

# GUNS AND TRADITIONAL WEAPONS: YES OR NO?

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Every day 19 South Africans are murdered with firearms. Do we really need more guns? This factsheet gives reasons why we should get rid of guns. It asks whether we have the right to carry guns and traditional weapons. Better ways of making life safer in these violent times are proposed.

Traditional weapons are prominent in murder cases. The ban on carrying them needs to be enforced. Furthermore, God's concern for the sanctity of life should also urge us as Christians to stand for stronger restrictions on carrying guns and traditional weapons.

## 1. GUNS



### Why get rid of guns?

- Handguns and assault weapons have become the fastest growing cause of violent death in our land. In 1994 in South Africa, 7000 people were murdered with guns and 17 700 attempted murders involved guns.
- Violent crime has increased, partly due to the flood of illegal firearms.
- Guns symbolise our failure to build a safe and secure society. Law-abiding people are understandably afraid and are increasingly turning to firearms for security.
- We are in the midst of a dangerous domestic arms race: firearms could total more than 7 million - one per every six South Africans!
- Guns are not necessarily a reliable means of self-defence for law-abiding people - there is a greater likelihood that your gun could be used against you than to protect you. Many gun-owners are shot with their own guns, by criminals. Thus gun ownership gives a false sense of security.
- Owning a gun may make you a target for criminal attack specifically to steal your gun. About 15 000 licensed guns are stolen each year.
- In many cases you may not even be able to use your gun when you are attacked - e.g. in a carjacking - and the attackers are more likely to fire at you if they see you have a gun.
- You must decide whether you want your children to grow up in an armed society or not. If you cherish a peaceful future, you will want to reduce the number of guns around.

### Boy (4) shot dead in freak accident

A four-year old boy died instantly after he was mistakenly shot by his father at Ohrtmann Road (in Pietermaritzburg) on Monday night.

Endurad de Jesus, a businessman, was demonstrating to his family what happened at his shop when he was attacked by robbers.

When he replaced his firearm in the holster, a shot went off, wounding his hand and killing his son David Andrade Goncalves (4). David was shot in the head and died at the scene.

Police have opened a murder docket.

*(Natal Witness 7/5/95)*



## Do you have the right to carry weapons?

Our new constitution does not mention the "right to bear arms". We need security, but a security which comes from care for and trust of one another. Weapons increase fear and mistrust - this is not security. A greater right than the right to carry arms is the **right to peace**, to create an environment where trust and friendliness can be experienced. We need to work for a culture of peace, not for the right to carry arms.

*Gun Free South Africa is an organisation committed to building a safe and secure nation, free from fear, by reducing the number of firearms in society.*

### Gun Free South Africa has opposed the right to bear arms, on these grounds:

1. The right to bear arms has never been recognised as a fundamental right in South Africa. It was always subject to the issuing of a license requiring that the need for that firearm be established.
2. This is the practice in most democracies.
3. Violence will not be reduced without drastically reducing the number of firearms in circulation.
4. If it is the democratic will of the people to reduce or eliminate private firearm ownership, then that will should not be obstructed by the Constitution.



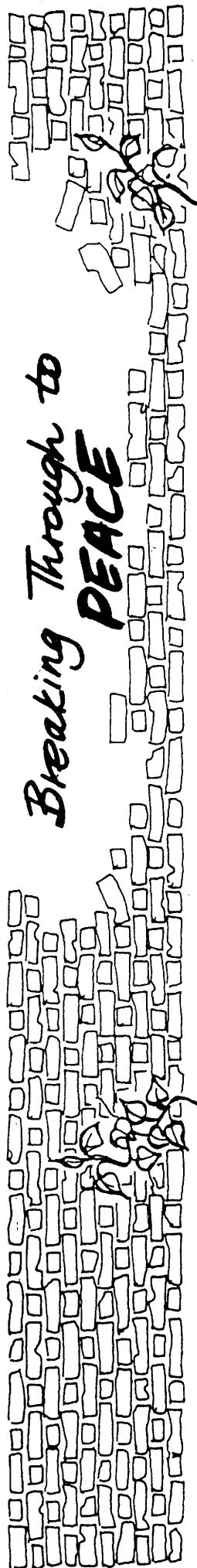
5. The constitutional right to bear arms could legalise all presently illegal firearms and civilians would claim the right to possess a variety of inappropriate weapons.
6. The right to bear arms could encourage informal armies.
7. Nothing must limit the search for peaceful alternatives. The ready availability of firearms and the trust in them for security limits the imaginative search for other, non-violent techniques which can assist in providing safety and security for our citizens.
8. The right to be safe from the threat of death by firearm far outweighs any possible "right" to own one. It is likely that the roughly 80% of South Africans who are unarmed are more concerned about disarming those who terrorise society than with the right to possess a weapon themselves. Our priority should not be to entrench weapons possession for the armed minority, but to secure safety from guns for the majority. ■

## Gun Free Zones

A gun free zone is a place where guns are unwelcome. It is a place that citizens have declared free of guns, to help ensure a safe environment. People regularly make use of their rights (e.g. to privacy, property, a healthy environment, safety) to put restrictions on those who enter a place. The same can be done with guns. This will help people to reclaim their public space free from gun violence. It aims at establishing a safer environment by reducing the number of guns in public places. It is hoped that this will impact the culture of violence and crime.

In some gun free zones there are strict rules that guns may not be brought into the building and a gun safe is provided with the necessary security. In others, we can discourage carrying guns in our space - such as an office, home, school, community centre, library or church. We cannot take guns away from people but we can tell them that guns are not welcome. We may ask gun owners to leave or to leave their guns at home the next time they come to the zone. If the owner of a building does not want someone to enter that building carrying a gun, then the law will support the owner, rather than the privately armed citizen who wants to enter the building. This does not apply to the police, who would remain armed. The right to be free from fear is a priority.

We can each make a start with our own homes, cars and churches, and ask for our places of work and public places to be declared gun free. PACSA has Gun Free South Africa resource packs and gun-free signs for those who wish to embark on this process. ■



# Tips to make life safer in violent times

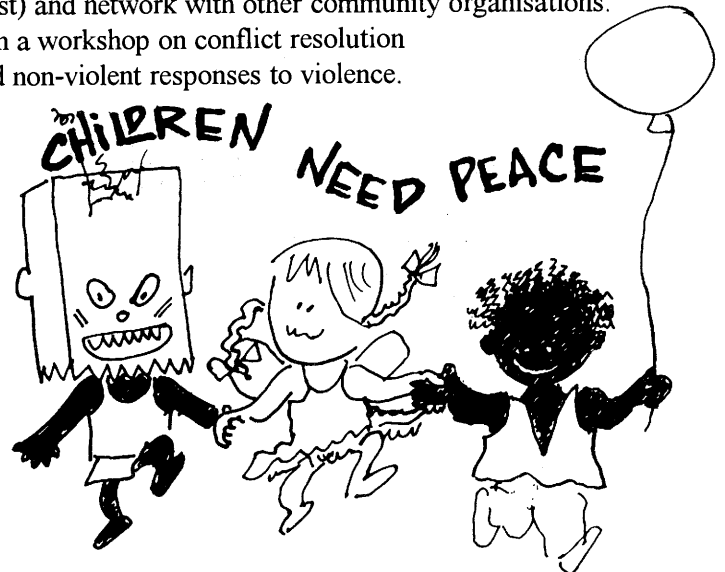
## Personal safety

- Be informed about possible sources of danger in your area.
- Respond positively, not aggressively, to threats or suspicious behaviour. Stay calmly confident.
- Get involved in community development programmes. When confronted by a troublemaker say, "Don't you know me. I work at (e.g.) the clinic/advice office."
- Make your business or home known as a helpful place. Get onto the street when there is an accident. Offer the use of your resources - e.g. blankets, phone, refreshments.
- Your premises should have a friendly appearance, but if you feel it will be of assistance, organise an alarm system, unarmed response or intercom. Or use a mace spray or a police whistle.
- Do not display your wealth e.g. by driving an expensive new car or wearing flashy jewellery. Wear sensible clothes that won't make escape difficult in a conflict situation.
- If you have a car, try to keep it in good working order to reduce the chance of breakdowns in remote places.
- Get to know your neighbours. Their presence and help will support you in an emergency. Be willing to investigate any suspicious movements. It may be helpful to have a neighbourly arrangement, such as an intercom or a response to a certain noise e.g. a police whistle. Everybody could be issued with a whistle to raise the alarm when they are attacked to help the neighbourhood and police know who to assist.



## Communal safety

- Send a pamphlet to people in your area inviting them to a meeting to discuss crime and security, and form a working group there to work on your ideas and those below.
- Become involved in your ratepayers association.
- Form an unarmed streetwatch committee.
- Join the S.A. Neighbourhood Watch (011 8864555) for wider support.
- The police need to be seen as the protectors and defenders of civil society. We need effective, impartial policing which sees an equal distribution of policing resources in all areas. The visibility, effectiveness and access of the police needs to increase in township areas in particular, otherwise many township residents will feel they need arms to protect themselves. Work with your local community policing forum (or help to set one up if it does not exist) and network with other community organisations.
- Run a workshop on conflict resolution and non-violent responses to violence.



- Help to build a spirit of togetherness, belonging and well-being in your community - e.g. involve the unemployed in picking up & recycling litter.
- Link offenders with rehabilitation services like NICRO.
- Offer support to victims of violence and crime.
- Hold your local government representative accountable and update them on your group's activities.
- Write to the Ministry of Safety and Security (Private Bag X9080, Cape Town, 8000; or Private Bag X463, Pretoria, 0001) when dissatisfied or when something helpful has been done.
- Support organisations who are fighting crime.
- Help to transform our economy from an economy driven by the obsession with war and the concern to protect the economic interests of a minority to a peace and justice oriented economy aimed at satisfying the basic needs of all South Africans. ■

## 2. Traditional weapons

Traditional weapons are legally considered as **non-mechanical** weapons which can do bodily harm - e.g. a **stick**, an **assegaai** (long sharpened stick), a ceremonial **spear** or a **knobkerrie** (handcrafted). The law does not consider a knotted stick, a home-made firearm or a battle-axe as a traditional weapon. Whether traditional or not, all these are **dangerous** and have been **banned**.

Statistics show that most violent deaths in KwaZulu-Natal are caused by weapons other than guns - mostly by traditional or cultural weapons. Police statistics show that nearly 60% of all murders investigated by the police in the province over the last 5 years were caused by weapons other than guns. (Mail & Guardian 4/4/96). These weapons were prominent in murder cases in some rural areas, particularly in faction fighting. This shows the need for control over the carrying of these weapons.

In March 1996 the government **banned** the carrying of these weapons in public places in 17 magisterial districts in the province. This was already the case in law, but it was not enforced in practice. The Natal Code of 1891 made it an offence to carry these weapons. This was challenged in court by the N.P. government in 1990. They lost the case, but simply refused to implement the code after the ruling. Even after the ban of March 1996, some - including KwaZulu-Natal Premier Frank Mdlalose - have vowed to defy it (Mail & Guardian 4/4/96).

The results of PACSA's survey of magistrates in the KwaZulu-Natal Midlands to consider their treatment of traditional weapons showed some confusion and ambiguities in the interpretation and application of the law. Some did not consider that there were any restrictions on carrying these weapons. All would only charge people if they used them, not for carrying them. The restrictions were still seen by some as existing in law, but politics overrode the enforcement of the law. **Politicians have allowed people to carry traditional weapons, even though the law still regards them as dangerous weapons** which should result in punishment if carried in public. Magistrates surveyed indicated that there are seldom different criteria applied in sentencing for the use of traditional weapons compared to firearms. ■

## Security in Weapons or in God?

The faith of the people of Israel was shaped by their **confrontation** with the empires around them who used religion to give **divine legitimation to their abuse of power**. Some of Israel's rulers did the same. This is why it is easy to use Bible texts for legitimizing wars of aggression, revenge and exploitation in God's name. After Israel entered Canaan and before the kingship, the people took **decisions** in the people's assembly under God's guidance. Through **trusting in God's covenant** they were able to hold their own amid the surrounding nations

- in spite of their military weakness. This experience inspired the **prophets to resist the abuse of power** by the kings. Those left behind in the exile set up a 'Torah Republic' guided by God's concern for **righteousness for all**. Thereby people were regularly released from debt slavery, expropriated property was restored and the **reliance on arms was**

**condemned**. A king was only allowed to rule if he was committed to God's righteousness. This covenant was made concrete in the Jubilee Year concept.

Jesus adapted this concept. He emphasised the kingdom of God as: the **rule of God in all areas**; the marginalised having access to God; forgiveness; fellowship as a new community; love for enemies; and **rejection of power structures of empires relying on force**.

The Bible tells a coherent story of God's concern and interventions to **heal** community and **liberate** creation from the disruption brought about by human rebellion. This **rebellion is seen in the abuse of the power** God has entrusted to us. We use arms to abuse power. Where arms are produced in great quantity producers and sellers are encouraged to search for enemies to justify their existence. In contrast, **development** means using God's gifts to **empower people** to improve life to God's glory in mutual dependence and responsibility. Then **security comes not from lethal weapons, but from people's mutual reliance on each other**. God's concern for the sanctity of life obliges Christians to **stand for the restriction and reduction of arms**, being aware of the very few exceptions where adequate protection is necessary, and ensuring responsible use in these cases. ■



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