

Pros and Cons of Gun Control Essay

In this essay, historical background of American “gun culture” and existing political and social visions concerning ownership of firearms will be presented. Much attention will be paid to the Second Amendment to the Constitution, as there are different visions on its application to individual and collective rights of gun use and ownership. Also, all negative and positive consequences of strengthening of firearm laws will be stated. The essay tries to evaluate existing governmental policy and social problems in order to form comprehensive vision on existing problem. In addition, some propositions for solving existing problem of strengthening gun control will be presented. These propositions will be directed on stricter psychological control of gun owners and improvement of existing gun education strategies.

Historical background

Through the history, the US nation was a nation that had “gun culture” (Hofstadter). Guns were actively used for hunting and shooting. In the times when the USA was an agrarian country, people obtained food by using firearms. They also defeated themselves from carnivorous animals, such as wolfs and bears. Nowadays hunting remains one of the main elements of American culture. It also helps to control animal population (Spitzer). Also, guns were actively used during the American Civil War and the World War II. People protected themselves and their families from enemies. Through the American history, guns have been used for self-protection against criminals. However, nowadays the “gun culture” is actively proclaimed in movies, books, music, and television.

Support and opposition to gun control

Guns remain popular in the USA. According to the official statistics, 34 % of adults (46 % of men and 23 % of women) personally owned a gun in 2011 (Saad). However, the twenty-first century brings different visions on gun control from the side of government.

In the recent years, considerable political debates concerning availability and restriction of firearms in the USA took place. Some politicians and organizations insisted on governmental strengthening over gun control for reducing the amount of crimes, while the others stated right to bear arms according to the Second Amendment.

In the case District of Columbia v. Heller, the US State Supreme Court stated that the Second Amendment provides the citizens with personal right to have firearms “for traditionally lawful purposes, such as self-defense within home”. So the Court officially allows individuals to use firearms and supports its decision by the amendment to American Constitution. However, the politicians and common people still argue whether the Second Amendment is directed on protection of individual or collective rights (“District of Columbia v. Heller – Case Brief Summary”).

Among the most active supporters of milder of state and federal laws and regulations concerning firearms is the National Rifle Association (NRA). From the times of its foundation in 1871, NRA actively supports policy of private ownership of firearms. This association promotes hunting and self-defense training and firearm ownership. NRA fights against governmental determination of types of firearms which can be purchased. At the same time, this non-governmental agency supports the School Safety and Law Enforcement Improvement Act, which have made stricter requirements to checks of firearm ("The Brief History of the NRA").

Politicians have different opinions concerning governmental gun politics. Democrats support increasing of gun control, while republicans support increasing of individual rights to have firearm and decreasing governmental control.

However, governmental policy is greatly influenced by current events in the society. Mass shootings in the last years (the Sandy Hook Elementary School shooting; mass shootings performed by Wong Jiverly Antares, in Binghamton and James Eagan Holmes in Colorado) lead to official response from the side of President Administration. In 2013 Barak Obama stated his intends to strengthening of control over guns. The President stated the necessity of the background checks for firearm sales and making stricter requirement to obtaining access to guns ("What's in Obama's Gun Control Proposal").

The public supported President's initiatives. According to Huffington Post, 48 % of citizens stated that the firearm regulations should be stricter, when only 16 % of respondents stated that these regulations should be milder. At the same time, the bigger part of Americans (57 %) believes that future mass shootings could be prevented by more effective and efficient health care procedures (Swanson). So citizens consider that the main reason of existing mass shooting is in inadequateness of particular individuals.

Current regulation

Firearm ownership is regulated by federal and state laws in the USA. The federal government regulates procedures concerning background checks before firearm selling and dealers' recording of sold production ("An Overview of Gun Control in US, Canada, and Globally").

Each state has its own policy towards firearm laws and regulations. These policies are independent from the federal firearms laws and regulations. These regulations determine allowable type of firearm, procedures of purchasing process, and the purchase ammunition. States also have an ability to regulate such matters as licensing and registration of firearm owners and special restrictions of semi-automatic firearms and automatic firearms. The owners of the firearms should observe laws and regulations of the state where they stay in the current moment, but not of the state of their residence. This creates certain difficulties, as some states do not recognize firearm permits given in the other stated (Volkh).

Pros and cons of strengthening of firearm regulations

Cons visions

Firearms represent the means of killing people. According to the statistics, in 2011 firearm crimes composed 8 % of all violent crimes and 60 % of all homicides in the USA (National Institute of Justice). Therefore, stricter firearm laws and regulations most probably will reduce the amount of violent crimes and homicides.

Restricting of gun ownership will make firearms less available to terrorists and individuals who can perform mass shootings. Moreover, children and youth will not be able to receive guns.

The Second Amendment is also directed mostly on the National Guard and army forces (i.e. militia) for protection of all citizens but not on the individual purposes: "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" ("Pros and Cons of Gun Control").

Pros visions

Notwithstanding the official federal and state regulations, criminals will always find ways to obtain firearm, even when law-abiding citizens will face with considerable problems of self-defense if firearm laws and regulation will become stricter. Also, if federal and state requirements will be stricter, a considerable part of firearm sales will transfer to black market. Moreover, in the majority of the criminal cases which involve guns, the weapon was not legally registered or purchased. Usually firearms were stolen from registered manufacturers or owners ("Pros and Cons of Gun Control").

Hunting and sport shooting are very popular in the USA. This is the considerable part of the American "gun culture". So the government should not restrict firearm in order to support this culture.

Often crimes are prevented by the frightening possibility that victim will also have a firearm. Especially this concerns weak citizens (women, old people, and weak persons) who cannot protect themselves by physical power. If firearm will be accessible only for criminals, the lawful citizens will be helpless.

The Second Amendment of the Constitution protects not only collective rights but also individual rights. All the laws and regulations are created to protect people: "A chief aim of the Constitution as drafted by the Convention was to create a government with enough power to act on a national level, but without so much power that fundamental rights would be at risk" (The Constitution). However, existing courts have another point of view: "... nine federal appeals courts around the nation have adopted the collective rights view, opposing the notion that the amendment protects individual gun rights. The only exceptions are the Fifth Circuit in New Orlean and the District of Columbia Circuit" (Liptak).

The main point that protects existing policy of allowable firearm is that guns do not kill people. People are killed by the other people who use firearms.

Proposition

Crimes and violations can be reduced by stricter psychological control of firearm owners and improvement of gun educational methodologies. Federal and state regulations could be directed on ensuring that firearm owners use their guns only for self-protection or for hunting. If the person does not intend to use his/her weapon against other individuals for criminal purposes, this person should be allowed to own a firearm. Most probably, the current problem of criminalization of the USA society concerns deep challenges of existing morality and values, but not laws and regulations concerning firearm ownership.

CONCLUSION

American nation is a “gun nation”. Using guns for defense was formed historically, and it could not be withdrawn from American behavior. Various federal and state laws and regulations constraint gun owners and their ability to purchase and use firearms. These constrictions aim to protect people. However, guns are just the means of killing. Guns do not kill people. People pull the trigger. So if government wants to reduce crimes, it should not totally prohibit use of guns. Federal and state strategies can be directed on increasing of psychological control over gun owners and improvement of gun education.

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