

AMERICA AS A GUN CULTURE



THE RIFLEMAN



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AMERICA AS A GUN CULTURE

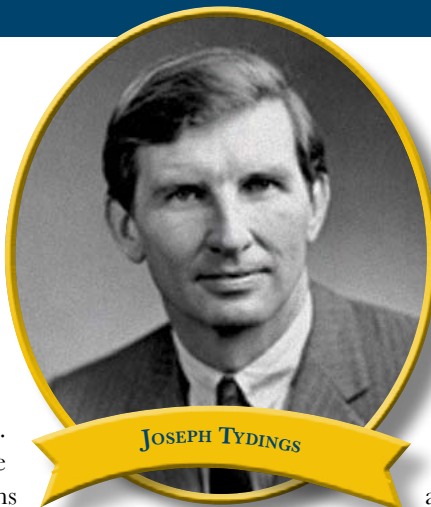
BY RICHARD HOFSTADTER

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<http://www.americanheritage.com/content/america-gun-culture>

Senator Joseph Tydings of Maryland, appealing in the summer of 1968 for an effective gun-control law, lamented: “It is just tragic that in all of Western civilization the United States is the one country with an insane gun policy.” In one respect this was an understatement: Western or otherwise, the United States is the only modern industrial urban nation that persists in maintaining a gun culture. It is the only industrial nation in which the possession of rifles, shotguns, and handguns is lawfully prevalent among large numbers of its population. It is the only such nation that has been impelled in recent years to agonize at length about its own disposition toward violence and to set up a commission to examine it, the only nation so attached to the supposed “right” to bear arms that its laws abet assassins, professional criminals, berserk murderers, and political terrorists at the expense of the orderly population—and yet it remains, and is apparently determined to remain, the most passive of all the major countries in the matter of gun control. Many otherwise intelligent Americans cling with pathetic stubbornness to the notion that the people’s right to bear arms is the greatest protection of their individual rights and a firm safeguard of democracy—without being in the slightest perturbed by the fact that no other democracy in the world observes any such “right” and that in some democracies in which citizens’ rights are rather better protected than in ours, such as England and the Scandinavian countries, our arms control policies would be considered laughable.

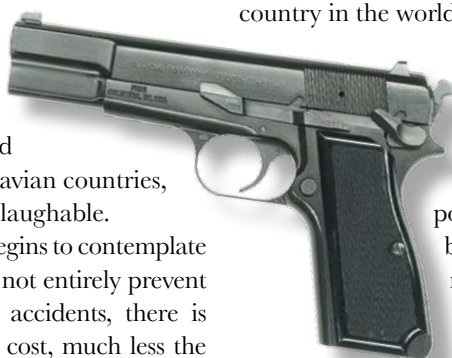
Laughable, however, they are not, when one begins to contemplate the costs. Since strict gun controls clearly could not entirely prevent homicides, suicides, armed robberies, or gun accidents, there is no simple way of estimating the direct human cost, much less the important indirect political costs, of having lax gun laws. But a somewhat incomplete total of firearms fatalities in the United States as of 1964 shows that in the twentieth century alone we have suffered more than 740,000 deaths from firearms, embracing over 265,000 homicides, over 330,000 suicides, and over 139,000 gun accidents. This figure is considerably higher than all the battle deaths (that is, deaths sustained under arms but excluding those from disease) suffered by American forces in all the wars in our history. It can, of course, be argued that such fatalities have been brought about less by the prevalence of guns than by some intangible factor, such as the wildness and carelessness of the American national temperament,



JOSEPH TYDINGS

or by particular social problems, such as the intensity of our ethnic and racial mixture. But such arguments cut both ways, since it can be held that a nation with such a temperament or such social problems needs stricter, not looser, gun controls.

One can only make a rough guess at the price Americans pay for their inability to arrive at satisfactory controls for guns. But it can be suggested in this way: there are several American cities that annually have more gun murders than all of England and Wales. In Britain, where no one may carry a firearm at night, where anyone who wants a long gun for hunting must get a certificate from the local police chief before he can buy it, and where gun dealers must verify a buyer’s certificate, register all transactions in guns and ammunition, and take the serial number of each weapon and report it to the police, there are annually about .05 gun homicides per 100,000 population. In the United States there are 2.7. What this means in actual casualties may be suggested by the figures for 1963, when there were 5,126 gun murders in the United States, twenty-four in England and Wales, and three in Scotland. This country shows up about as badly in comparative gun accidents and, to a lesser degree, in suicides. There is not a single major country in the world that approaches our record in this respect.



Americans nowadays complain bitterly about the rising rate of violent crime. The gun is, of course, a major accessory of serious premeditated crime. Appealing for stronger gun controls in 1968, President Johnson pointed out that in the previous year there had been committed, with the use of guns, 7,700 murders, 55,000 aggravated assaults, and more than 71,000 robberies. Plainly, stronger gun controls could not end crime, but they would greatly enhance enforcement of the law (as New York’s Sullivan Law does) and would reduce fatalities. Out of every one hundred assaults with guns, twenty-one led to death, as compared with only three out of every one hundred assaults committed by other means. In five states with relatively strong gun laws the total homicide rate per 100,000 population—that is, homicides from all causes—runs between 2.4 and 4.8. In the five states with the weakest gun laws this rate varies from 6.1 to 10.6.

In 1968, after the assassinations of Robert F. Kennedy and Martin Luther King, Jr., there was an almost touching national revulsion against our own gun culture, and for the protesting

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John F. Kennedy moments before he was assassinated.

correspondence on the subject reaching senators and representatives outweighed letters stirred up by the extraordinarily efficient lobby of the National Rifle Association. And yet all that came out of this moment of acute concern was a feeble measure, immensely disappointing to advocates of serious gun control, restricting the mail-order sales of guns. It seems clear now that the strategic moment for gun controls has passed and that the United States will continue to endure an armed populace, at least until there is a major political disaster involving the use of guns.

Today the urban population of the nation is probably more heavily armed than at any time in history, largely because the close of World War II left the participating countries with a huge surplus of militarily obsolescent but still quite usable guns. These could be sold nowhere in the world but in the United States, since no other country large enough and wealthy enough to provide a good market would have them. More weapons became available again in the 1950's, when NATO forces switched to a uniform cartridge and abandoned a stock of outmoded rifles. These again flooded the United States, including about 100,000 Italian Carcanos of the type with which John F. Kennedy was killed. Imported very cheaply, sometimes at less than a

cheap handguns are approaching an annual production of 500,000 pistols a year. Thus a nation in the midst of a serious political crisis, which has frequently provoked violence, is afloat with weapons—perhaps as many as fifty million of them—in civilian hands. An Opinion Research poll of September, 1968, showed that 34 per cent of a national sample of white families and 24 per cent of blacks admitted to having guns. With groups like the Black Panthers and right-wing cranks like the Minute Men, not to speak of numerous white vigilante groups, well armed for trouble, the United States finds itself in a situation faced by no other Western nation. One must ask: What are the historical forces that have led a supposedly well-governed nation into such a dangerous position?

It is very easy, in interpreting American history, to give the credit and the blame for almost everything to the frontier, and certainly this temptation is particularly strong where guns are concerned. After all, for the first 250 years of their history Americans were an agricultural people with a continuing history of frontier expansion. At the very beginning the wild

dollar apiece, these weapons could be sold at enormous profit but still inexpensively—the one that killed Kennedy cost \$12.78.

It has been estimated that between five and seven million foreign weapons were imported into the United States between 1959 and 1963. Between 1965 and 1968 handgun imports rose from 346,000 to 1,155,000. Domestic industries that make

continent abounded with edible game, and a colonizing people still struggling to control the wilderness and still living very close to the subsistence level found wild game an important supplement to their diet. Moreover, there were no enforceable feudal inhibitions against poaching by the common man, who was free to roam where he could and shoot what he could and who ate better when he shot better. Furthermore, all farmers, but especially farmers in a lightly settled agricultural country, need guns for the control of wild vermin and predators. The wolf, as we still say, has to be kept from the door.

Finally, and no less imperatively, there were the Indians, who were all too often regarded by American frontiersmen as another breed of wild animal. The situation of the Indians, constantly under new pressures from white encroachments, naturally commands modern sympathy.

But they were in fact, partly from the very desperation of their case, often formidable, especially in the early days when they were an important force in the international rivalries of England, France, and Spain in North America. Like the white man they had guns, and like him they committed massacres. Modern critics of our culture who, like Susan Sontag, seem to know nothing of American history, who regard the white race as a “cancer” and assert that the United States was “founded on a genocide,” may fantasize that the Indians fought according to the rules of the Geneva Convention. But in the tragic conflict of which they were to be the chief victims, they were capable of striking terrible blows. In King Philip's War (1675-76) they damaged half the towns of New England, destroyed a dozen, and killed an estimated one



The 6.5 mm Carcano rifle owned by Lee Harvey Oswald, left.

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out of every sixteen males of military age among the settlers. Later the Deerfield and other frontier massacres left powerful scars on the frontier memory, and in the formative days of the colonial period wariness of sudden Indian raids and semimilitary preparations to combat them were common on the western borders of settlement. Men and women, young and old, were all safer if they could command a rifle. “A well grown boy,” remembered the Reverend Joseph Doddridge of his years on the Virginia frontier, “at the age of twelve or thirteen years, was furnished with a small rifle and shot-pouch. He then became a fort soldier, and had his port-hole assigned him. Hunting squirrels, turkeys and raccoons, soon made him expert in the use of his gun.”

A LOADED VIEW OF PEACETIME AMERICAN HISTORY

That familiarity with the rifle, which was so generally inculcated on the frontier, had a good deal to do with such successes as Americans had in the battles of the Revolution. The Pennsylvania rifle, developed by German immigrants, was far superior to Brown Bess, the regulation military musket used by British troops. This blunt musket, an inaccurate weapon at any considerable distance, was used chiefly to gain the effect of mass firepower in open field maneuvers at relatively close range. The long, slender Pennsylvania rifle, which had a bored barrel that gave the bullet a spin, had a flatter and more direct trajectory, and in skilled hands it became a precision instrument. More quickly loaded and effective at a considerable distance, it was singularly well adapted not only to the shooting of squirrels but to the woodsman’s shoot-and-hide warfare. It struck such terror into the hearts of British regulars as to cause George Washington to ask that as many of his troops as possible be dressed in the frontiersman’s hunting shirt, since the British thought “every such person



Johnny Crawford and Chuck Connors, with his trademark rifle, from the popular 1960s television show *The Rifleman*.

a complete Marksman.” The rifle went a long way to make up for the military inconsistencies and indifferent discipline of American militiamen, and its successes helped to instill in the American mind a conviction of the complete superiority of the armed yeoman to the military professionals of Europe.

What began as a necessity of agriculture and the frontier took hold as a sport and as

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an ingredient in the American imagination. Before the days of spectator sports, when competitive athletics became a

basic part of popular culture, hunting and fishing probably were the chief American sports, sometimes wantonly pursued, as in the decimation of the bison. But for millions of American boys, learning to shoot and above all graduating from toy guns and receiving the first real rifle of their own were milestones of life, veritable rites of passage that certified their arrival at manhood. (It is still argued by some defenders of our gun culture, and indeed conceded by some of its critics, that the gun cannot and will not be given up because it is a basic symbol of masculinity. But the trouble with all such glib Freudian generalities is that they do not explain cultural variations: they do not tell us why men elsewhere have not found the gun essential to their masculinity.)

What was so decisive in the winning of the West and the conquest of the Indian became a standard ingredient in popular entertainment. In the penny-dreadful Western and then in films and on television, the western man, quick on the draw, was soon an acceptable hero of violence. He found his successors in the private eye, the F.B.I. agent, and in the gangster himself, who so often provides a semilegitimate object of hero worship, a man with loyalties, courage, and a code of his own—even in films purporting to show that crime does not pay. All mass cultures have their stereotyped heroes, and none are quite free of violence; but the United States has shown an unusual penchant for the isolated, wholly individualistic detective, sheriff, or villain, and its entertainment portrays the solution of melodramatic conflicts much more commonly than, say, the English, as arising not out of ratiocination

Before the days of spectator sports, when competitive athletics became a basic part of popular culture, hunting and fishing probably were the chief American sports, sometimes wantonly pursued, as in the decimation of the bison.



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or some scheme of moral order but out of ready and ingenious violence. Every Walter Mitty has had his moment when he is Gary Cooper, stalking the streets in *High Noon* with his gun at the ready. D. H. Lawrence may have had something, after all, when he made his characteristically bold, impressionistic, and unflattering judgment that “the essential American soul is hard, isolate, stoic, and a killer.” It was the notion cherished also by Hemingway in his long romance with war and hunting and with the other sports that end in death.

However, when the frontier and its ramifications are given their due, they fall far short of explaining the persistence of the American gun culture. Why is the gun still so prevalent in a culture in which only about 4 per cent of the country’s workers now make their living from farming, a culture that for the last century and a half has had only a tiny fragment of its population actually in contact with a frontier, that, in fact, has not known a true frontier for three generations? Why did the United States alone among industrial societies cling to the idea that a substantially unregulated supply of guns among its city populations is a safe and acceptable thing? This is, after all, not the only nation with a frontier history. Canada and Australia have had theirs, and yet their gun control measures are far more satisfactory than ours. Their own gun homicide rates, as compared with our 2.7, range around .56, and their gun suicide and accident rates are also much lower. Again, Japan, with no frontier but with an ancient tradition of feudal and military violence, has adopted, along with its modernization, such rigorous gun laws that its gun homicide rate at .04 is one of the world’s lowest. (The land of harakiri also has one of the lowest gun suicide rates—about one fiftieth of ours.) In sum, other societies, in the course of industrial

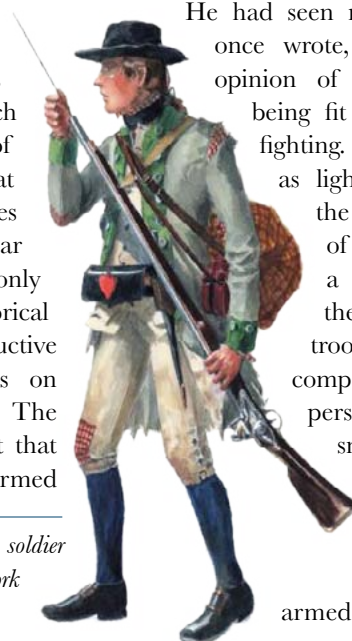
and urban development, have succeeded in modifying their old gun habits, and we have not.

One factor that could not be left out of any adequate explanation of the tenacity of our gun culture is the existence of an early American political creed that has had a surprisingly long life, albeit much of it now is in an underground popular form. It has to do with the antimilitaristic traditions of radical English Whiggery, which were taken over and intensified in colonial America, especially during the generation preceding the American Revolution, and which became an integral part of the American political tradition. The popular possession of the gun was a central point in a political doctrine that became all but sacrosanct in the Revolution: a doctrine that rested upon faith in the civic virtue and military prowess of the yeoman; belief in the degeneration of England and in the sharp decline of “the liberties of Englishmen” on their original home soil; and a great fear of a standing army as one of the key dangers to this body of ancient liberties. The American answer to civic and military decadence, real or imagined, was the armed yeoman.

By the same reasoning the answer to militarism and standing armies was the militia system. It had long been the contention of those radical Whig writers whose works did so much to set the background of American thought, that liberty and standing armies were incompatible. Caesar and Cromwell were commonly cited as the prime historical examples of the destructive effects of political generals on the liberties of the people. The Americans became confident that their alternative device, an armed

people, was the only possible solution to the perennial conflict between militarism and freedom. Their concern over the evils of repeated wars and institutionalized armies was heightened by the eighteenth-century European wars in which they were inevitably involved. Blaming the decay that they imagined to be sweeping over England in good part on the increasing role of the military in the mother country, they found their worst fears confirmed by the quartering of troops before the Revolution. John Adams saw in the Boston Massacre “the strongest proof of the danger of standing armies.” The Virginian George Mason, surveying the history of the nations of the world, remarked: “What havoc, desolation and destruction, have been perpetrated by standing armies!” The only remedy, he thought, reverting to one of the genial fictions of this school of thought, was the ancient Saxon militia, “the natural strength and only stable security of a free government.” Jefferson reverted to the idea of a popular Saxon militia by providing in his first draft of the Virginia Constitution of 1776 that “no freeman shall ever be debarred the use of arms.”

Washington, who had to command militiamen, had no illusions about them. He had seen not a single instance, he once wrote, that would justify “an opinion of Militia or raw Troops being fit for the real business of fighting. I have found them useful as light Parties to skirmish in the woods, but incapable of making or sustaining a serious attack.” Despite the poor record of militia troops in the Revolution, as compared with the courage and persistence of Washington’s small and fluctuating Continental Army, the myth persisted that the freedom of America had been won by the armed yeoman and the militia



Painter Don Troiani’s “A Soldier Of The 3rd New York Regiment” shows an American soldier who served under General George Washington at the Battle of White Plains in New York on October 28, 1776

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system, and the old fear of a standing army was in no way diminished now that it was not to be under the command of an English aristocracy but of native American generals. In the mid-1780's, when the Americans had won their independence and were living under the Articles of Confederation, Secretary of War Henry Knox found himself the administrator of an army of about seven hundred men. In the 1790's, when it was proposed under the Constitution to add only about five hundred more, Pennsylvania Democrat Senator William Maclay anxiously observed that the government seemed to be "laying the foundation of a standing army"! Only the disastrous performance of militiamen in the War of 1812 persuaded many American leaders that the militia was a slender reed upon which to rest the security of the nation.

In the meantime the passion for a popular militia as against a professional army had found its permanent embodiment in the Second Amendment to the Constitution: "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." By its inclusion in the Bill of Rights, the right to bear arms thus gained permanent sanction in the nation, but it came to be regarded as an item on the basic list of guarantees of individual liberties. Plainly it was not meant as such. The right to bear arms was a "collective", not an individual, right, closely linked to the civic need (especially keen in the absence of a sufficient national army) for "a well regulated Militia." It was, in effect, a promise that Congress would not be able to bar the states from doing whatever was necessary to maintain well-regulated militias.

The Supreme Court has more than once decided that the Second Amendment does not bar certain state or federal gun controls. In 1886 it upheld an Illinois statute forbidding bodies of men to associate in military organizations or to drill or parade

with arms in cities or towns. When Congress passed the National Firearms Act of 1934 forbidding the transportation in interstate commerce of unregistered shotguns, an attempt to invoke the Second Amendment against the law was rejected by the Court in what is now the leading case on the subject, *United States v. Miller* (1939). In this case the Court, ruling on the prosecution of two men who had been convicted of violating the National Firearms Act by taking an unregistered sawed-off shotgun across state lines, concluded that the sawed-off shotgun had no "reasonable relationship to the prevention, preservation, or efficiency of a well-regulated militia." The Court ruled that since the gun in question was not part of ordinary military equipment, its

**"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."**

—*Second Amendment to the Constitution*

use was unrelated to the common defense. The Court further found that the clear purpose of the Second Amendment was to implement the constitutional provision for "calling forth the Militia to execute the Laws of the Union, suppress insurrections and repel invasions" and declared that the Second Amendment "must be interpreted and applied with that end in view."

While the notion that "the right to bear arms" is inconsistent with state or federal gun regulation is largely confined to the obstinate lobbyists of the National Rifle Association, another belief of American gun enthusiasts enjoys a very wide currency in the United States, extending to a good many liberals, civil libertarians, and even

radicals. It is the idea that popular access to arms is an important counterpoise to tyranny. A historian, recently remonstrating against our gun policies, was asked by a sympathetic liberal listener whether it was not true, for example, that one of the first acts of the Nazis had been to make it impossible for the nonparty, nonmilitary citizen to have a gun—the assumption being that the German people had thus lost their last barrier to tyranny. In fact Nazi gun policies were of no basic consequence: the democratic game had been lost long before, when legitimate authorities under the Weimar Republic would not or could not stop uniformed groups of Nazi terrorists from intimidating other citizens on the streets and in their meetings

and when the courts and the Reich Ministry of Justice did not act firmly and consistently to punish the makers of any Nazi Putsch according to law. It is not strong and firm governments but weak ones, incapable of exerting their regulatory and punitive powers, that are overthrown by tyrannies. Nonetheless, the American historical mythology about the protective value of guns has survived the modern technological era in all the glory of its naïveté, and it has been taken over from the whites by some young blacks,

notably the Panthers, whose accumulations of arms have thus far proved more lethal to themselves than to anyone else. In all societies the presence of small groups of uncontrolled and unauthorized men in unregulated possession of arms is recognized to be dangerous. A query therefore must ring in our heads: Why is it that in all other modern democratic societies those endangered ask to have such men disarmed, while in the United States alone they insist on arming themselves?

A further point is of more than symptomatic interest: the most gun-addicted sections of the United States are the South and the Southwest. In 1968, when the House voted for a mild bill to restrict

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the mail-order sale of rifles, shotguns, and ammunition, all but a few of the 118 votes against it came from these regions. This no doubt has something to do with the rural character of these regions, but it also stems from another consideration: in the historic system of the South, having a gun was a white prerogative. From the days of colonial slavery, when white indentured servants were permitted, and under some circumstances encouraged, to have guns, blacks, whether slave or free, were denied the right. The gun, though it had a natural place in the South's outdoor culture, as well as a necessary place in the work of slave patrols, was also an important symbol of white male status. Students in the Old South took guns to college as a matter of course. In 1840 an undergraduate at the University of Virginia killed a professor during a night of revelry that was frequently punctuated by gunfire. Thomas Hart Benton, later to be a distinguished Missouri senator, became involved, during his freshman year at the University of North Carolina, in a brawl in which he drew a pistol on another student, and was spared serious trouble only when a professor disarmed him. He was sixteen years old at the time. In the light of the long white effort to maintain a gun monopoly, it is hardly surprising, though it may be discouraging, to see militant young blacks borrowing the white man's mystique and accepting the gun as their instrument.

"A gun is status—that's why they call it an equalizer," said a young Chicago black a few years ago. "What's happening today is that everybody's getting more and more equal because everybody's got one."

But perhaps more than anything else the state of American gun controls is evidence of one of the failures of federalism: the purchase and possession of guns in the

The automobile, like the gun, is a lethal instrument, and the states have recognized it as such by requiring that each driver as well as each car must be registered and that each driver must meet certain specified qualifications.

United States is controlled by a chaotic jumble of twenty thousand state and local laws that collectively are wholly inadequate to the protection of the people and that operate in such a way that areas with poor controls undermine those with better ones. No such chaos would be tolerated, say, in the field of automobile registration. The automobile, like the gun, is a lethal instrument, and the states have recognized it as such by

requiring that each driver as well as each car must be registered and that each driver must meet certain specified qualifications.

It is mildly inconvenient to conform, but no one seriously objects to the general principle, as gun lobbyists do to gun registration. However, as the United States became industrial and urban, the personnel of its national and state legislatures remained to a very considerable degree small town and rural, and under the seniority system that prevails in Congress, key posts on committees have long been staffed by aging members from smalltown districts—worse still, from small-town districts in regions where there is little or no party competition and hence little turnover in personnel. Many social reforms have been held back long after their time was ripe by this rural-seniority political culture. Gun control is another such reform: American legislators have been inordinately responsive to the tremendous lobby maintained by the National Rifle

Association, in tandem with gunmakers and importers, military sympathizers, and far-right organizations. A nation that could not devise a system of gun control after its experiences of the 1960's, and at a moment of profound popular revulsion against guns, is not likely to get such a system in the calculable future. One must wonder how grave a domestic gun catastrophe would have to be in order to persuade us. How far must things go? 🇺🇸



AMERICA AS A GUN CULTURE

THE BILL OF RIGHTS, 1791

<http://teachingamericanhistory.org/library/document/bill-of-rights/>

Congress of THE United States,

The Bill of Rights

AMENDMENT I.—Ratified December 15, 1791

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

AMENDMENT II.—Ratified December 15, 1791

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.

AMENDMENT III.—Ratified December 15, 1791

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

AMENDMENT IV.—Ratified December 15, 1791

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT V.—Ratified December 15, 1791

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

AMENDMENT VI.—Ratified December 15, 1791

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

AMENDMENT VII.—Ratified December 15, 1791

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

AMENDMENT VIII.—Ratified December 15, 1791

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT IX.—Ratified December 15, 1791

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

AMENDMENT X.—Ratified December 15, 1791

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.



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THE FEDERALIST NO. 46

THE INFLUENCE OF THE STATE AND FEDERAL GOVERNMENTS COMPARED
BY JAMES MADISON<http://constitution.org/fed/federa46.htm>

NEW YORK PACKET

Tuesday, January 29, 1788

TO THE PEOPLE OF THE STATE OF NEW YORK:

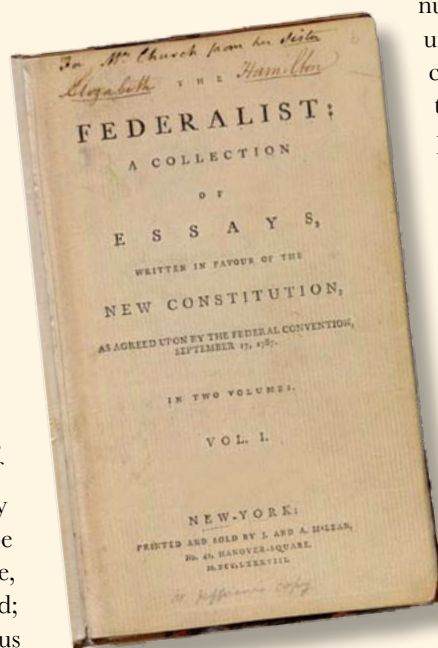
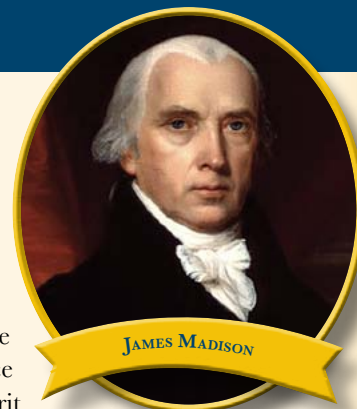
Resuming the subject of the last paper, I proceed to inquire whether the federal government or the State governments will have the advantage with regard to the predilection and support of the people...

Were it admitted, however, that the Federal government may feel an equal disposition with the State governments to extend its power beyond the due limits, the latter would still have the advantage in the means of defeating such encroachments. If an act of a particular State, though unfriendly to the national government, be generally popular in that State and should not too grossly violate the oaths of the State officers, it is executed immediately and, of course, by means on the spot and depending on the State alone. The opposition of the federal government, or the interposition of federal officers, would but inflame the zeal of all parties on the side of the State, and the evil could not be prevented or repaired, if at all, without the employment of means which must always be resorted to with reluctance and difficulty. On the other hand, should an unwarrantable measure of the federal government be unpopular in particular States, which would seldom fail to be the case, or even a warrantable measure be so, which may sometimes be the case, the means of opposition to it are powerful and at hand. The disquietude of the people; their repugnance and, perhaps, refusal to co-operate with the officers of the Union; the frowns of the executive magistracy of the State; the embarrassments created by legislative devices, which would often be added on such occasions, would oppose, in any State, difficulties not to be despised; would form, in a large State, very serious impediments; and where the sentiments of several adjoining States happened to be in unison, would present obstructions which the federal government would hardly be willing to encounter.

But ambitious encroachments of the federal government, on the authority of the State governments, would not excite

the opposition of a single State, or of a few States only. They would be signals of general alarm. Every government would espouse the common cause. A correspondence would be opened. Plans of resistance would be concerted. One spirit would animate and conduct the whole. The same combinations, in short, would result from an apprehension of the federal, as was produced by the dread of a foreign, yoke; and unless the projected innovations should be voluntarily renounced, the same appeal to a trial of force would be made in the one case as was made in the other. But what degree of madness could ever drive the federal government to such an extremity. In the contest with Great Britain, one part of the empire was employed against the other. The more numerous part invaded the rights of the less numerous part. The attempt was unjust and unwise; but it was not in speculation absolutely chimerical. But what would be the contest in the case we are supposing? Who would be the parties? A few representatives of the people would be opposed to the people themselves; or rather one set of representatives would be contending against thirteen sets of representatives, with the whole body of their common constituents on the side of the latter.

The only refuge left for those who prophesy the downfall of the State governments is the visionary supposition that the federal government may previously accumulate a military force for the projects of ambition. The reasonings contained in these papers must have been employed to little purpose indeed, if it could be necessary now to disprove the reality of this danger. That the people and the States should, for a sufficient period of time, elect an uninterrupted succession of men ready to betray both; that the traitors should, throughout this period, uniformly and systematically pursue some fixed plan for the extension of the military establishment; that the governments and the people



AMERICA AS A GUN CULTURE

THE FEDERALIST NO. 46

— CONTINUED —

of the States should silently and patiently behold the gathering storm, and continue to supply the materials, until it should be prepared to burst on their own heads, must appear to every one more like the incoherent dreams of a delirious jealousy, or the misjudged exaggerations of a counterfeit zeal, than like the sober apprehensions of genuine patriotism. Extravagant as the supposition is, let it however be made. Let a regular army, fully equal to the resources of the country, be formed; and let it be entirely at the devotion of the federal government; still it would not be going too far to say, that the State governments, with the people on their side, would be able to repel the danger. The highest number to which, according to the best computation, a standing army can be carried in any country, does not exceed one hundredth part of the whole number of souls; or one twenty-fifth part of the number able to bear arms. This proportion would not yield, in the United States, an army of more than twenty-five or thirty thousand men. To these would be opposed a militia amounting to near half a million of citizens with arms in their hands, officered by men chosen from among themselves, fighting for their common liberties, and united and conducted by governments possessing their affections and confidence. It may well be doubted, whether a militia thus circumstanced could ever be conquered by such a proportion of regular troops. Those who are best acquainted with the last successful resistance of this country against the British arms, will be most inclined to deny the possibility of it. Besides the advantage of being armed, which the Americans possess over the people of almost every other nation, the existence of subordinate governments, to which the people are attached, and by which the militia officers are appointed, forms a barrier against the enterprises of ambition, more insurmountable than any which a simple government of any form can admit of. Notwithstanding the military establishments in the several kingdoms of Europe, which are carried as far as the public resources will bear, the governments are afraid to trust the people with arms. And it is not certain, that with

this aid alone they would not be able to shake off their yokes. But were the people to possess the additional advantages of local governments chosen by themselves, who could collect the national will and direct the national force, and of officers appointed out of the militia, by these governments, and attached both to them and to the militia, it may be affirmed with the greatest assurance, that the throne of every tyranny in Europe would be speedily overturned in spite of the legions which surround it. Let us not insult the free and gallant citizens of America with the suspicion, that they would be less able to defend the rights of which they would be in actual possession, than the debased subjects of arbitrary power would be to rescue theirs from the hands of their oppressors. Let us rather no longer insult them with the supposition that they can ever reduce themselves to the necessity of making the experiment, by a blind and tame submission to the long train of insidious measures which must precede and produce it.

The argument under the present head may be put into a very concise form, which appears altogether conclusive. Either the mode in which the federal government is to be constructed will render it sufficiently dependent on the people, or it will not. On the first supposition, it will be restrained by that dependence from forming schemes obnoxious to their constituents. On the other supposition, it will not possess the confidence of the people, and its schemes of usurpation will be easily defeated by the State governments, who will be supported by the people.

On summing up the considerations stated in this and the last paper, they seem to amount to the most convincing evidence, that the powers proposed to be lodged in the federal government are as little formidable to those reserved to the individual States, as they are indispensably necessary to accomplish the purposes of the Union; and that all those alarms which have been sounded, of a meditated and consequential annihilation of the State governments, must, on the most favorable interpretation, be ascribed to the chimerical fears of the authors of them. 🇺🇸

—PUBLIUS



AMERICA AS A GUN CULTURE
SYLLABUS FOR THE DECISION
DISTRICT OF COLUMBIA ET AL V. HELLER (2008)
<http://www.law.cornell.edu/supct/html/07-290.ZS.html>

SUPREME COURT OF THE UNITED STATES
DISTRICT OF COLUMBIA et al.v. HELLER

Certiorari to the United States Court of Appeals for the District of Columbia Circuit
No. 07-290

Argued March 18, 2008—Decided June 26, 2008

District of Columbia law bans handgun possession by making it a crime to carry an unregistered firearm and prohibiting the registration of handguns; provides separately that no person may carry an unlicensed handgun, but authorizes the police chief to issue 1-year licenses; and requires residents to keep lawfully owned firearms unloaded and disassembled or bound by a trigger lock or similar device. Respondent Heller, a D. C. special policeman, applied to register a handgun he wished to keep at home, but the District refused. He filed this suit seeking, on Second Amendment grounds, to enjoin the city from enforcing the ban on handgun registration, the licensing requirement insofar as it prohibits carrying an unlicensed firearm in the home, and the trigger-lock requirement insofar as it prohibits the use of functional firearms in the home. The District Court dismissed the suit, but the D. C. Circuit reversed, holding that the Second Amendment protects an individual's right to possess firearms and that the city's total ban on handguns, as well as its requirement that firearms in the home be kept nonfunctional even when necessary for self-defense, violated that right.

HELD:

1. THE SECOND AMENDMENT protects an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home. *Pp. 2-53.*

(a) The Amendment's prefatory clause announces a purpose, but does not limit or expand the scope of the second part, the operative clause. The operative clause's text and history demonstrate that it connotes an individual right to keep and bear arms. *Pp. 2-22.*

(b) The prefatory clause comports with the Court's interpretation of the operative clause. The "militia" comprised all males physically capable of acting in concert for the common defense. The Antifederalists feared that the Federal Government would disarm the people in order to disable this citizens' militia, enabling a politicized standing army or a select militia to rule. The response was to deny Congress power to abridge the ancient right of individuals to keep and bear arms, so that the ideal of a citizens' militia would be preserved. *Pp. 22-28.*



(c) The Court's interpretation is confirmed by analogous arms-bearing rights in state constitutions that preceded and immediately followed the Second Amendment. *Pp. 28-30.*

(d) The Second Amendment's drafting history, while of dubious interpretive worth, reveals three state Second Amendment proposals that unequivocally referred to an individual right to bear arms. *Pp. 30-32.*

(e) Interpretation of the Second Amendment by scholars, courts and legislators, from immediately after its ratification through the late 19th century also supports the Court's conclusion. *Pp. 32-47.*

(f) None of the Court's precedents forecloses the Court's interpretation. Neither *United States v. Cruikshank*, 92 U. S. 542, nor *Presser v. Illinois*, 116 U. S. 252, refutes the individual-rights interpretation. *United States v. Miller*, 307 U. S. 174, does not limit the right to keep and bear arms to militia purposes, but rather limits the type of weapon to which the right applies to those used by the militia, i.e., those in common use for lawful purposes. *Pp. 47-54.*

AMERICA AS A GUN CULTURE

SYLLABUS FOR THE DECISION DISTRICT OF COLUMBIA ET AL V. HELLER (2008)

— CONTINUED —

2. LIKE MOST RIGHTS, the Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose: For example, concealed weapons prohibitions have been upheld under the Amendment or state analogues. The Court’s opinion should not be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms. Miller’s holding that the sorts of weapons protected are those “in common use at the time” finds support in the historical tradition of prohibiting the carrying of dangerous and unusual weapons. Pp. 54–56.

3. THE HANDGUN BAN and the trigger-lock requirement (as applied to self-defense) violate the Second Amendment . The District’s total ban on handgun possession in the home amounts

to a prohibition on an entire class of “arms” that Americans overwhelmingly choose for the lawful purpose of self-defense. Under any of the standards of scrutiny the Court has applied to enumerated constitutional rights, this prohibition—in the place where the importance of the lawful defense of self, family, and property is most acute—would fail constitutional muster. Similarly, the requirement that any lawful firearm in the home be disassembled or bound by a trigger lock makes it impossible for citizens to use arms for the core lawful purpose of self-defense and is hence unconstitutional. Because Heller conceded at oral argument that the D. C. licensing law is permissible if it is not enforced arbitrarily and capriciously, the Court assumes that a license will satisfy his prayer for relief and does not address the licensing requirement. Assuming he is not disqualified from exercising Second Amendment rights, the District must permit Heller to register his handgun and must issue him a license to carry it in the home. Pp. 56–64. 478 F. 3d 370, affirmed. 🇺🇸

Scalia, J., delivered the opinion of the Court, in which Roberts, C. J., and Kennedy, Thomas, and Alito, JJ., joined. Stevens, J., filed a dissenting opinion, in which Souter, Ginsburg, and Breyer, JJ., joined. Breyer, J., filed a dissenting opinion, in which Stevens, Souter, and Ginsburg, JJ., joined.

METROPOLITAN POLICE DEPARTMENT | WASHINGTON, DC
APPLICATION FOR FIREARMS REGISTRATION CERTIFICATE
 \$13 FEE REQUIRED WITH THIS APPLICATION. PLEASE TYPE OR PRINT ALL INFORMATION.

This application for a Firearms Registration Certificate must be hand-carried to the Metropolitan Police Department, Firearms Registration Registration Section, 300 Indiana Avenue, NW, Washington, D.C. 20001 by the purchaser.

The purchaser **MUST**:

1. Be fingerprinted by the Metropolitan Police Department in order to conduct an efficient and adequate investigation into the matters described in DC Code 7 2502.03 and to effectuate the purposes of this unit.
2. Not be legally blind, as defined in DC Code § 7-1009(i).
3. Demonstrate satisfactory knowledge of the laws in the District of Columbia pertaining to firearms and the safe and responsible use of same.

REGISTRATION NUMBER _____
 DATE REGISTERED _____

DEALER'S LICENSE NO. _____

No transfer of a firearm between the seller and the purchaser may be made until a reply from the Chief of Police has been received by both parties involved.

| | | | |
|--|----------------|---------------------------------------|-----------------------|
| SELLER'S NAME | | PURCHASER/OWNER'S NAME | |
| STREET ADDRESS | APT. NO. | STREET ADDRESS | APT. NO. |
| CITY | ZIP CODE | CITY | ZIP CODE |
| DESCRIPTION OF FIREARM | | DESCRIPTION OF PURCHASER/OWNER | |
| <input type="checkbox"/> NEW <input type="checkbox"/> USED | MAKE OF WEAPON | DATE OF BIRTH | PLACE OF BIRTH |
| MODEL | SERIAL NUMBER | EMAIL (OPTIONAL, NOT REQUIRED) | RACE |
| MANUFACTURER'S ID NO. | NO. OF SHOTS | OCCUPATION | SEX |
| NO. OF BARRELS/LENGTH | FINISH | BUSINESS NAME | |
| IDENTIFYING MARKS | TYPE OF ACTION | BUSINESS ADDRESS | |
| | | HOME PHONE NUMBER | BUSINESS PHONE NUMBER |

AMERICA AS A GUN CULTURE

GUN VIOLENCE

NATIONAL INSTITUTE OF JUSTICE

<http://www.nij.gov/topics/crime/gun-violence/welcome.htm>

How Prevalent is Gun Violence in America?

According to the National Crime Victimization Survey, 467,321 persons were victims of a crime committed with a firearm in 2011.[1] In the same year, data collected by the FBI show that firearms were used in 68 percent of murders, 41 percent of robbery offenses and 21 percent of aggravated assaults nationwide.[2] Most homicides in the United States are committed with firearms, especially handguns.[3] Homicides committed with firearms peaked in 1993 at 17,075, after which the figure steadily fell, reaching a low of 10,117 in 1999. Gun-related homicides increased slightly after that, to a high of 11,547 in 2006, before falling again to 10,869 in 2008.[4]

Gangs and Gun-Related Homicide

Gun-related homicide is most prevalent among gangs and during the commission of felony crimes. In 1980, the percentage of homicides caused by firearms during arguments was about the same as from gang involvement (about 70 percent), but by 1993, nearly all gang-related homicides involved guns (95 percent), whereas the percentage of gun homicides related to arguments remained relatively constant. The percentage of gang-related homicides caused by guns fell slightly to 92 percent in 2008, but the percentage of homicides caused by firearms during the commission of a felony rose from about 60 percent to about 74 percent from 1980 to 2005.[5]

Nonfatal Firearm-Related Crime

Nonfatal firearm-related crime has fallen significantly in recent years, from almost 1.3 million incidents in 1994 to a low of 331,618 incidents in 2008. Since then it has risen; in 2011 there were 414,562 incidents.[6] As a percentage of all violent incidents (i.e., rape, sexual assault, robbery and aggravated assault), between 1993 and 2011, nonfatal gun crime has ranged from a high of 8 percent to a low of 5 percent. In 2011, firearm crimes comprised 8 percent of all violent crimes.[7]

Notes:

[1], [6], [7] Bureau of Justice Statistics, *Nonfatal Firearm Violence, 1993-2011, special tabulation from the Bureau of Justice Statistics' National Crime Victimization Survey*, provided to NIJ January 2013.

[2] Federal Bureau of Investigation, "Crime in the United States, 2011."

[3], [4], [5] Cooper, Alexia, and Erica Smith, *Homicide Trends in the United States, 1980-2008*, Bureau of Justice Statistics, November 16, 2011. 5Date Modified: April 4, 2013



(Continued next page)

AMERICA AS A GUN CULTURE

CHART

GUN VIOLENCE NATIONAL INSTITUTE OF JUSTICE

— CONTINUED —

Nonfatal Firearm Violence, 1993-2011

| YEAR | FIREARM INCIDENTS | FIREARM VICTIMS | FIREARM CRIME RATE | FIREARM CRIMES AS A PERCENT OF ALL VIOLENT INCIDENTS |
|------|-------------------|-----------------|--------------------|--|
| 1993 | 1,222,701 | 1,529,742 | 7.3 | 8 |
| 1994 | 1,287,190 | 1,568,176 | 7.4 | 8 |
| 1995 | 1,028,933 | 1,193,241 | 5.5 | 7 |
| 1996 | 939,453 | 1,100,809 | 5.1 | 7 |
| 1997 | 882,885 | 1,024,088 | 4.7 | 7 |
| 1998 | 673,304 | 835,423 | 3.8 | 6 |
| 1999 | 523,613 | 640,919 | 2.9 | 5 |
| 2000 | 483,695 | 610,219 | 2.7 | 6 |
| 2001 | 506,954 | 563,109 | 2.5 | 7 |
| 2002 | 450,776 | 539,973 | 2.3 | 7 |
| 2003 | 385,037 | 467,345 | 2.0 | 6 |
| 2004 | 405,774 | 456,512 | 1.9 | 7 |
| 2005 | 446,365 | 503,534 | 2.1 | 7 |
| 2006 | 552,035 | 614,406 | 2.5 | 7 |
| 2007 | 448,414 | 554,780 | 2.2 | 7 |
| 2008 | 331,618 | 371,289 | 1.5 | 5 |
| 2009 | 383,390 | 410,108 | 1.6 | 7 |
| 2010 | 378,801 | 415,003 | 1.6 | 8 |
| 2011 | 414,562 | 467,321 | 1.8 | 8 |

Source: Bureau of Justice Statistics, National Crime Victimization Survey, 1993-2011.

About NIJ

THE NATIONAL INSTITUTE OF JUSTICE—the research, development and evaluation agency of the U.S. Department of Justice—is dedicated to improving knowledge and understanding of crime and justice issues through science. NIJ provides objective and independent knowledge and tools to reduce crime and promote justice, particularly at the state and local levels. Translational criminology is NIJ’s strategy for transforming criminal justice through research. By bringing evidence to bear on crime policies and practices, NIJ forms a bridge between the work of research and the real-life challenges of fighting crime and enhancing justice. Transformation through research is a cyclical process. Continually, NIJ draws on the needs of practitioners to inform its research agenda; the cycle of transformation continues as research findings are conveyed and translated by researchers in ways that reshape practice and policy 🍷

AMERICA AS A GUN CULTURE

DID THE FEDERAL BAN ON ASSAULT WEAPONS MATTER?

BY SAM WANG

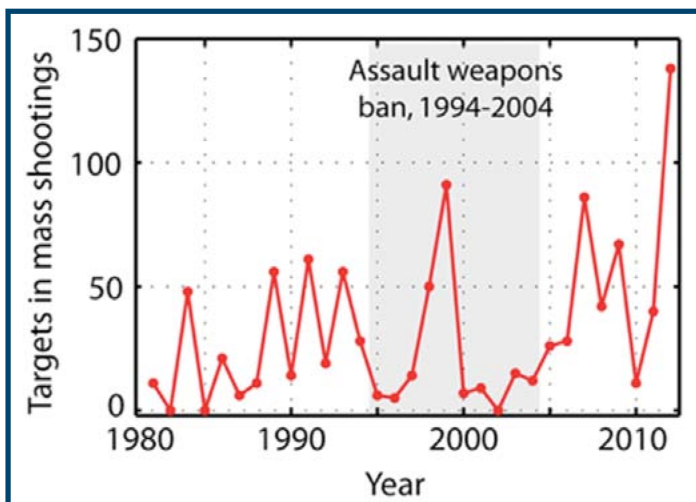
DECEMBER 14TH, 2012

After the mass shooting of 20 children and 7 adults in Connecticut, I asked:

- (1) Are such shootings on the rise?
and
- (2) Would a gun control law make a difference in such events?

In a situation like this, it is common to hear that the weapons used were acquired legally. This raises the issue of what would happen if the law changed. There is some evidence.

From 1994 to 2004, the Federal Assault Weapons Ban was in place. Here is that period, shown on a graph of people killed or wounded in mass shootings since 1982.



The data came from an extensive tabulation by Mark Follman at *Mother Jones*. Except for 1999, a year of five shootings (including the Columbine massacre), the assault ban period was peaceful by US standards:

| YEARS | SHOOTINGS | PER YEAR | PEOPLE SHOT/YEAR |
|-----------|-----------|----------|------------------|
| 1982-1994 | 19 | 1.5 | 25.5 |
| 1995-2004 | 16 | 1.6 | 20.9 |
| 2005-2012 | 27 | 3.4* | 54.8* |

* $p < 0.05$ compared with 1995-2004.

Since the expiration of the gun ban in 2004, the number of shootings per year has doubled, and the number of victims per year has nearly tripled. Three of the bloodiest four years shown here occurred since the expiration.

However, the assault-weapon-ban hypothesis does not explain why victims and shootings were not as common before 1994. Has something new happened in the last decade? War? Economic disruption? Lax monitoring of the mentally ill? Whatever the case, renewing the assault weapon ban as a route to pre-2005 conditions seems like a rational response to today's horrific events. 🇺🇸

UPDATE

Using the FBI's lower threshold for what constitutes a "mass" killing, this analysis by James Alan Fox suggests no change since 2004 in the number of incidents in which four or more people were killed. However, for a view of larger killings (in the US and abroad) see http://en.wikipedia.org/wiki/List_of_rampage_killers_in_America which is consistent with the trend I have described. In other words, these acts are always with us, but advanced weaponry creates an efficiency of scale to allow the possibility of large killings.

AMERICA AS A GUN CULTURE

NO INCREASE IN MASS SHOOTINGS

BY JAMES ALAN FOX

http://boston.com/community/blogs/crime_punishment/2012/08/no_increase_in_mass_shootings.html

When it comes to gun violence, no one can deny that the Summer of 2012 has seemed especially horrific. In May, a disgruntled man, known in the community for his belligerent manner, shot up a Seattle cafe after being denied service, killing five before committing suicide. Then we witnessed the massacre of 12 moviegoers in Colorado and now a rampage at a Sikh temple in Wisconsin that claimed the lives of six worshippers plus the gunman who was killed by the police.

The carnage has compelled many observers to examine the possible reasons behind the rise in mass murder. New York Times columnist David Brooks noted the number of schizophrenics going untreated. Gun control advocates have pointed to the 2004 expiration of the federal assault weapons ban as the culprit, while gun-rights proponents have argued that the body counts would be lessened were more Americans armed and ready to intervene and overtake an active shooter.

There is one not-so-tiny flaw in all of these theories for the increase in mass shootings. And that is that mass shootings have not increased in number or in overall body count, at least not over the past several decades.

Based on data extracted from official police reports to the FBI, the figure below shows annual incident, offender and victim tallies for gun homicides in which at least four people were murdered. Over the thirty-year time frame, an average of about 20 mass murders have occurred annually in the United States with an average death toll of about 100 per year.



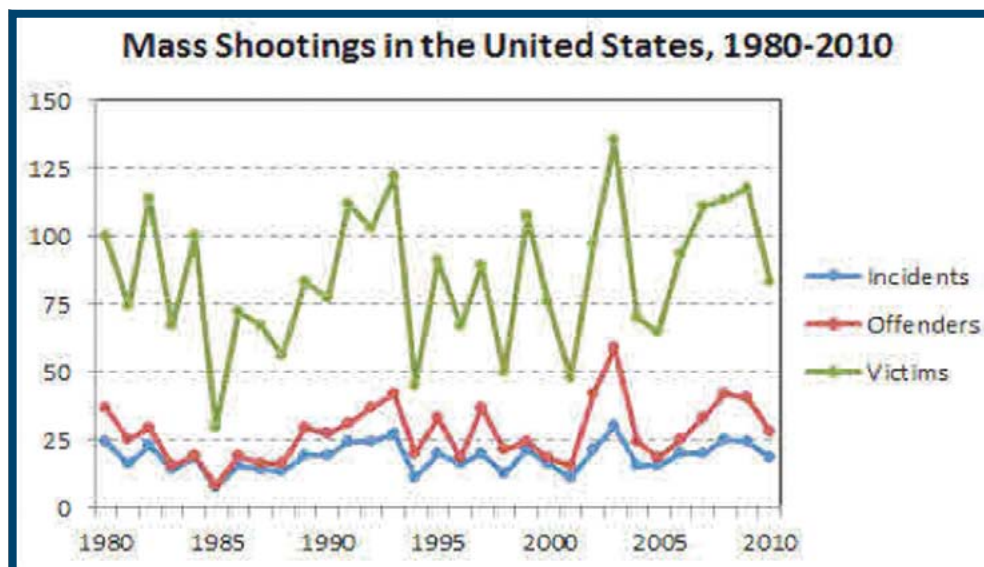
Without minimizing the pain and suffering of the hundreds of who have been victimized in senseless attacks, the facts say clearly that there has been no increase in mass killings, and certainly no epidemic. Occasionally, we have witnessed short-term spikes with several shootings clustering close together in time.

In the 1980s, we had a flurry of postal shootings, and the 1990s included a half dozen schoolyard massacres. Other than the copycatting reflected in these cases, the clustering of mass murders is nothing more than random timing and sheer coincidence.

The lack of upward trend should not stop us from trying to find causes and solutions for extreme violence.

The lack of any upward trend should not stop us, of course, from trying to find causes and solutions for extreme violence. A fitting legacy to this summer's tragedies would be the expansion of mental health services. We should also have a serious debate about sensible restrictions on gun sales but absent the politics. And perhaps we should all try harder to reach out to those around us who seem to be struggling financially, socially or psychologically.

Unfortunately and realistically, these and other initiatives may not prevent or deter the next mass murderer living amongst us. But in the process of trying, we may actually enhance the safety and well-being of thousands, if not millions, of Americans. 🇺🇸



AMERICA AS A GUN CULTURE

GUNS IN PUBLIC PLACES LEGAL COMMUNITY AGAINST VIOLENCE

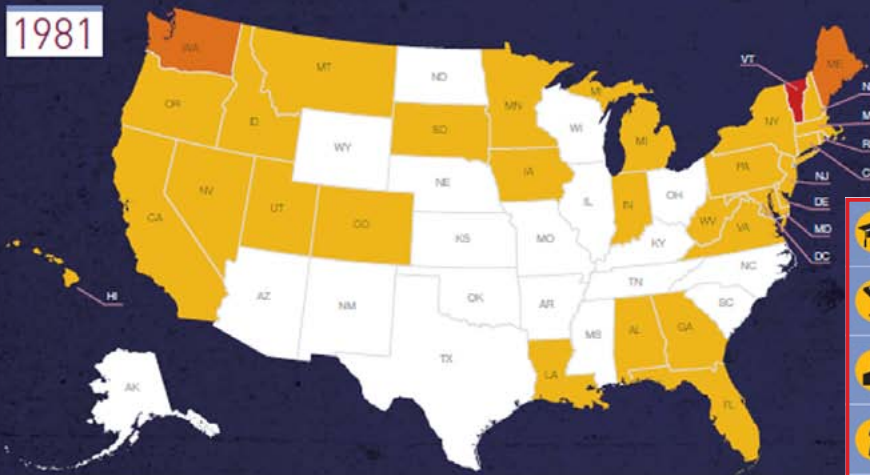
<http://bttonline.org/2012/spec/i/120405-blog-gunsInpublicplaces.pdf>

Comparing Concealed Weapons Laws from 1981 and Today

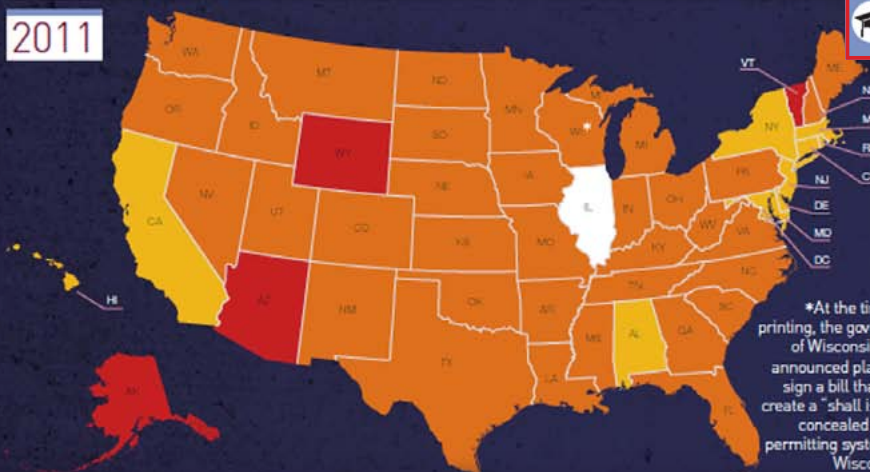
The maps below demonstrate the weakening of laws regulating the carrying of concealed weapons over the past 30 years.

| | |
|---|--|
| | NO CARRY: Concealed carry is prohibited (1981: 19 states) (2011: 1 state and Washington, D.C.) |
| | MAY ISSUE: Concealed carry is allowed with a permit, and the issuing agency has discretion to grant or deny a permit (1981: 28 states and Washington, D.C.) (2011: 10 states) |
| | SHALL ISSUE: Concealed carry is allowed with a permit, but the issuing agency has no discretion and must grant a permit to anyone who meets minimum qualifications (1981: 2 states) (2011: 35 states) |
| | NO PERMIT REQUIRED: Concealed carry is allowed and no permit is required (1981: 1 state) (2011: 4 states) |

1981








2011



*At the time of printing, the governor of Wisconsin has announced plans to sign a bill that will create a "shall issue" concealed carry permitting system in Wisconsin.

LCAV is a national law center formed in the wake of the July 1, 1993 assault weapon massacre at a law firm in downtown San Francisco. LCAV provides critical support to the gun violence prevention movement. In addition to tracking the latest developments in all state firearms legislation nationwide, we offer legal and technical assistance to elected officials, government attorneys and activists promoting laws and policies to reduce gun violence.

| | | |
|--|--|---|
|  | University and College Campuses | 8 states allow 20 states and D.C. prohibit 22 states do not regulate |
|  | Bars | 8 states allow 21 states and D.C. prohibit 21 states do not regulate |
|  | Places of Worship | 5 states allow 12 states and D.C. prohibit 33 states do not regulate |
|  | State Parks | 18 states allow 15 states and D.C. prohibit 17 states do not regulate |
|  | White icons indicate where state laws are silent | Note: In certain states, state law authorizes property owners or administrators to prohibit firearm possession on their premises even if such possession is otherwise allowed by state law. |