You are quite correct, Clem, but the focus of my argument is that the easy access to firearms leads to a host of dangers. Knives can be dangerous but they are a necessity in the kitchen and dining room. Autos can be dangerous but they are a transportation necessity for most people. Having a firearm in your home or on your person does not have that degree of importance.

CLEM: You are dismissing social need in favor of immediate personal convenience. I'm sure you accept the necessity of your town having a fire department even though you may never need its services. I just wish to inform you that my main line of argument will be social necessity. I may carry a firearm and never use it, but if such a need did arise, it's importance should be obvious. That Norwegian fascist murdered 46 youths because they were confined to an island with no armed person present to oppose him. It was like slaughtering animals in a pen – He had plenty of time for a snack or trigger finger rest break before resuming the killing –

LILLIAN: – That certainly was a horrible atrocity, Clem, and no doubt all would have wanted the presence of persons with the means to stop the perpetrator, but the right for personal possession of a firearm in this country revolves around the Second Amendment – its literal meaning and intent. Perhaps we should shift the discussion to where the issue began. – Stan?

STAN: *A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.* Clearly that meant personal arms for the use of defending the state –

REG: (*moving along side Clem and speaking to those assembled*) That's not at all clear. The Constitution itself in Article 1 Section 8 Numbers 15 and 16 already dealt with that issue by granting Congress the power to arm a militia for the purpose of suppressing insurrections and/or foreign invasions – (*aside to Clem*) I told you I'd have your back.

WENDY: (*coming forward*) – and it did exercise that power – In the Militia Act of 1792 passed in May of that year and revised in 1795 – It mandated that all able bodied men be enrolled for service in their state's militia, and was quite specific as to the types of firearms they must purchase and possess should they be called up. Thus the 2nd Amendment is in full accord with the Constitutional provisions you cited, and with Stan's contention that the amendment was never intended as a personal right to gun ownership and possession, but as required to perform a public duty.

CLEM: (*aside to Reg*) You may have my back, but Wendy has my --

REG: Wendy, a slight correction to your summary of the Militia Act – It mandated that all able bodied *white* men be enrolled. Also note the date – 1792. From the time the Constitutional Convention settled on their work in 1787, amendments to it were discussed in order to obtain approval of the states. Samuel Adams in February 1788, before the Massachusetts assembly considering approval of the Constitution, argued for a statement to be inserted in the document that nothing within it infringed personal rights including, *peaceable citizens from keeping their own arms*. The right to personal gun ownership was a hot issue from the start because many felt that the Constitution eased the way for an authoritarian coup. The result was the Bill of Rights enacted in 1791. Please note that the 10 amendments guaranteed *personal* rights – that alone makes the notion that the 2nd Amendment is merely part of the state mandate to form militias, which at that time would be used against popular uprisings against the actions of the state authorities, totally absurd. But in any case your claim of a connection is invalid because the 2nd Amendment is part of the Constitution while the Militia Act of 1792, with respect to firearms possession by all *white* men, is a separate and distinct piece of congressional legislation, and as such is subject to the constrictions contained in the Bill of Rights that were enacted as a limiting safeguard for just such legislation.

WENDY: Granted. But you still must contend with the strange wording of the amendment and the fact that the same cohort of men were involved in the creation of all of the provisions we've cited.

CLEM: Many versions were proposed and I find it interesting that the one immediately

prior to the 2nd Amendment as we know it began – a well regulated militia, *composed of the body of the people*, being the best security – etc. The deleted portion suggests a broad arming of the people without deleting a race or any other segment of the population. I'll wager that the elite cringed on hearing those words.

STAN: But they merely meant that a militia be drawn from the general population. Where else could they come from?

CLEM: From a particular class – namely the white, wealthy, elite – those with sufficient money to buy the right to vote. Leaving it in would make it more difficult to include such things as a property requirement. I'm sure a Federalist like John Jay who said – *The people that own the country ought to govern it* – wanted the narrowest interpretation of such a right if its enactment could not be avoided.

REG: Jefferson wrote, significantly near the end of his life, in a letter to Cartwright that measures must be taken that all classes, rich and poor, are assured the right to bear arms in defense of their freedom. But then he wasn't a Federalist.

LILLIAN: Perhaps we should go further back in time and discuss the conditions, the times that led to the 2nd Amendment. It was a controversial then, and remains so today. (*looking toward Stan*) Stan?

STAN: It would be a mistake to claim that the calling of the Constitutional Convention had anything to do with gun rights. The Confederation was a central government with little authority to enforce its mandate so that it could function efficiently – primarily those that required the states to transfer a portion of the taxes they collected to the Treasury of the Confederation.

CLEM: Yes, and I would add that it also did not have a standing army – and here we come upon the gun issue. In revolutions or civil wars promises are made by the leadership to the general population in order to recruit an army to fight their battles. Such is what happened in our war of independence; and as often happens, promises were not kept. Elements from the poorer working classes and farmers felt they were victimized as cannon fodder by their home grown rulers and wanted their share of the benefits promised after the British were expelled. They demonstrated their anger and frustration in

a series of popular rebellions across the states.

STAN: All of that is connected to what I said about taxation. The Confederacy had no authority, or at least such that was clear enough to be obeyed, to order state militias to assist other states in suppressing lawless rebellions. The most notable was Shays Rebellion. It took Massachusetts many months to raise and train a militia of sufficient size and then have it make its way to the western part of the state to put down the rebellion because militias in neighboring states refused assistance.

WENDY: And there you have the key reason for the founders of our nation to call for a constitutional convention – rampant disorder.

LILLIAN: Yes, but as we have seen our founders were not of one mind on the issues, or even all strongly supportive of altering the form of government. It was the Federalists led by Hamilton from the business and financial classes of the north that began the drive for constitutional changes, while the Republicans, under the leadership of Jefferson from the more agricultural south that expressed concern about a strong central government –

STAN: – And you can see there a main source of confusion. Jefferson and others from the south expressed great concern about defending personal rights while being slave owners and defenders of the slave system. Meanwhile we are supposed to be wary of anti-slavery northerners like Hamilton secretly plotting an authoritarian dictatorship.

CLEM: No one should claim that northerners were a saintly lot. Many of them were budding capitalists and as such had no interest in physically owning their workforce. Imagine the cost and inefficiency of having to buy and sell workers in line with the rapid ups and downs of a market system. The relative positions of both sides were based on practical need and not morality. Hamilton is a good example. While personally opposed to the slave system, after all, its abolition would increase the numbers of those available for wage labor and cheapen its cost, he had no qualms about his wife's family being very late slave owners on their New York state plantation.

REG: These issues arise in the struggle between social classes. Washington was one of the richest Americans. The elite wanted him named king. To his credit, he refused. But then –

CLEM: But then, King Louis of France also swore allegiance to the new revolutionary government only to secretly plot against it. France had its revolutionary armies go out to confront counter-revolutionary invaders only to have them turned by traitorous generals back toward Paris.

REG: – And we had our own notorious turncoat who burned New London even though it was near the place of his birth.

CLEM: According to Soboul, popular sovereignty reached its height in Paris on June 2, 1793 with the general arming of the sans-culottes. Two years later, their disarming marked the date of the Thermidorian reaction.

STAN: Yes, but do you seriously want to claim that there is a general concern among the people of France or the United States that its government today may be plotting a coup against its freedoms?

CLEM: It is difficult for us who are not free to answer that, but we've read of much concern about the systematic undermining of personal rights.

REG: And the three most recent prominent exposers of the secret dirty dealings of our rulers are either in prison or otherwise isolated.

CLEM: The problem is that, if there *is* fear of a possible dictatorial coup, people will likely be too afraid to publicly discuss it. But the basis for any discussion about gun control in this country rests on why such a thing as the Second Amendment is part of our constitution, and the historical record leaves no doubt that the yeoman farmers, artisans and workers feared that the new document opened the way to the establishment of an authoritarian state, indeed, the very fact that the elite called for the convention and enacted the document was cause for concern, and that's why they demanded assurance that they would have the means to counter an attempt by that elite to usurp popular power.

LILLIAN: What has been said is very interesting and is certainly of utmost importance, but the most widespread popular concern as we speak is that fanatics or mentally ill

persons are obtaining firearms not for self defense or other justifiable purposes but rather for massive offenses against innocent people. Is an ostensible right more important than trying to keep firearms from the hands of those people?

STAN: There have been many studies showing that more legal guns do not lead to a reduction in violent crime. In fact, Michael Monuteaux of Harvard Medical School found the opposite to be true.

WENDY: And Siegel presented data to *Live Science* that confrontations between families, friends, bosses and acquaintances are more likely to become lethal in the presence of guns.

CLEM: But that's a social problem, not a gun issue. Guns don't --

STAN: You're not going to tell us that guns don't kill people, people do!

CLEM: You liberals hate words that are so obviously true. A gun is an inanimate thing.

STAN: But if fewer guns were available when a dispute turned violent, it might lead to throwing tableware at each other or possibly fisticuffs; something much less lethal than bullets – and don't forget innocent bystanders.

REG: Possibly, but in a market economy it's fairly easy to obtain anything, whether legally or not. Why should a person wishing not to be slaughtered in a confrontation have nothing but dinnerware, fresh fruit or his person to defend himself if a gun is aimed at him with evil intent?

CLEM: There is also alternative data regarding firearms and personal safety. In 53% of home invasions or burglaries in the United Kingdom the residents were inside. In the US it's only 13% because would be perpetrators know many Americans are not only armed but aware that a jury will not convict them if they can demonstrate a danger to ones life.

WENDY: There is still the notion of *the greater good* holding sway at this stage in our conversation. When a horrible crime is committed, impetus to punish the perpetrator is so

great that it often impels the authorities to stretch the legal process in order to arrest and bring to trial a suspect. Let's say that the person is convicted but after a long incarceration serious prosecutorial infractions are discovered. His conviction is then overturned and he is freed. A re-trial is impossible because key evidence is no longer available. The public is outraged – the authorities, with more interest in politics than justice, search out ways to get their man back in jail. So how best is justice served? Return to prison by any means necessary a man a jury had convicted and popular opinion wants incarcerated, or to uphold the strictly correct application of the legal system as it is – the way it was written and enacted in a public process by the elected representatives of the people. Clearly, I think, a society that permits under the table deviation from enacted laws is one that will soon be an unjust society.

(All look to Clem as if the ball is now in his part of the court.)

CLEM: Oh – All that was for me?

LILLIAN: *(To Clem)* The gist of it is that – shouldn't you be willing to relinquish the right to possess firearms for the same reason that we must accept the possibility that criminals will remain free because the fair application of the law is unable to convict them of any wrongdoing, if by doing so fewer persons will be armed and thus fewer persons will be at risk of being harmed by guns?

CLEM: Well, my answer is, no – because my personal right to possess firearms for self protection is only one example of the importance of preserving the Second Amendment.

REG: I'd like to expand on the significance of Clem's point. During the slave system the laws of our nation permitted the murder of black slaves should they attempt to strike back at their oppressors. If none of the rebels were immediately at hand for slaughter they would grab blacks at random for hanging just to spread fear and terror, as if to say – *This is what will happen to you should you oppose us.*

STAN: But the slaveocracy was abolished –

REG: – To be replaced by Jim Crow racism during which thousands of blacks were lynched with no one being brought to justice. Before, during, and after the war there were

many massacres of black people – Colfax, Thibodaux, Tulsa, Plymouth North Carolina, Ft. Pillow, Rosewood – more recently in LA, Detroit, Newark, etc.

CLEM: And of Native Americans – Wounded Knee, Sand Creek, the Cherokee Trail of Tears. We had a *beloved* president of the United States – Theodore Roosevelt – advertise his debased moral standing by saying – *I don't say that the only good Indian is a dead Indian, but nine out of ten are, and if I were the tenth I wouldn't bet on having a long life.* Or workers murdered when they tried to organize – the Pullman Strike, Cripple Creek. Or forced to work under murderous conditions – like the Hawks Nest tunnel where they may as well have been shoveling plutonium – or the horrendous industrial conditions that kill thousands of innocent bystanders, like at Bhopal.

REG: Or the many wars – Hiroshima and Nagasaki – Korea, Vietnam, Afghanistan, Iraq, Libya, etc. where millions were killed by the US and its allies with no more moral or legal justification than the millions murdered by the Nazis. Were presidents and other politicians; generals and the rest of the military and security apparatus brought to justice for those crimes?

(After a pause because the other side clearly faces a dilemma)

CLEM: I understand your dilemma – when, for example, the guards at Abu Ghraib are the only ones jailed because they exposed American torture of prisoners by taking photos of the crime – in violation of the signs on the walls commanding them not to – or because of what happened to Chelsea Manning after she let us experience the joy of an American military copter crew having a grand ole time machine gunning civilians – it's hard to defend the notion that only those in authority, many of whom are guilty of systematic crimes against humanity, are the people we should trust to possess arms and to protect us – and I haven't even included cops gunning down people, mostly blacks, for nothing more than pointing at them a wallet, a candy bar, a pencil, a finger, or even just their backs.

REG: On April 4, 1865 Lincoln said to an assembly of newly freed blacks *that the liberties of Americans were dependent upon the ballot-box, the jury-box, and the cartridge-box; that without these no class of people could live and flourish in this country.*

STAN: And then ten days later he was *shot* to death!

REG: Thanks to the all-white Secret Service – but to finish my point on Lincoln's statement – the ballot box is closed and tightly sealed as a means for self protection; in the rare instances when a cop is brought to trial he almost always selects trial by judge, that is, by a cop in civies; and now they want to remove our last line of defense.

STAN: Yeah, but that last line is pretty formidable. The National Rifle Association has almost a one hundred percent track record of preventing the passage of any new legislation placing limitations on private gun ownership.

REG: It didn't stop the massive first step in reversing the 2nd Amendment as a fundamental personal right.

CLEM: That's because the ghetto uprisings against Jim Crow racism in the 1960's so frightened white people that even those supporting gun rights let up on their defense. In fact, all the major anti-gun laws were intended to keep firearms out of black hands. They began in the south following the civil war. Once the former slave owners recovered economic and political power they began enacting Black Codes for that purpose.

STAN: The NRA has a mostly white membership yet they gave material support to black Chicago gun owner McDonald in defense of his right to legally own firearms.

REG: That's because the case had national gun rights implications. The Supreme Court ruled that the 2nd Amendment applies to states based on the due process provision of the 14th A amendment. It doesn't alter the fact that the NRA is closely associated with the policing section of the nation.

CLEM: The NRA is a two-faced fraud when it comes to defending gun rights. Many pro gun rights groups condemn the aggressive actions of the police when enforcing anti-gun laws. Some, like *Guns and Ammo*, have written of what often happens at the end of gun shows. The police plant themselves on the exit roads to stop cars to see if any firearms are not stored properly. They also get the names of recent gun purchasers and then check to see if the buyer used his wife's name on the official forms – sometimes making

evening house calls to check, that is to threaten, the buyers.

REG: To enforce a law is to own it. It's hardly surprising that the police zealously enforce anti-gun ownership laws because they as the official enforcers of the laws of the land would prefer to be the only members of society armed for the task. The NRA never criticizes the police; it has essentially made itself an auxiliary police force. That has ensured their personal right to gun ownership even under a police state.

CLEM: Yes, but the police can also act like sensible human beings when off duty and reasoning as people rather than cops. PoliceOne.com has a membership of 400,000 verified current and former police officers, and according to a survey in which a high percentage of the total membership participated, most of them recognize the importance of the private possession of firearms. PoliceOne.com surveyed their membership about the best means of protecting people under critical conditions, and they –

LILLIAN: *(looking toward the back of the room)* – just a moment Clem. I see that we now have a bona fide police officer in our midst. Excuse me, sir, I noticed that you've been looking at your phone. May we disturb you for a few moments to know who you are and ask a few questions?

WALTER: *(removing ear phone)* My name is Walter Kennedy and I assure you I'm not keeping up with the ball game. There is something big happening down in -- *(glancing down at his phone)* down in Orlando, and we've been assigned to secure all large gatherings -- here's some sort of shooting --

CLEM: Well then you are a perfect candidate to participate in this cop survey – Here is Number 22 – *Considering the particulars of recent tragedies like Newtown and Aurora what level of impact do you think legally-armed citizens would have made? Choose the statement you feel is most accurate. 80% of the cops said casualties would be reduced.*

WALTER: Of course they would! It should have been 100 percent. When people set out to do those things they don't call the police in advance to give us a sporting chance to stop them. *(looking down at the phone)* But this thing in Orlando. There was armed security at the scene but they couldn't do anything. I don't understand it.

LILLIAN: Can you tell us a little bit about what happened?

WALTER: Well this fellow gets out of his car carrying a semi-automatic so-called assault rifle and walks toward this nightclub entrance. An off-duty officer serving as security guard engaged him in a firefight to be soon joined by another officer near the scene. The shooting takes place outside of the club yet the perpetrator manages to walk right in unharmed and starts shooting the people inside the nightclub. Four minutes later more police arrive and they say they entered and engaged the shooter. But if true, how could they have failed to stop him? Then 45 minutes after he entered he locked himself in a bathroom and called saying he has hostages. They just ended it by blowing him up with a robot.

LILLIAN: Injuries?

WALTER: It's incredible! 49 dead and 53 wounded. He would have had to pull the trigger more than 100 times. He must have fired many more rounds at the police. He would have had to change the magazine two, three or more times. I don't understand it.

REG: It's because cops are only brave when facing such things as candy bars. Guns are another matter.

CLEM: The same thing happened at Columbine. Two professional security personnel saw the two youths walking toward the school carrying firearms. They also engaged in a shootout – then ran away. When the police arrived they waited around until the kids killed themselves. Only the teachers demonstrated any bravery.

WALTER: Listen. I can't figure out the thinking of others, but I've been on the force 23 years and have never even shot anybody let alone killed them. But I'd be damned if I'd stand by and let such a thing happen without doing my damndest to stop it. I've taken an oath – that means I've accepted the risk.

REG: So we have one guy with no experience here to protect us against a mass slaughter.

CLEM: And we have to trust his oath.

WALTER: Would you like me to shoot a few of you fellas in order to make you feel safer?

REG: No, just toss us your gun if something happens. We're highly trained for such emergencies.

CLEM: It's incredible. We have a few prison guards, unarmed because we happen to be the good bad guys, and one gun to protect us if a crazy person who hates cons should invade.

WALTER: – I can call in a force in a flash.

CLEM: – but still, that's not protection if they are afraid to come through the door.

(brief pause)

LILLIAN: Did you know that a .25 caliber automatic is so small that it can easily be carried without anyone being aware of it?

CLEM: Yeah, but .25 caliber has no stopping power.

LILLIAN: I assure you that I'm deadly at 75 feet.

CLEM: You're an exception. You almost slayed me at first sight.

WENDY: I prefer a nine millimeter because it's a readily available cartridge and I've never had a misfire in my top of the line Glock.

STAN: They're OK, but I'm old school. One spring for the firing mechanism is enough for me. .40 caliber is the perfect round with respect to stopping power and recoil. I'll take my chances with my Detonics break top.

WALTER: You aren't telling me that all of you are armed?!

LILLIAN: Sure. We have carry permits, so we carry.

WALTER: But that's not permitted inside a prison except by authorized personnel.

LILLIAN: It's not. Well, we're about finished. After we sum up we will be pleased to turn them over to you and you can return them after you escort us outside the gates. *(brief pause)* Do most of our audience think we were fair in presenting a side we don't personally support.

(murmurings signifying agreement)

STAN: Even though both sides supported the right of Americans in good standing to possess firearms as stipulated in the Constitution we need to focus our attention on the pressing concerns most Americans have about preserving their freedoms. We live in a class divided society. The tiny class at the top has most of the wealth and all of the power. When workers go out on strike, the police aren't out there serving and protecting the people. Scabs are closer to scum than people, and that's who the police are serving and protecting because that's what those in power pay them to do.

WALTER: I always find a way to be on vacation, or sick, or something else every time there is a strike.

LILLIAN: Good for you, Walter, thank goodness that many people understand that they always have a choice.

WENDY: My father was drafted during the Vietnam war. His first pay was something like \$75 a month – not much more than a WW2 soldier. By the time he got out after two years and a few ranks higher he still was earning less than \$4000 a year. I recently checked out what new recruits earn in our volunteer army. After two months, barring any infractions, they get their first stripe and are earning over \$21,000 a year. Furthermore, except for taxes, a very small sum because of a military tax break, all the rest they need to live on is provided at no cost. So here you have a young person earning more than \$45,000 in pay and benefits right at the beginning of their military service. Far more than

they would have a first job in the civilian economy.

REG: So they join up to go on a foreign crime spree in order to make a good living?

WENDY: Yes, but I think we should all allow the significance of what they do sink in – if they are willing to go abroad to kill people for money, can anyone doubt they would do the same at home if ordered to do so?

(brief pause)

SOMEONE IN THE AUDIENCE: I think you should push for the elimination of the automatic weapon ban.

LILLIAN: At the very least. *(brief pause – while looking at her associates)* I guess we've almost completed our task here today. *(to inmates)* We thank you gentlemen for attending this special event. We certainly hope that it truly was voluntary. *(applause from audience)* And we also hope that you have a safe and speedy completion of your sentences so that we may some day meet again in more pleasant circumstances.

(More applause. Then prisoners rise and are escorted out by the guards. Clem and Reg remain with the debating team. Walter approaches.)

WALTER: You can just hand me your weapons. I'll pocket them until we get out to the parking lot.

(Walter sticks out hand to receive the guns. The three draw their weapons and point them at Walter.)

WALTER: What's this?!

LILLIAN: We showed you ours, now you show us yours.

(Walter is about to reach for his weapon when Reg grabs his wrist)

REG: I'll take that for you Wally. *(seizes his automatic)*

WALTER: But what is the meaning of this?! If this is a prank, it had better end now!

CLEM: *(absolutely stunned by this turn of events)* Reggie, what is this crazy stuff you're involved in?!

REG: Sorry, Clem, I couldn't let you in on it. You'll be out in no time and I didn't want to ruin it for you. I never shot anybody, but they give much longer sentences for robbing things like a bank or two.

CLEM: *(To Lily)* But you can't get away with this – You could have quietly walked out with Reg. Why did you let Wally know you were armed?

LILLIAN: Thanks to Wally we learned of a murder spree that will dominate the news for at several days. A good opportunity to add a bit of color to our little endeavor -- inspiration for those that follow.

STAN: *(To Clem)* Improv, you know.

(Meanwhile they've taped Walter's mouth shut and cuffed his hands behind his back. Stan gives Reg a change of clothes.)

WENDY: *(To Clem holding up key for handcuffs)* I'm going to toss this out among the chairs. By the time you find it and remove the cuffs, we'll be long gone.

(Reg has pulled Clem aside beyond Wally's hearing while changing)

REG: Listen, old buddy, I want you to take advantage of this – get something for yourself from it. Play the hero. You refused to go. You helped Wally. Give a boost for Wally, too. Work together to make yourselves look good. *(shaking Clem's hand)*

CLEM: *(gives Reg a questioning look)* Not even a clue?

REG: Just this – Where political democracy exists you can call for radical change above ground. Under a police state you must do the work underground. Since the movement in our society is toward the latter, let's just say we're preparing the ground beneath the surface.

CLEM: These folks *(nodding head toward his associates)*.

REG: You may recall that I took advantage of whatever educational opportunities that were available.

(Reg joins the others. Stan places Wally's gun on a chair while Wendy throws the key among the chairs)

LILLIAN: OK all, let's be off. Bye, Wally, we hope this won't harm your career. Clem – be good – we hope to see you some day.

CLEM: You're telling me to be good! You are one peculiar bunch, but I hope whatever happens you all get out of it unharmed, especially you, Reggie, I'd hate to hear any bad news.

REG: Thanks, Clem, but don't worry about me. You know my outlook on life: *Malo periculosam, libertatem quam quietam servitutem.*

(They all depart except for Clem and Wally. Clem comes close to Wally)

CLEM: We have to talk. Will you refrain from screaming if I pull off the tape? *(Wally nods assent and the tape is removed)* This may be trouble for both of us.

WALLY: What do I have to worry about – I didn't let them walk in with guns?

CLEM: *(After getting Wally's gun and placing it in his holster, he then goes off to look for*

the key) This break out will be a national sensation. The authorities will want to shift the attention away from their humiliating experience, and you are the lone authority figure that was present for the entire escapade.

WALLY: That won't happen. Like you people love to complain about – we cops have some privileges. One of the big ones is not to make any cop look bad because that spoils things for all cops.

CLEM: (*He has found the key and is about to free Wally*) How much support do you think you will get from your fellow cops after you called the Orlando cops a bunch of cowards?

WALLY: I didn't say that! Well, at least not in so many words. (*Wally is now free*)

CLEM: Doesn't matter. That plus the blame game and you're fried. As for me, I wonder if they will believe I wasn't part of it.

WALLY: Were you?

CLEM: Hell, no! I wouldn't have gone anyway, but I hate being used as much as you do.

WALLY: (*thinking*) What if I say I fought them but was out numbered?

CLEM: Naw – You would have bruises, besides two women were involved. That would make you look even worse. Let's try this. As soon as you grasped the situation, you made an immediate attempt to draw your pistol. But Reggie was behind you and knocked it out of your hand and then twisted your arm behind your back so Wendy could cuff it to your other wrist.

WALLY: Yeah, that's pretty good, but might we say that it was Stan, I mean Wendy, come on.....

CLEM: Try to restrain your sexism. Stan picked up your pistol. Incidentally, let's be careful not to handle pistol, keys or anything else more than we've done already. They are good evidence to back our story.

WALLY: You're probably right, but, geez, two women, one wimpy white guy, and your friend. It's hard to make much of that gang.

CLEM: Not to add fuel to your worry, but my guess is that Lily, she who decided to add *color* to the incident, is also the person who devised this whole operation. Imagine the headline: *Police officer Walter Kennedy de-gunned, taped and cuffed by the Lily Gang.*

WALLY: (*grimacing*) – but, hey, we can't keep gabbing about this stuff.

CLEM: Okay, here it is – You're heroic attempt to fight back caused the others to move closer pointing their weapons at your head. When I saw that, I rushed between the guns and you saying something *like, even though Wally is a no good cop, he doesn't deserve to die.*

WALLY: Leave out the scurrilous *no good*. Say something like, yes he's a cop, but courage deserves to be honored.

CLEM: Okay, something like that, Wally, you're really getting into it. Just don't forget me because we are like welded together in this thing.

(*Wally nods. But as they approach the door to leave Wally slows up and seems to weaken. Clem puts his arm around his shoulder.*)

CLEM: Courage, Wally – do the stuff you've seen in the pictures. Storm out there and scream to sound the alarm for jail break. You know.

WALLY: Right. But before we go out, what was that Latin stuff. Father Cleary never said such things at mass.

CLEM: (*Who is still clutching his notes from the debate. Looking through them*) Let's see – *Malo periculosam, libertatem quam quietam servitutem – I prefer perilous liberty to quiet servitude.*

(The words seem to strengthen Wally's backbone. He straightens his shoulders and is about to open the door when Clem once again puts his arm around his shoulder and pulls him away)

CLEM: Wait a second! No cop is going to let a jail bird get behind him. You open the door. Give me a shove through it. Then storm out shouting. Okay?

WALLY: I'm ready – Let's go!

(Wally follows the script to perfection. Shoves Clem in front of him. Much commotion heard at a distance.)

[End]

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