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WHY GUN VIOLENCE CONTINUES ITS RAMPAGE ACROSS AMERICA:
A COMPARISON OF AMERICAN AND AUSTRALIAN FIREARM POLICIES

by

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A THESIS

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This thesis is a comparative case study between US and Australian firearm policies and gun culture. I ask, given the large number of injuries and mass shootings due to firearms, why has the United States not implemented stronger firearm regulations? I conduct a comprehensive literature review of American gun culture throughout history and modern firearm violence in both the United States and Australia. By utilizing the framework of historical institutionalism and the concept path dependency, I explain why and how institutions in the United States are unique and how they differ from similar institutions in Australia. I find that the most crucial element preventing the United States from adopting more stringent gun control laws is the National Rifle Association (NRA). I specifically focus on the 1970’s, when the NRA experienced a major shift in philosophy, which I define as a critical juncture, which caused it to become radically uncompromising in the gun debate. Thus, I contend that the NRA’s influence on policymakers is the most powerful variable preventing the implementation of gun control reforms in the United States today.
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While writing this project, my thoughts often returned to my friends and families I grew to know during my year studying abroad in Australia. I will always cherish the memories of my time in Geelong and the year that changed my life. Thank you all for opening my eyes to the wonders beyond the United States.

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Introduction

As with any other night in Las Vegas, on October 1st, 2017, the city was alive. There were joyous vacationers walking the illustrious streets, tipsy gamblers celebrating wins and wide-eyed tourists trying their best to take in all the sights and sounds. On that night, thousands of country music fans were gathered on the Route 91 Harvest Festival site to listen to some of their favorite singers. The closing act of the night was Jason Aldean.\(^1\)

Across the street from the Route 91 Harvest Festival is the Mandalay Bay Resort and Casino. Staying here was a man named Stephen Paddock, a retired multimillionaire who had made his fortunes from the real-estate market. Reportedly, Paddock spent most of his days drinking heavily and gambling away his funds.\(^2\) On this night in October, Paddock would commit the deadliest mass shooting in the history of the United States.

In his 32\(^{nd}\) floor luxury suite, Paddock had in his possession 24 guns. 12 of those firearms were semi-automatic rifles outfitted with a device known as a bump-stock which is designed to increase their rate of fire to simulate the effects of an automatic weapon. After returning to his room, Paddock would break open his window, and use the guns he owned to fire upon the concert attendees across the street. In a matter of minutes, he fired over 1,000 rounds of legally-purchased ammunition from his legally-purchased firearms into the helpless crowd and would take away the lives of 58 people.\(^3\) Yet, in the wake of

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\(^3\) Ibid.
this event, no legislation was introduced or passed to regulated gun ownership or firearms.

Before Las Vegas, the deadliest mass shooting in American history took place in 2016 in Orlando, Florida, where a gunman attacked a night club, killing 49 people. Prior to that, the 2007 Virginia Tech massacre resulted in the most deaths from a shooting at 32. But perhaps the most tragic of these attacks was at the 2012 Sandy Hook shooting, where 20 elementary students and 6 of their instructors were taken from us by a deranged young man. Recent history in the United States has seen the list of domestic mass shooting incidents grow ever longer. But these incidents, – these atrocities – have, quite surprisingly, produced little policy change, the question is, why not?

Mass shootings, most often defined as shootings causing the deaths of four or more people, are amongst the most saddening and terrifying events that can occur in the United States. Yet, in America remarkably little legislation has been passed in the wake of mass shootings. After so much gun violence and so many mass shootings, one would expect some type of legislation, whether of the gun control variety or not, to be enacted by lawmakers; but this is far from true. For example, in response to the Sandy Hook shooting, the Assault Weapons Ban of 2013 was introduced to limit the legality of certain auto-reloading guns. This bill was defeated in the Senate, however. Similarly, following Las Vegas, lawmakers and the Department of Justice have been contemplating a ban on

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the bump-stock technology used in the assault. A bill designed to ban bump-stocks has not yet been proposed in Congress five months out from the shooting. More recently, President Trump has made indications that he plans to ban the quick fire bump-stocks, amidst the political firestorm that followed the February high school shooting in Parkland, Florida, where 17 people were murdered by an armed student.

Contrast the American experience of this cycle of firearm violence to the Australian reaction to their country’s worst mass shooting in history. In April 1996, Tasmania became the boiling point of politics for the entirety of Australia because it was the site of Port Arthur, where 35 people were murdered by a crazed shooter. Martin Bryant, the perpetrator, who was later determined to have been suffering from various mental health impairments and had the IQ of an 11-year-old, used two semi-automatic weapons which he had legally acquired to murder 35 people, mostly Australians, at various locations in the tourist town of Port Arthur, Tasmania.

Following the arrest of Bryant, the country launched a massive inquiry into how this tragedy was allowed to occur. It turns out that Tasmania, as well as Queensland, were the states to have the weakest gun control laws prior to Port Arthur. In fact, the same type of military-style (self-loading) semi-automatic weapons that Bryant used in his assault had previously been banned in all Australian jurisdictions except for Tasmania and

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Queensland, in response to a mass shooting that occurred in New South Wales in 1991. Modern Australia had seen numerous mass shootings prior to 1996, but none affected the country in such a way as Port Arthur, because of the sheer scope of loss of life.

Australia’s gun control lobby was immediately on the defensive – for in the wake of Port Arthur, a sizable portion of the citizenry, as well as the media, had turned against them. Additionally, conservative Prime Minister John Howard recognized his country was at a turning point in history. Australia could either take the American path, one marred by increasingly aggressive gun violence, or they could forge their own future with less fear of mass shootings. Prime Minister Howard and his administration became the leading force for change in gun laws following the surge in public support for reform.

The resolutions passed in the aftermath of Port Arthur consisted of several key provisions to curb gun violence including: complete bans on all semi-automatic rifles and pump-action shotguns, national registration and licensing (based on genuine reason) for owning a firearm, safe storage capabilities and uniform national gun laws. To help accomplish these goals the Howard government implemented its famous buyback scheme; in which the Australian government would pay for the soon-to-be-illegal weapons that people owned so that those firearms could be destroyed. Since the implementation of these policies, Australian firearm homicide and suicide rates have decreased, and there have been no mass shootings.

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11 Ibid. 154
12 Ibid. 50
13 Ibid. 117
This thesis will compare the American and Australian reactions to mass shootings to determine what variables are present (or lacking) in United States that prevents it from adopting more stringent gun control legislation, which is the dependent variable in this study. In the wake of so many terrible mass shootings, such as Las Vegas or Sandy Hook, why has the United States not enacted more rigid firearm regulations to respond to this threat? Mass shootings have occurred regularly in the United States since the 1980’s, with each decade seeing a considerable increase in their frequency; events like Parkland, Las Vegas and Orlando are only some of the most recent mass shootings in a long line of succession.\textsuperscript{15} Why then, is it the case that the United States, after suffering \textit{more} gun deaths and mass shootings than Australia (both in raw numbers and a per capita measurement), has not gone down a similar path of gun control legislation in attempts to curb firearm violence?

The importance of researching this topic is readily evident; there are unbelievable numbers of lives lost every year to firearm violence in the United States. In fact, in their 2014 National Vital Statistics Report on causes of death in the United States, the CDC listed 33,594 people as victims of gun deaths. Of these gun deaths they listed 21,386 as suicides and 11,008 as homicides.\textsuperscript{16} This figure for firearm homicides yields a rate of 3.5 individuals per 100,000 Americans. In comparison, in Australia, the rate of firearm homicides is 0.93 per 100,000 Australians.\textsuperscript{17} Among Western democracies, the United


States has, by far, the highest firearm homicide rate. Limiting needless fatalities from gun violence should be a goal of every government official, and therefore, understanding what factors might be limiting the United States’ ability to produce meaningful firearm legislation designed to reduce gun deaths is of critical importance.

I put forward four variables, which I submit are the causes of the United States’ inability to create and enforce laws aimed at eliminating mass shootings and reducing gun violence. These variables are derived from detailed examinations of the historical literature of guns in America from the colonial era to the present\(^\text{18}\). To provide additional evidence of my argument I triangulate data from government statements and documents. According to Donatella Della Porta, the process of triangulation consists of “the use of a combination of methods of investigation, data sources, or theoretical frameworks,” thereby the scholar, “can better account for and overcome the limits and biases inherent in studies that employ a single method, theory, data source, or observer.”\(^\text{19}\) In other words, triangulation is the process of using multiple different lenses to examine a singular problem to arrive at a plausible answer.


The work of several scholars such as Adam Winkler of Georgetown\textsuperscript{20}, William Briggs of the University of Colorado at Denver\textsuperscript{21}, and Caroline Light of Harvard,\textsuperscript{22} informed my argument. To further make my case, I construct datasets from both American\textsuperscript{23} and Australian\textsuperscript{24} government sources to gain a better understanding of how much violence occurs in these countries. I look at data from the years 1960 to 2016 for the United States, and statistics from 1981 to 2013 for Australia. As Detlef Sprinz and Yael Wolinsky-Nahmias explain, statistics are useful because they can help us see situations more clearly; and they can allow “the researcher to draw inferences about reality based on the data at hand.”\textsuperscript{25} In this research, data on gun violence provides, if nothing else, a further confirmation of the importance of research on this topic.

Since it is impossible to prove these variables are, in fact, necessary and sufficient to the policy outcomes in the United States, I use multiple sources to arrive at the factors that could be hindering the United States from creating more effective policies and gun laws. From a synthesis of the qualitative historical literature on guns, statistical data from government sources, research into both American and Australian gun lobby organizations, as well as comparisons of United States and Australian firearm cultures, I extracted four significant independent variables. Unlike the situation in Australia after the Port Arthur Massacre, I contend that together these factors discourage the American

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\textsuperscript{24} “Australian Institute of Criminology.” \textit{Australian Institute of Criminology}. Australian Institute of Criminology, 25 Feb. 2018, aic.gov.au/.
\end{flushleft}
government from implementing firearm laws aimed at combatting gun violence and mass shootings. These four factors are: 1.) the US has a powerful gun lobby; 2.) the idea exists within the US that the federal government cannot adequately protect them, thus, guns are necessary for self-defense purposes; 3.) private ownership of firearms is seen as an inherent right, guarded by the second amendment; 4.) there is a widely held view that guns have been necessary since the earliest days of American colonization, and thus, are needed now. I argue that the first factor is the primary variable, while the three succeeding factors are conditional variables, or variables that shape or “govern the size of the impact that the [independent variables]…have on the [dependent variables]…”

In this thesis I use a comparative case study analysis, defined as “an in-depth study of a single unit (a relatively bounded phenomenon) where the scholar's aim is to elucidate features of a larger class of similar phenomena,” to evaluate the causal significance of these variables. I chose to compare United States to Australia because of the many similarities between these two countries. Both are multiethnic, developed democracies, former British colonies and primarily English-speaking. Importantly, like the United States, Australians once had quite liberal gun legislation. However, after experiencing numerous mass shootings from the early 1980’s to 1996, the Howard government decided to change course by adopting and implementing restrictive legislation. Some examples of the legislation implemented by the Howard administration

27 Gerring, John. "What is a Case Study and What is it Good For?." American Political Science Review 98.2 (2004): 341-354. 341
are the famous buyback scheme employed by the government to purchase and destroy firearms, as well as a ban on all semi-automatic rifles and pump-action shotguns.\(^{28}\)

The argument I make is based in historical institutionalism, which emphasizes the impact that history, institutions and ideas have on choices and how a particular combination of factors generate path-dependent outcome. According to Ellen Immergut, institutionalist studies, for example, contend that “similarly-situated social movements and interest-groups have responded to their situations in very different ways, and these claims on the state have been met with very different responses from governmental policy-makers.”\(^{29}\) By situating my argument in historical institutionalism, I focus on the gun lobbies in the United States and Australia, and how these different institutions, shaped by different histories, groups and ideas, influence firearm politics in their respective states. Again utilizing insights from historical institutionalism and the idea of critical junctures, I submit that the US government’s inability to adopt more stringent gun control regulation is a product of the unique changes that occurred in the National Rifle Association (NRA) during the 1970’s. These changes limited both the ideas and policies that were deemed feasible in the United States and thus narrowed the range of possibilities for gun control legislation. These ideas will be discussed in greater detail in both section I and section III.

As with any other scientific research, this study has certain limitations. First, it is a case study between only two countries. While Australia and the United States are


similar in many aspects, there are also significant differences between the two, such as population, government organization as well as firearm rights and policies. Additionally, this study, and all studies on American gun politics, is limited by the scope and depth of the existing literature. More will be discussed on the limitations of the literature in the section I. Finally, although I try to conduct this study in a balanced way, utilizing peer-reviewed journals, books published through academic presses and official government documents, I cannot claim to be completely unbiased. In fact, there is a normative agenda in this paper. Given the numbers of innocent people who have died because of gun violence, I seek to understand why these events are occurring in the United States in order to encourage change. Simply put, like most people, I want fewer mass shootings and less gun violence in America. If there are factors preventing the United States from enacting laws to stem the tide of this violence, then I would like those factors to be weakened or eliminated.

In the following section, I present a detailed review of the literature regarding the history of gun ownership\(^{30}\) and laws\(^{31}\) in America, as well studies on aspects of firearms in American society.\(^{32}\) In section II, I present data and statistics which provide evidence of the extent of gun violence in America as well as comparisons with Australia. In section III, I present my factors and show how the influence of the gun lobby was effectively able to send the United States down a path of continued violence and mass shootings rather than gun control legislation. Finally, based on my findings, I conclude with some


policy recommendations that might both bring down the number of deaths and mass shootings, as well as satisfy American gun owners.

I. Literature Review: The Firearm Experience – Ownership, Laws and Studies

If there is one thing that can be said about the nature of academic literature in regards to guns in the United States, it is that the field is convoluted and controversial. The modern gun debate centers primarily around the origins of firearm ownership in the United States; as well as the relationship guns have to the frequency of mass shootings in America. Likely in part because of the increasing frequency of mass shootings, more books on guns in the United States are being published. For example, in addition to his 2009 book, *Armed America*, Clayton Cramer recently published another book detailing the origins of America gun culture.

It seems that before the 2000’s, mass shootings were rare enough that scholarly material did not detail them or theorize about their causes. Since 2000, there have been more and more published works concerning themselves with the topics of both mass shootings and the historical role of guns in society; and both are highly debated topics. In pieces discussing Columbine, much of the literature that was immediately published after the shooting focused on the media and its negative effects on adolescents. Especially

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after Sandy Hook, the literature generally tends to focus more on mass shootings themselves as well as the history and origins of gun culture in the United States. Whether the grisly nature of the Sandy Hook shooting is the cause of academic literature focusing more on the role of the firearm itself, is up for debate – what is clear is that many contemporary scholars have begun to critically examine the history of guns in the United States in hopes of understanding the origins of mass shootings.

It is important to note that accurate statistical data regarding gun violence or even ownership remains quite difficult to find. For example, pin pointing the exact number of guns in America is difficult because there is no national gun registry. As such, estimates on the number of guns owned by Americans can vary wildly but the Congressional Research Service estimated there to be around 310 million guns in the United States in 2012. Additionally, sources on gun violence would sometimes conflict with one another. Thus, the majority of statistical sources I used came from government websites. The widespread and depth of the literature mirrors the nature of the gun debate itself. In the modern era, there are multiple arguments on both sides of the aisle supporting either firearm ownership rights, gun control or something in the middle. The fact that the literature shows many possible explanations – many lenses with which to examine American gun culture – is indicative of a deeply passionate subject.

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Since finding organic divisions in the literature is quite difficult, I organize the relevant material into three categories: ownership of guns in the United States, gun laws throughout history in the United States and the eclectic roles of the firearm in American society. I also note that much of this literature is written by historians and political scientists who seek to understand the origins of both gun culture and firearm legislation in the United States. There is a smaller amount of literature on guns and violence in Australia, which I use as well, but given my interest in the United States, I draw on this only to contrast it with my primary case study.

**Gun Ownership in America: The Colonial Era and the NRA**

By far the most common theme that emerges in literature discussing the history of guns in the United States is the theme that mainly details the history of American firearm ownership. The works of authors such as Clayton Cramer, Kennett, Lee B., and James L. Anderson, and Dr. William Briggs are examples of the type of books which primarily focus on gun ownership throughout American history. The American history of firearms is a complex and tangled thread. The modern gun in America has become a political rallying point – a symbol of freedom and self-protection. Academic writings on the history of firearms in the United States is rife with controversy; a characteristic which reflects the political nature of these objects in American society today.

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An example of how controversial this topic is can be found in the works of Michael Bellesiles. In *Arming America: The Origins of a National Gun Culture* (2000), Bellesiles presents a previously unknown theory that guns were extremely rare in the early days of the United States. Much to the joy of gun control supporters, Bellesiles argues that firearms were few and far between in colonial America; this supports the interpretation that the meaning of the second amendment is centered on the militia aspect of the statement, rather than the right to bear arms. Thus, in the eyes of gun control supporters, Bellesiles’ text was a godsend; a clear piece of evidence that citizens have no constitutional right to own guns for individual purposes. The book won the Bancroft Prize and praise from many academics.

Later, though, this award-winning book was subjected to more intense scrutiny, and several scholars such as James Lindgren and Clayton Cramer concluded that Bellesiles’ methods were stained with academic dishonesty. Indeed, Bellesiles had fabricated many of the records he claimed to have examined when cataloguing ownership of guns in colonial America; he had claimed to have used records which were destroyed in the 1906 San Francisco fire and even misrepresented wills and records to show broken or destroyed guns even though this was not the case. When pressure was put on Bellesiles to produce his research notes he claimed to have lost them in a flood. His Bancroft Prize was rescinded, and his work is now considered to be dishonest and misleading. Bellesiles’ fall from grace is an indication just how much people are willing

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to give to ‘win’ the gun argument and how divisive this political debate has become in the modern era.

As the controversy of Bellesiles’ work shows, much of the debate regarding gun ownership is centered on various interpretations of the second amendment to the Constitution which states exactly:

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.  

There are numerous factors that can be interpreted from this relatively succinct sentence such as comma placement, word usage, capitalization etc. The point is that the meaning behind the amendment is not entirely clear, and thus, this statement has greatly contributed to the controversy that now surrounds the status of arms in modern America.

Historian Clayton Cramer advocates in Armed America, that not only were guns necessary in the early days of colonial America, but that there was a ‘duty to carry’ instilled by colonial governments. Cramer contends that so dangerous were these early times, that male colonists were dictated by law to carry guns with them – including places like church, public gatherings or especially when travelling. Colonial government were weak in their early days and lacked necessary resources to protect their citizens; the militia was the only form of collective defense, and thus, the ownership of guns was absolutely necessary. The second amendment, in the view of Cramer, reflects this inherent need for self-protection by early Americans. In his book, Cramer conveys the

43 “The Constitution of the United States,” Amendment 2
45 Ibid. 9
idea that guns became a political symbol of freedom and their confiscation would be an instance of tyranny by the government. According to this view, the dangers faced by early Americans necessitated the use and private ownership of firearms, and therefore the second amendment was installed to reflect this societal need.

Similarly, authors Lee Kennett and James Anderson sought to uncover not only the beginnings of American gun culture, but what role firearms have played throughout American history. In *The Gun in America*, Kennett and Anderson reiterate the most popular scholarly opinion that guns were necessary in the early days. But they expand this theory and contend that guns have been necessary for a substantial proportion of United States society throughout American history. They claim that the national taste for firearms probably began with the pilgrims. This idea would transmit westward as Manifest Destiny took hold. In the Wild West, guns would be necessary to defend oneself against threats such as outlaws and Native American attacks. The Civil War threw demand for guns, industry and government together – and in the aftermath of the civil war there was an immense oversaturation of guns in the market. Later, in times of urbanization and rapid industrialization, the authors contend that guns, especially the pocket pistol, played a significant role in self-defense against crime – both chaotic and organized. Overall, Kennett and Anderson present the common academic view that the need for guns and their ready availability has been a common feature throughout American history.

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47 Ibid. 107
48 Ibid. 91
49 Ibid. 172
Another major factor concerning the subject of gun ownership is the origin and evolution of the National Rifle Association (NRA). The NRA was formed in 1871. It started out as a type of gentleman’s club to promote sporting use of rifles. For most of its early history it remained this way until it became involved in politics in the early twentieth century. During this time, it worked closely with lawmakers on adopting gun control bills – which the organization was regularly in support of. Thus, for much of American history, the NRA was actually a moderate lobbying group that supported and even drafted gun control legislation.

It was not until the 1970’s that the NRA became the modern political behemoth that it is today. In the 1970s, a man named Harlon Carter staged a type of coup for the mantle of NRA leadership. He was dissatisfied with the NRA’s ambivalent position toward the Gun Control Act of 1968 and sought to change it. Under and since Carter, the NRA evolved into the ‘no compromise, no gun control’ organization as it is known today. Its membership has swelled, and its political influence over Washington is substantial. With its uncompromising positions, it claims to represent the interests of gun owners across America. Despite its place in history as a moderate gun control supporting organization, the NRA of the modern era is likely the most powerful opponent to any sort of gun control that lawmakers seek to enact. It is perhaps the staunchest supporter of unrestricted gun ownership in the modern US. More will be discussed regarding the importance of the changes that occurred in the NRA in section III.

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50 Ibid. XVIII
51 Ibid. 64
52 Ibid. 65-68
From this category of literature, we can determine that the role of guns in American society has a long historical backdrop. We can also highlight the importance that both the second amendment and private interests, namely the NRA, had in the ownership of firearms throughout the history of the United States. The fact that the majority of academic literature discussing gun culture focuses upon ownership is important. Bellesiles was in an uphill battle against most academic thought when he published his since falsified works about the rarity of guns in early America. This shows that the general consensus is that guns were both common and necessary in the colonial era. Based upon the information in this part of the literature, the United States might not implement more stringent gun laws in response to mass shootings because firearms were common and necessary throughout American history. Thus, to regulate them would be to fight against history and tradition.

*Gun Laws in America: Control and Self-Defense,*

The second theme which emerges in literature discussing the history of guns in the United States can be found in the works of authors who write on gun laws throughout American history.\(^{53}\) Other than Kennett and Anderson, what most of the authors in the first section have in common is that although they discuss ownership of firearms in great detail throughout American history, they do not focus on the role of gun control laws in the same light. Kennett and Anderson show that gun control laws have a long history in the United States; for example, they discuss how the Sullivan Act in New York City was

instituted to prevent the carry of concealable pocket pistols. The law was viciously enforced, so much so that it was protested by the citizens who deemed it to be an overstep of authority.\textsuperscript{54}

Kennett and Anderson only scratch the surface of the history of American gun laws, however. In \textit{Gun Fight}, Adam Winkler devotes his entire book to discussing the long history of coexistence between gun owners and enforced gun control legislation. Contrary to widespread belief, he argues, for most of the history of the United States we have had both gun control \textit{and} gun ownership – and they have existed in relative harmony. He cites numerous examples of strict gun control laws such as the New Hampshire and Rhode Island door to door gun ownership surveys in the Revolutionary era,\textsuperscript{55} or how frontier towns in the Wild West such as Dodge City, Kansas, were communities with some of the strictest gun control laws on the books.\textsuperscript{56} Throughout his book he makes the argument that despite the commonly held notion in academia that only gun ownership dates back to the earliest days of American history, gun control is also just as antiquated in our past. He contends that to solve modern gun violence, we must return to a reasonable measure of gun control – the balance that was historically harmonious has shifted towards too much unrestricted gun ownership.

Other authors take specific aspects of gun laws, such as self-defense, and discuss its place in American society. In her book \textit{Citizen-Protectors}, Jennifer Carlson uses personal interviews with sixty male gun carriers in Michigan to try to understand what

\begin{thebibliography}{9}
\bibitem{56} Ibid. 165
\end{thebibliography}
beliefs they have about the place of guns in the United States. Her discussions and experiences suggest that men of different classes and races can each find commonality in their desire to carry a gun. Some in fact feel they must take their security into their own hands because the government does not adequately protect them. Her work highlights some of the benefits guns can bring to individuals, protection for example, and some of the disadvantages they can bring when institutionalized racism enters the picture.⁵⁷

In a comparable piece, Stand Your Ground, Caroline Light discusses the history of self-defense laws in the United States. She contends that the modern day stand your ground type laws are a product of a long historical evolution. She claims that originally self-defense was not a common idea – that the English instilled a ‘duty to retreat’ in the colonists, the idea that only the government can use violence in defense.⁵⁸ Overtime, she contends, this ideal was lost – especially with westward expansion. The threat posed by Native Americans and outlaws made duty to retreat outdated, and thus self-defense was born. Later, she argues, self-defense was used to racially discriminate against blacks who were not allowed to carry guns.⁵⁹ The modern stand your ground is the further evolution of self-defense. Self-defense was violence in the name of protection in the home, while stand your ground can be violence in the name of defense anywhere. Her writing begs the question of whether modern stand your ground is closer to a ‘license to murder.’ Both Light’s and Carlson’s pieces show that in both the past and present there have been

⁵⁹ Ibid. 84
Americans who feel that their government does not do an adequate job of protecting them; that both private ownership of guns and laws of self-defense are necessary.

In the modern debate between gun rights supporters and gun control advocates, the second amendment is often cited to strengthen the claims of either one side or the other. The use of the second amendment to defend the ownership of guns for individual protection is a relatively new phenomenon. In fact, it was only in the 2008 District of Columbia v. Heller case that the Supreme Court released a decision regarding the status of the second amendment and private ownership. The Court reached a 5-4 decision that a District of Columbia ban on handguns and strict storage requirements on rifles was unconstitutional. They held that the second amendment protects the individual’s right to own firearms “unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home.”60 This landmark decision was a major strategic victory for gun rights advocates who now had the power of the second amendment supporting their claims for private ownership of guns.

What this section of the literature shows us is that not only has gun ownership been common throughout the history of the United States, so too have laws and regulations been interwoven in the American past. The debate between gun ownership and gun control may have reached a turning point in District of Columbia v. Heller when gun rights advocates won a major strategic victory. In accordance with this part of the literature, the modern lack of government response to firearm violence and mass

60 District of Columbia v. Heller
shootings may be partly caused by the victory of gun ownership proponents over gun regulation promoters.

Firearms in Society: Gun Studies and Comparisons

The literature surrounding both gun ownership and gun laws in the United States is filled with innumerable studies of all shapes and sizes designed to measure or compare different aspects of the American firearm culture. For example, in a study published in 2000, Claire Cook and John Puddifoot examined populations of women in the United States and the United Kingdom in hopes to find out their views on gun ownership. Their results indicated that many American women perceive guns as a form of liberty or freedom, while a large portion of British women tend to view them as a form of danger and violence. Perhaps this study is indicative that the narratives on historical gun ownership in the United States are true, or at the very least, believed by many women in this study.

The majority of studies on American gun culture concern themselves with the effectiveness of specific policies such as background checks and gun registration. For example, one study found that having tighter laws regarding sale of firearms to minors and having permit requirements may be a significant deterrent to male suicides in the United States. Another analysis, which focuses upon preventing violent crime by preventing the illegal-carrying of guns, contends that through policies such as stricter gun registration laws and targeted police patrols in violence-prone areas can violent crime be

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62 Ibid. 432
mitigated. Some studies specifically compare the United States and Australian gun policies, much like this thesis. One such study examined the effects of the National Firearms Agreement (NFA) in Australia after the Port Arthur Massacre. They find that while the NFA seems to have lowered firearm suicides, it has not had a statistically significant effect upon firearm homicide rate.

These are only some examples of studies that exist within the literature on firearms laws. It is somewhat difficult to generalize the literature in this category because the analyses are so varied depending upon the questions asked by the authors and the goals of the writers in publishing their piece. Undoubtedly many of these works have political goals – gathering support for either gun rights or gun control policymakers in the firearm debate. As such, with each of these studies, in addition to the literature listed in the other two categories, the reader must take findings with some degree of skepticism. The volatile nature of the gun debate in the United States may push authors to desperate measures, as we saw with Bellesiles in his attempt to prove falsely that gun ownership in colonial America was a rarity. So too, on the other side of the debate, has there been documented fraudulence. In a 1997 study, John Lott and David Mustard claimed to have found evidence that the open-carry of firearms led to less crime in communities. It was later determined, however, that they had skewed his evidence by only using data from a single state – Florida, thereby invalidating their claims.

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The nature of these studies illuminate many things about the literature on guns in America. For one, the interests of researchers are incredibly eclectic and oftentimes they seek to answer wildly different questions. Additionally, because of the fact that there are so many new studies being published, it shows that the interest in this topic is growing as firearm violence and mass shootings become a near daily phenomenon. Finally, it helps highlight part of the difficulty in researching the subject of firearms in America because of misleading scholarship such as Lott’s (or Bellesiles’). No single study can provide definitive proof of the effectiveness of any sort of policy. The scientific method dictates that only through repeated trials and testing can hypotheses be either rejected or accepted.

Many of these studies ask questions that are unique – questions which may never be asked again.

With these factors in mind, the uphill battle that is policy reform which looms before legislators is more easily understood. The most effective types of studies are those with concrete statistics – numbers which can be compared. As such, we now turn to the data section of this thesis, which presents a brief overview of firearm violence in America and compares it to shootings experienced by Australians.

II. Violence by the Numbers

The United States utilizes two distinct systems for keeping track of the number of homicides that occur in the country. The first is the Supplementary Homicide Reports (SHR), a part of the Uniform Crime Reporting program administered by the FBI. SHR data is a measure of all murder and non-negligent manslaughters (homicides) as well as
negligent manslaughters (does not include motor vehicle deaths). The information reported in SHR data is gathered by law enforcement agencies and is used to track crime trends within the United States.

The second type of system to measure homicides is run by the Center for Disease Control and Prevention and is known as the National Vital Statistics System (NVSS). Unlike the SHR, the purpose of the NVSS is to measure all deaths in the United States by documenting the information of the deceased in their death certificate. The numbers on the NVSS recording homicides tend to be a bit higher than the SHR because the SHR does not track homicides that occur on Native American reservations, in federal prisons or on military bases. Additionally, numbers on the NVSS are higher often because reporting for death certificates is mandatory, and the information states give to the Uniform Crime Reporting program is voluntary. Because of these two different methods for tracking homicides, numbers can often vary slightly. Yet both sources of information are considered valid for academic research.

The FBI allows full public access to the data contained in the Uniform Crime Reports and allows for the creation of useful charts when discussing crime rates in the United States. A data set I was able to collect from FBI information on homicides is shown below:

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69 Ibid. 1-2
70 Ibid. 2-3
FIGURE 1:

By examining Figure 1, one can see that homicides have been generally on the decline since their peak in the year 1990. This is certainly good news for anyone who wants less violence to occur in the United States. However, the significant increase in homicides in the years 2015 and 2016 may indicate that this number is back on the rise.

Data such as this, however, is of little use without context. Let us compare this set of data with Australian homicide rate and per 100,000 numbers in a similar timeframe. Like the FBI, the Australian government utilizes an agency known as the Australian Institute of Criminology to keep track of crimes that occur within their country. Unfortunately, the amount of data available from the AIC was limited to the years 1993 to 2013 so our analysis will not be as lengthy the UCR’s. The tables below indicate the estimated total instances of homicide as well as the homicide rates per 100,000 citizens for both the United States and Australia:
Figure 2 shows the variation between the two countries, but I include it solely for the sake of transparency, not for comparative purposes. The United States has roughly 300 million more citizens than Australia, so it is of no surprise that the total number of homicides reported by the FBI is much higher than the reported homicides in Australia.
Figure 3 is far more interesting; at no point during the 20 years between 1993 and 2013 did the American homicide rate drop below that of the Australians. Indeed, at no point did the American rate drop below double the homicide rate of the Australians. Note that 1996 was the year in which the Port Arthur massacre occurred. Most years Australia’s homicide rate has declined, with only a couple years rising by small margins. The charts below are measures of the cause of death for murder victims (poison, drownings and murders resulting from explosive devices are omitted) in the United States from 2012-2016 and cause of death for murder victims in Australia from 2009-2013:

FIGURE 4:

Source: Uniform Crime Reporting Statistics - Expanded Homicide Data Table 4
As shown in **Figure 4**, the largest portion of murders committed in the United States are from firearms. In comparison, **Figure 5** indicates that Australian murders in a similar timeframe were perpetrated mainly with knives or when using ‘no weapon.’ In Australia, gun homicide is far less common than the United States. This is to be expected since American society allows far easier access to guns than Australia does since Port Arthur. Overall, we have seen that Americans tend to have more raw homicides as well as a higher homicide rate than our Australian counterparts.

Next are charts on the number of instances of mass shootings (usually defined as the death of four or more people)\(^1\) in Australia and the United States from 1981 to 2013, as well as the number of deaths from gunshot wounds from mass shootings in that same period:

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FIGURE 6:

Mass Shooting Incidents Count in the US and Australia 1981-2013


FIGURE 7:

Mass Shooting Death Count in the US and Australia 1981-2013

Figures 6 and 7 show that the United States has experienced more mass shootings, and more deaths from mass shootings than Australia. Yet, since Port Arthur in 1996, Australia has not been afflicted with a mass shooting. Either Australia has been extremely lucky post-Port Arthur, or the reforms that were implemented by the Howard government following the massacre have been successful in preventing mass shootings in Australia.

What all of these figures have shown us is that the United States, at least in the years we examined, suffered from a higher homicide rate than Australia, a higher rate of homicides using firearms, more mass shooting incidents and more deaths due to mass shootings. Why is it that the United States experiences more intense firearm violence than Australia, yet has not yet implemented national reforms as Australia did after the Port Arthur Massacre? Indeed, Figures 6 and 7 highlight the fact that Australia has had no mass shootings since 1996. With evidence such as this, which may indicate the effectiveness of more stringent gun control legislation, why has the United States not followed in Australia’s footsteps?

Thus far, we have examined academic literature detailing the history of American gun ownership, of American firearm laws, of studies which attempt to explain the various roles of the gun in society, and finally, data depicting the true extent of firearm violence in both the United States and Australia. Yet the question still remains: what factors are present in the United States, which are absent in Australia, that prevent it from adopting necessary and sufficient gun legislation in order to combat firearm violence and mass shootings?
III. The Role of Institutions: The Uniquely American Gun Lobby

Given the literature that focuses on America’s unique history, the importance of gun rights in the United States and the role of the gun lobby, this section argues that there are specific factors unique to the United States that have directly and indirectly shaped policies related to the ownership and use of guns. I argue that the unique combination of American culture, history and ideals allowed gun enthusiasts to flourish and form a powerful interest group that prevents the adoption of stricter gun control legislation. Since the early 1870’s, the NRA has existed with a vested interest in the private ownership of guns. For most of that history, the NRA was a moderate supporter of not only gun rights but also gun control. However, in the 1970’s, the organization experienced a colossal shift in philosophy due to a change in leadership. They became a political powerhouse and now serve as a daunting obstacle to policymakers attempting to pass gun control legislation.

The power of the gun lobby was shaped by three conditional factors that are unique to the United States (and do not exist in Australia), making it exceedingly difficult for the United States government to adopt more restrictive gun control policies in the wake of mass shootings. I derive these factors from a synthesis of material found in the literature on guns in America as well as modern debates about the role of firearms in society. Together these three factors present very different institutional opportunities and constraints in the United States and Australia.

To be sure, the strength of the gun lobby in America is the most important factor that prevents firearm legislation reform from occurring. The question is why and how has the NRA become so powerful in the United States? In the US, and unlike Australia, gun
owners (and perhaps others) argue that the American government cannot adequately protect them; thus, private gun ownership for protection is necessary. These concerns about self-defense did not exist in Australia to the same extent and were, in fact, easily quashed after the Port Arthur incident. Unlike Australians, many Americans also view the private ownership of firearms as a right – guaranteed by the second amendment and reinforced by the Supreme Court decision in District of Columbia v. Heller. This right is not found in Australian history and thus creates different historical relationships with society and their gun lobby. Finally, Americans are immersed in a historical narrative that paints guns as a necessity from the times of the colonial era – while early Australian colonists used guns, the modern result of that historical narrative is vastly different than the American one. These conditioning factors, found in America’s unique history, allows the NRA as an institution to wield enormous power. Much of its power is found in its incredibly large budget which is used to support politicians in both parties. This situation allows this organization to effectively reinforce its positions on firearm rights by utilizing these arguments for gun ownership.

Although the NRA has long been an important and powerful lobbying organization, it also experienced an important shift in the 1970’s that pushed the United States even further down a path where it became almost impossible to conceive of or implement any gun control legislation. The NRA does this by funding the campaigns of pro-gun candidates in both state and federal elections. It also grades politicians based

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upon their friendliness to pro-gun policies, which helps their constituents decide who to vote for.\textsuperscript{73}

\textit{The Metamorphosis of the NRA}

The NRA came into existence as a sort of gentleman’s club, aimed at promoting rifle competitions for sport; their purpose in their formative years was to “promote and encourage rifle shooting on a scientific basis.”\textsuperscript{74} The historical conditions of United States society were favorable for the development of private interests groups such as the NRA. Additionally, the body of literature on the history of guns in America indicates the for many citizens, in various different times periods, ranging from the colonial era, the time of westward expansion, to early urbanization and even into the modern era, guns are essential elements of self-defense. Thus, the development of an institution such as the NRA which represents the private interests of gun owners is of no surprise. Despite stereotypes associated with the organization, for most of its existence, the NRA was quite tolerant, even encouraging of reasonable gun control. For example, Adam Winkler writes that:

\begin{quote}
In the 1920s and 1930s, NRA leaders wrote and lobbied states to enact landmark gun control legislation. The resulting Uniform Firearms Act was a model law that banned anyone without a permit and a “proper reason” from carrying a concealed gun in public.\textsuperscript{75}
\end{quote}

Furthermore, the NRA was supportive of certain important gun control measures that were implemented by Congress even as late as 1968. In response to high-profile

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\textsuperscript{73} “Grades and Endorsements.” \textsc{NRA-PVF}, www.nrapvf.org/grades/.
\textsuperscript{74} “About the NRA.” \textsc{NRA.ORG}, home.nra.org/about-the-nra/.
\textsuperscript{75} Winkler, Adam. \textit{Gunfight: The Battle Over the Right to Bear Arms in America}. WW Norton & Company, 2011. 64
\end{flushright}
murders such as President John f. Kennedy, Robert Kennedy, Martin Luther King Jr., and Malcolm X, as well as due to the intensifying fear of public crime in the wake of these horrendous acts. Congress proposed the Gun Control Act of 1968, which banned mail-order sales of rifles. The Executive Vice-President of the NRA at the time, Franklin Orth, spoke before Congress stating, “We do not think that any sane American… can object to placing into this bill the instrument which killed the President of the United States.”

In the midst of this incredibly important national dialogue about private gun ownership, the NRA experienced the greatest philosophical transformation in its entire history. The 1970’s serves as a critical juncture in the history of the NRA. As defined by Giovanni Capoccia and R. Daniel Kelemen, “critical junctures are characterized by a situation in which the structural influences on political action are significantly relaxed for a relatively short period.” A critical juncture is a point in which an institution made, or could have made, significant changes to its organization, leadership or ideology – thereby following one path or another, hence linking it to the term, path dependency. Path dependency, according to B. Guy Peters, Jon Pierre and Desmond King, “in historical institutionalism may mask the dissensus that may exist beneath the surface of a program, or organizational field, and thus produce some neglect of the forces for change.”

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I argue that the NRA experienced these phenomena during the 1970’s. During the late 1960’s and early 1970’s, undercurrents of widespread dissent existed within the NRA. Different factions began to form among those who supported gun control, such as the President at the time, Maxwell Rich, and those who desired unrestricted gun ownership. The faction which would come to dominate the organization following a shift in power was led by Harlon Carter. It was not until Harlon Carter’s coup in the 1970’s that the NRA became the ‘no compromise’ group that it is known for being today.

Carter’s personal history is important for understanding the NRA’s shift in philosophy. At 17, Carter was convicted of murder without malice aforethought when he killed a 15-year-old in self-defense.81 Later in life, he served various jobs in the federal government and at the NRA.82 Eventually, he would lead the lobbying arm of the NRA, the Institute for Legislative Action (ILA). Despite this, he was unsatisfied with Maxwell Rich’s handling of the organization. During the annual meeting of the NRA in Cincinnati, Carter and a growing faction of other hardliners took control of the institution by inspiring their fellow members to become stronger supporters of gun rights.83 Since then, the NRA has been opposed to almost all gun control measures. Under Carter’s reins, the NRA morphed into one of the most influential groups in United States politics, its membership tripled and its philosophy grew hard and uncompromising.84

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82 Ibid. 173
84 Ibid. 67-68
behemoth it has become bears little resemblance to the original organization that came into existence nearly 150 years ago.

It is the unique combination of history and culture of America which produced a society so accepting of gun culture. Yet throughout most of our history, gun rights organizations such as the NRA have been relatively moderate. I argue that this coup by Carter served as a critical juncture which determined the path that the NRA would follow. Under Carter’s extremist leadership, and subsequent presidents who followed his philosophy, the organization became known for its hardline stance against nearly all measures of gun control and support for nearly unrestricted levels of gun ownership. Had Harlon not taken power in the 1970’s, I find it unlikely that the NRA would have become the ‘no compromise’ institution that it is today. In fact, counterfactual reasoning suggests that had the historically moderate trend of the NRA continued, not only would the United States have more restrictive gun control legislation, it would have less gun violence and fewer mass shootings as well.

In some ways, the NRA is a triumph of democracy. It is is a non-governmental organization advocating often quite successfully for the views of its members. Yet at the same time, the power of the NRA is somewhat surprising. Its capacity to sway politicians, both at the federal and state level, can be enormous. It is very possible, and sometimes feels, that the NRA has more sway over Congress than their constituents do. For example, in a 2015 poll conducted by Gallup, citizens were asked: Would you favor or oppose a law which would require universal background checks for all gun purchases in the U.S. using a centralized database across all 50 states? In response to this question,
86% of respondents indicated they would be in favor, 12% opposed and 2% no opinion.\footnote{Gallup, Inc. “Guns.” \textit{Gallup.com}, 11 Oct. 2005, news.gallup.com/poll/1645/guns.aspx.} What this poll is indicative of is a widespread support by the American people for universal background checks. Other polls conducted by news agencies suggest that even most gun owners are in support of gun control.\footnote{“February 20, 2018 - U.S. Support For Gun Control Tops 2-1, Highest Ever, Quinnipiac University National Poll Finds; Let Dreamers Stay, 80 Percent Of Voters Say.” \textit{QU Poll}, Quinnipiac University Poll, 20 Feb. 2018, poll.qu.edu/national/release-detail?ReleaseID=2521.}

Yet, the NRA remains committed to opposing any sort of gun control regulation – including universal background checks, waiting periods or a national gun registry. If the public and most gun owners (theoretically the people the NRA answers to) support these sort of policies, why does the NRA not reflect these views? Perhaps this indicates that there is at least some disconnect between NRA leadership, who dictate the organization’s strategy, and its constituency.

Despite this disconnect, the NRA has the capability to put immense pressure on Congressional members. For example, following the Sandy Hook tragedy, which could be amongst the most heinous crimes in American history, the Assault Weapons Ban of 2013 was introduced to limit the legality of certain auto-reloading guns. Yet this bill was defeated in the Senate; struck down largely along party lines.\footnote{Siddiqui, Sabrina. “Assault Weapons Ban, High-Capacity Magazine Measures Fail In Senate Vote.” \textit{The Huffington Post}, TheHuffingtonPost.com, 17 Apr. 2013, www.huffingtonpost.com/2013/04/17/assault-weapons-ban_n_3103120.html.} Most gun control bills that are voted on in Congress follow a similar path – they experience widespread support from Democrats but are nearly universally opposed by Republicans, who are traditional allies of the NRA. How much pressure, against the majority will of the people – of its own constituents – is the NRA putting on Republican lawmakers?
In comparison to the Goliath-like NRA, the Australian gun lobby is more reminiscent of David. Unlike the United States, the historical and cultural factors which supported the growth of gun culture were not as strong or barely existed in Australia, weakening the gun lobby’s position almost from the beginning. While firearms certainly played a role in early Australia, primarily in the bloody conflicts with the Aborigines, their role was far less important than their counterparts’ in America. Because the historical institutions were weaker, so too did the modern Australian gun lobby reflect this lesser status in comparison with the NRA. Additionally, the gun lobby in Australia is not as monolithic as the American NRA. It is made up of many sects such as the Sporting Shooters Association of Australia (SSAA), the Shooters’ Party of New South Wales (later renaming itself the Shooters, Fishers and Farmers Party), the Firearm Owners’ Association of Australia (FOAA), as well as gun dealers in general. Divided amongst so many likely weakened the Australian gun lobby in the aftermath of Port Arthur.

Australian firearm lobby organizations look paltry in the shadow of the NRA. The SSAA desired to be just like the NRA, openly declaring their desire to be the American organization’s ‘clone.’ In fact, the NRA’s president at the time, Bob Corbin, visited Australia in 1992 at the behest of the SSAA; giving them both advice and encouragement. The SSAA, the Shooters’ Party and the FOAA were all active organizations at the time of Port Arthur; yet none of them could withstand the tempest of

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90 Ibid. 166-168
91 Ibid. 168-174
92 Ibid. 174-176
93 Ibid. 164
94 Ibid. 164-165
public rage that occurred following the massacre. Rallying calls of the Howard administration to reform national gun laws, as well as public slogans which emerged after Port Arthur such as the promises that the Port Arthur victims ‘must not be seen to have died in vain,’ and to travel ‘not down the American road,’ were too compelling for the Australian gun lobby to overcome. The political climate of post-Port Arthur Australia was simply too hostile for any sort of pro-gun ownership philosophy or any of these organizations to stem the tide of reform.

Part of the NRA’s strength comes from its message, as well as the symbols it uses to portray that message to citizens of the United States. Slogans like “Our rights are under attack like never before,” and “Tireless defenders of your Second Amendment rights,” cover the front page of the NRA’s website. The NRA has become the people’s champion for gun rights. It picks up and utilizes many of the arguments presented in academic literature on guns in America, ones that, not surprisingly, resonate with American society. Similarly, the Australian gun lobby organizations attempted to utilize these symbolic arguments in the wake of Port Arthur, but they were struck down by both public opinion as well as the Howard administration.

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95 Ibid. 59
96 “Home.” NRA.ORG, home.nra.org/
Self-Defense

The NRA recognizes and channels fears of its constituents to portray a message of necessary self-defense through the use of firearms. In the second section of the literature, authors such as Adam Winkler, Dr. Caroline Light and Jennifer Carlson extensively discuss the ideas of self-defense held by citizens that have existed throughout American history. In the colonial era, in the Wild West, in urbanization periods and industrialization, especially in the modern era with inequality and recovering economic conditions – the idea that the American government cannot always protect its citizens exists pervasively.

In the modern era, the NRA has begun to effectively voice these concerns about self-defense by tying safety with gun ownership. In response to the Las Vegas mass shooting, the NRA issued a statement which included the plea for Congress to “pass National Right-to-Carry reciprocity, which will allow law-abiding Americans to defend themselves and their families from acts of violence.” The NRA paints the picture that gun owners are under attack by gun control advocates and that firearm ownership is necessary to protect oneself from criminals. Under the supervision of the NRA, abstract ‘freedom’ and the right to defend oneself have become linked.

In Australia, following Port Arthur, the argument in support of gun ownership for self-defense capabilities also emerged. Yet, even before Port Arthur, the self-defense

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argument was weak in Australia; after all, no jurisdiction recognized self or family defense as a justifiable reason to own a firearm.\textsuperscript{101} After Port Arthur, and the announcement of Howard’s reforms, the gun lobby once again brought up this concern. Their concerns, though, were largely dismissed by the National Coalition for Gun Control (NCGC), a gun control advocacy organization which supported the Howard government in its quest to reform firearm laws in Australia. According to the NCGC, the gun lobby’s fears about having no method to defend oneself were “unrealistic fears importuned from America.”\textsuperscript{102} Unlike the NRA, the Australia gun lobby did not and does not effectively wield self-defense as a rallying call for gun ownership.

\textit{The Right to Bear Arms}

Since the addition of the Bill of Rights to the United States Constitution in 1791, the second amendment has protected ownership of firearms. In the modern era, this protection extends to the individual for purposes of self and familial defense. With the Supreme Court decision in \textit{District of Columbia v. Heller}, this view on the scope of the second amendment has been cemented in society. In response to the \textit{Heller} decision, then Executive Vice-President of the NRA, Wayne LaPierre, was quoted:

\textit{Our founding fathers wrote and intended the Second Amendment to be an individual right. The Supreme Court has now acknowledged it. The Second Amendment as an individual right now becomes a real permanent part of American Constitutional law.}\textsuperscript{103}

\textsuperscript{101} Chapman, Simon. \textit{Over Our Dead Bodies: Port Arthur and Australia’s Fight for Gun Control}. Sydney University Press, 2013. 213
\textsuperscript{102} Ibid. 216
Whatever the original intention of the authors of the Constitution, the second amendment has become one of the most powerful supporting factors for gun ownership in the United States. The NRA has taken advantage of this boon to their cause granted by the judiciary. The protection of the second amendment rights of gun owners is perhaps the most central tenet of their political philosophy.

Across the Pacific, Australians have no such guarantee by any federal document. This rights-based argument was also brought up by the Australian gun lobby after Port Arthur.104 In response, Attorney General Daryl Williams said, “I am more attracted to an argument that all Australians have a right to exist in a society where they are not subject to the needless risk of being injured or killed as a consequence of the widespread availability and irresponsible use of firearms.”105 The Australian people and media responded to rights-based arguments in a similar manner – rejecting private ownership of guns in favor of the reforms proposed by the Howard government. Like the self-defense argument, the rights-based debate was also not enough to save private ownership of guns in Australian after the Port Arthur Massacre.

*The Historical Narrative of Guns*

The final factor which I attribute to the NRA’s enormous success in preventing the United States from implementing effective firearm legislation aimed at decreasing both gun violence and mass shootings is derived from the literature itself. As previously iterated, the vast majority of authors, such as Lee Kennett and James Anderson,106

105 Ibid. 218
William Briggs,\textsuperscript{107} Clayton Cramer\textsuperscript{108} and even Adam Winkler,\textsuperscript{109} who confer upon the role of guns in American society frame their discussions around the history of firearm ownership in the United States.

The fact that the debate largely focuses on ownership is important because this shows that there is already an assumption that guns have been common in America since the colonial era. While Bellesiles was lying in his claims about the lack of gun ownership in early America, he unintentionally highlights the fact that the general consensus in academic thought accepts the mainstream view that firearms have been both common and necessary throughout history. This idea is intertwined with the second and third factors – and while the NRA rarely explicitly cites this argument in support of gun ownership, the historical idea that guns have been a constant in American society still bolsters their claims and justifications for gun ownership. The legitimacy of the self-defense and second amendment arguments are strengthened with the addition of historical longevity that is contained within academic literature on firearms in America.

By contrast, in Australia, I found no claims of their gun lobby citing historical ownership as continued justification for possession of firearms after Port Arthur. There were some in the gun lobby who likened the Howard administration’s desires to disarm Australians to Hitler attempting to disarm the Germans, but once again the fears of the


gun lobby were deemed to be grossly over exaggerated. But a historical narrative as strong as the one found in academic literature detailing the history of firearm ownership in America is lacking for the Australian case.

**Conclusion**

As this paper demonstrated, there are several reasons why the United States looks different from Australia when it comes to gun legislation and, as a consequence, mass shootings and deaths from firearms. Although the NRA is the most important variable, its power and success are shaped by ideas, historical factors and circumstances that are unique to the United States. The strength of the NRA lies with its effective use of symbolism, and connecting gun ownership to the freedom of its constituents. It expertly wields self-defense arguments as well as the second amendment to strengthen its hardline positions. Additionally, the majority of academic literature on guns in America inherently support the NRA’s position by endorsing the view that firearm ownership has been widespread and necessary since the earliest days of colonial America. With these factors in mind, how history, ideas and symbols create powerful institutions, it is easier to understand the NRA’s influence and how it has been able to prevent action on the part of the American government in response to mass shootings. The lack of response to incidents as heinous as Sandy Hook or Parkland becomes simpler to understand. One would be hard-pressed to find another interest group with as much influence as the gun lobby. Regardless, the NRA stands as one of the most powerful lobbying organizations in American history, and despite sometimes going against the will of its constituents, it still

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can – and does – put immense pressure upon lawmakers to prevent gun control measures from passing.

Conversely, the absence of these factors in Australian society discouraged the creation of a powerful gun lobby and allowed the Howard government, and the Australian people, to enact the world’s largest ever buyback program of firearms, and vastly reduce the number of eligible gun owners in their country. Australian gun lobbyists were weak in the face of public outrage following Port Arthur. The arguments in favor of gun ownership that cited self-defense were struck down, and the Australian government does not guarantee private possession through a right to bear arms. Since the Howard administration’s reforms, there have been no mass shootings, the rate of firearm usage in murders has dwindled and the homicide rate itself has generally decreased. Across the world, the United States has continued to experience mass shooting after mass shooting. The terrifying reality is that these shootings are losing their shock factor – they are becoming the norm. Once they become the norm, it will be even more difficult to implement any effective laws to curb gun violence.

The history and culture that developed in the United States encouraged a thriving gun culture – the academic literature we have examined reflects this. The NRA in its original form – that of a sporting and safety organization – is the embodiment of this gun culture that grew throughout American history. The critical juncture that occurred in the 1970’s due to Carter’s coup caused a massive shift in the philosophy of the NRA, and thereby changed the political landscape regarding gun legislation in the United States. In contrast to Australia, whose modern gun lobby was weaker and less organized following Port Arthur, the NRA is a political leviathan. It exhibits its ability to influence politicians,
particularly Republicans, whenever gun control bills are proposed in legislative bodies, and it attempts to strike them down wherever they surface. After every mass shooting, most recently the Parkland incident, gun control supporters rally with gun violence survivors in hopes of implementing new reforms to curb both firearm deaths and mass shootings themselves. Yet after each of these events, the NRA has been largely able to stymy these efforts at reform.

Thoughts and prayers are readily given to the victims of mass shootings. Yet thoughts and prayers can do little to disrupt the cycle of firearm violence and mass shootings that afflict our nation. As a country are we destined to be plagued by these horrible events forever? Unequivocally, I argue no. Despite the power of the NRA, there are individuals and organizations working towards a less violent future for America. Equally, there is nothing stopping the NRA from experiencing a second shift in philosophy – one that could turn it back to a more moderate path. As we witnessed earlier, the overall levels of violence in America have been largely declining in the past two decades. With these factors in mind, I am optimistic about the future of gun safety in America – things are changing, if slowly.

Could the United States apply the Australian model of gun reform that they implemented in the wake of Port Arthur? A direct copy of their policies, such as the buyback program and destruction of weapons, is not likely to be effective in the United States – nor would it be possible. The sheer quantity of firearms in America would likely make such a move costly and highly inefficient.

In terms of policy recommendations that the American government could implement to help lessen firearm violence and mass shootings, I would recommend at
least two things which I believe are fair to both gun owners and citizens who do not own firearms. I would favor the implementation of universal background checks when purchasing any type of firearm at any location (fairs, exhibits, etc.) and the establishment of national gun database for purposes of statistical collection. While these policies are insufficient to completely stop firearm violence, they lay a necessary foundation for future reforms such as bans on specific types of weaponry or technologies. Perhaps it is comforting to gun owners who may be concerned about losing their rights that the NRA was supportive of moderate and reasonable gun reform, such as the policies I suggest, throughout the vast majority of its history.

The modern gun debate reflects the divisive nature of American politics. At their most basic level, there is a lack of trust between gun control supporters and gun ownership advocates. Gun owners must recognize that reasonable levels of control are necessary to ensure public safety, and they must also be reminded that they will never be fully disarmed. On the other hand, gun control supporters must let go of the notion that all guns must be confiscated in order to be safe – not only is that untrue, it is also impossible to implement such a policy in the modern United States. Even if their political representatives or private interest groups fail to recognize it, both gun control supporters and gun ownership advocates must remember that compromise is the name of the game.

Given the importance of this topic, there is always more research to be done regarding gun violence in the United States. Every mass shooting is an incident which should be prevented, how best to do that is not yet known. Further research is needed to extract the necessary policies to do so. Additionally, the statistics on homicides, on gun ownership, on incidents where a violent crime is averted because of a law-abiding firearm
owner, and other gun-related variables are all difficult to come by, and not entirely clear when they are found. These numbers need refining in order to help policymakers effectively create legislation to combat firearm violence.
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Uniform Crime Reporting Statistics - Expanded Homicide Data Table 4


