



School of Law
UNIVERSITY OF GEORGIA

Digital Commons @ Georgia Law

Popular Media

Faculty Scholarship

3-22-2016

The Real Danger of Guns in Schools

Sonja R. West

University of Georgia School of Law, srwest@uga.edu

Repository Citation

West, Sonja R., "The Real Danger of Guns in Schools" (2016). *Popular Media*. 266.

https://digitalcommons.law.uga.edu/fac_pm/266

This Article is brought to you for free and open access by the Faculty Scholarship at Digital Commons @ Georgia Law. It has been accepted for inclusion in Popular Media by an authorized administrator of Digital Commons @ Georgia Law. [Please share how you have benefited from this access](#)
For more information, please contact tstriepe@uga.edu.

The Real Danger of Guns in Schools

Georgia's new campus-carry bill is a threat to the state's higher-learning institutions, gun violence aside.

By Sonja West

When I was in college at the University of Iowa in 1991, there was a mass shooting. A graduate student, upset that he had not received a coveted honor, walked into a university building and shot and killed the three professors on his dissertation committee. He also killed his fellow student, the one who had been selected for the honor. The gunman then walked several blocks to an administrative office and asked to speak with the dean of student affairs with whom he had filed a grievance. When she walked out of her office, he killed her too. He also shot and critically injured a student worker in the dean's office before killing himself. Our university's president was also on his hit list, but luckily traveling out of state at the time.

Like other schools, the University of Iowa is made up of diverse groups of people who have come together to form an academic community. The shootings personally affected the faculty, administrators, staff, and students. Together we shared our horror and our grief.

now live my life on the other side of an educational podium—as a law professor at the University of Georgia School of Law. And I once again find my academic community coming together because of guns. This time, however, it is in response to our state legislature's push to bring concealed weapons onto our campus and into our classrooms and offices.

Georgia's "Campus Carry" legislation, House Bill 859, flew through both chambers of the state legislature recently and is now sitting on the desk of Nathan Deal. The governor had earlier expressed support but last week issued a statement requesting changes to some parts of the bill. The NRA has since attacked the governor and urged its members to contact him in support of the bill, and it's unclear what will happen next. If signed, the bill would expand on

Georgia's already broad "guns everywhere" law to allow concealed-carry permit holders to possess firearms on all 29 of Georgia's publicly owned college and university campuses. The bill excludes dormitories, fraternity and sorority houses, and athletic events, but still allows guns in sensitive places like the university's day cares, where my children were lovingly cared for as babies, and in highly unpredictable forums like student-disciplinary hearings.

Georgia's campus-carry bill has been universally opposed by every part of the university community. At my school, for example, the university system's chancellor, the university's president, the campus police, the student government association, and the university's faculty have all publicly opposed the bill. The University of Georgia's response is consistent with the reaction at other schools. According to [nationwide surveys](#), 94 percent of college faculty, 95 percent of college presidents, 9 in 10 campus police chiefs, and 74 percent of college students oppose concealed weapons on campus.

But campus-carry laws have gained significant political traction in recent years, with eight states now mandating that guns be allowed on public university and college campuses. The debate over these laws typically centers on whether guns make schools more or less safe. But those arguments overlook the real threat of campus carry laws: the evisceration of academic freedom.

For colleges and universities to be effective, educators must be free to teach and discuss ideas—even controversial or unpopular ones—without fear of government censorship or retribution. And the best way to secure that freedom is to give them the autonomy to make key decisions about what is or isn't a good policy for their schools. We should be just as troubled, therefore, about political actors telling universities that they must allow guns in their classrooms as we would be about politicians declaring which books students must read or which teachers to hire or fire.

It's important to realize that campus-carry laws are about policy choices, not constitutional rights. The United States Supreme Court has recognized an individual Second Amendment right to possess firearms in the home for self-defense, but [it did not declare this right to be absolute](#). In fact, Justice Antonin Scalia, writing for the Court in *District of Columbia v. Heller* in 2008, specifically stated that there was no doubt about the continued constitutionality of "laws forbidding the carrying of firearms in sensitive places such as schools and government buildings."

Here in Georgia, we have an additional reason to be wary about political interference with university autonomy: our own troubling history. In 1941, Georgia's then-Gov. Eugene Talmadge spearheaded a direct assault on the state's institutes of higher education by declaring that he would fire any university employees who stood for "communism or racial equality." Talmadge's first target was a man named Walter Cocking, who was the dean of the University of Georgia's College of Education. Claiming that Cocking supported racially integrated classrooms, Talmadge demanded he be fired. The Board of Regents refused, and so Talmadge removed and replaced several regents until he eventually had a board that would do his bidding.

Within a year, Talmadge's tactics had led to the firing of 10 more esteemed educators (including the vice chancellor of the university system). The Board of Regents had lost all political independence. And the schools' libraries were purged of "subversive" books that were deemed to encourage concepts like racial equality or communism. Talmadge's political power grab only ended after several Georgia colleges and universities lost their accreditation, and Talmadge was defeated in his run for re-election.

So damaging was the "Cocking Affair," as it became known, to the independence of Georgia's colleges and universities that two years later the state amended its constitution. The new provision explicitly gives the Board of Regents constitutional power over "the government, control, and management" of the state's colleges and universities. Whether that constitutional provision provides a legal defense against Georgia's campus-carry law has not yet been tested in the courts. But the underlying threat of political intrusion into university administration remains the same now as it was in 1941.

Guns on campus might not, at first blush, appear related to a school's academic mission. Yet they are integrally connected. University administrators and faculty members have argued that guns would discourage the teaching of sensitive issues and possibly lead to certain topics being dropped from the curriculum altogether. Students and faculty also might be chilled from expressing potentially controversial ideas and arguments, which is in direct conflict with higher education's tradition of uninhibited academic debate.

Forcing guns onto universities will also make it harder for schools to recruit and retain top students and professors. Students could lose out on valuable out-of-classroom interactions with their professors, who might limit or eliminate office hours or discussion groups. And it could change how faculty

members deal with potentially volatile matters like student discipline or disputes over grades.

Schools are also telling us that guns on campus would make it even more difficult (and more expensive) to address the already elevated rates among their students of depression, suicide, drug and alcohol abuse, and physical and sexual violence. A campus-carry law would **bring millions of dollars in added costs** for higher insurance, security, training, and counseling. And unless the state provides additional funding to cover these costs, the schools will be forced to take this money out of the budgets for other educational needs or collect it from students through increased tuition.

Public institutions of higher education are meant to be places where intellectual curiosity is encouraged and thought and expression are free. Yet those tasked with providing those freedoms are telling us that guns are a problem. We should listen to them.