#### The United States Federal government ought to adopt the vice model, and forbid sale of hanguns, but not ownership

Kaplan 81. The Wisdom of Gun Prohibition Author(s): John Kaplan Source: The Annals of the American Academy of Political and Social Science, Vol. 455, Gun Control (May, 1981), pp. 11-23 Published by: Sage Publications, Inc. in association with the American Academy of Political and Social Science. NP 4/5/16.

Instead of attempting to deal with the huge reservoir of guns or even only of handguns, a more cost-ef- fective means of gun control might be the application of what is called the vice model, which forbids the sale of firearms, but not their owner- ship. The major advantage of such a law would be the avoidance of the large social costs inherent in turning millions of otherwise law-abiding citizens into criminals. At the same time, an effective prohibition on sale would, over time, gradually reduce the number of guns in private pos- session.

#### The vice model is most effective

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At first glance, criminalizing the selling of guns might appear logically inconsistent with our failing to pun- ish the buying as well. In fact, this is not the case. In drafting laws, we often draw the line between legal and illegal conduct so that maximum reduction in the proscribed behavior can be gained at minimum social cost. Frequently it turns out that laws aimed solely at suppressing sales are more cost-effective in re- ducing the possession and use of a substance than are laws that attempt to suppress possession directly.18 There are several reasons for this. First, there are fewer sellers than buyers; this permits a concentration of law enforcement efforts where they do the most good. Second, juries are likely to be more sym- pathetic to a "mere" user, who may be ill-advised, than to a businessman who makes a profit from the weak- nesses of others. States that have decriminalized small-scale mari- juana possession and other "non- victim" crimes have relied on this technique. Offenses treated under the vice model range from gambling, where the person who takes illegal bets is guilty of a crime, while the person who places them is not, to the offense of selling new automobiles not equipped with seat belts, where the seller, rather than the buyer, is guilty of an offense.