

Chapter 12

In Harm's Way in America: The Burden of Gun Violence

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Introduction

Gun violence in the USA annually accounts for vast suffering and death, yet many of us have become so habituated to it that we fail to grasp its scale or impact. It takes a heavy toll on American children, especially children in America's inner cities. While its direct carnage is quite massive, its indirect impacts are quite pervasive as well. We, as a society, suffer decade after decade by failing to understand the range of impacts of our national policies of open firearm access that allow a spread of handguns and other firearms to proliferate across homes and communities throughout our country (Garbarino, 1999; Kopel, 1995; Prothrow-Smith, 1991). We lead the developed nations of the world in firearm homicides, and our children, families, and society at large pays a heavy price (Cook & Ludwig, 2000). In 1998, the City of Chicago, for example, in a lawsuit against some gun manufacturers and gun store operators sought to recover monies that the city incurred in 4 years of police, medical, and other municipal expenses required for addressing firearm violence. The costs borne by the city and its taxpayers were estimated at \$433 million (Butterfield, 1998, 2002).

We are presented by the gun lobby with a seemingly coherent but deeply distorting picture of the role of guns in our communities and our homes, and because of the immense political power of the National Rifle Association and the rest of the gun lobby, decade after decade, we fail to have a sustained national engagement with the true costs and scale of the carnage wrought by our present gun access policies. We thus fail, decade after decade, to implement gun control policies and other measures that might reduce the annual suffering of children, families, and communities caused by firearm violence.

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Guns are symbolically and culturally freighted with meaning and laden with fundamental notions about our identity as individuals, communities, and about our nation as a whole. Obviously, gun violence discussions in the last 40 years have become deeply politicized. Gun control has been a central point of contestation in the so-called *culture wars* (Frank, 2004). These “wars” have obviously been pushed for political gain in both local and national elections. The Democratic Party has tended to be for more stringent gun control, especially handgun control measures while the Republican Party has tended to align itself with the National Rifle Association’s condemnation of gun control.

The Democratic Party under President Clinton made gun control a priority, but since then the Democratic Party has reduced its prioritization of focus on gun violence and the need for more robust gun control and violence prevention measures. There may be two major reasons for this. First, the good news is that homicide numbers in general, and firearm homicide numbers in particular, rose across the late 1980s and early 1990s to an alarming peak in 1993. Since then the USA has seen a significant dropping off of homicide and firearm homicide numbers. The bad news is that while we have dropped from the peak in 1993 of 17,048 firearm homicides, our 2006 level of 11,566 remains a lot of human carnage: Traumatized families, ripped communities, lost dreams, and fear (USDOJ, 2009). Second, it seems that the Democrats have calculated that Al Gore may well have lost the Presidency to George Bush over gun rights concerns in West Virginia and Tennessee that pushed enough voters to flip those states to the Republican candidate. Democrats have clearly backed away from making gun violence a top priority since then, and it is likely that they have calculated that it is simply too costly politically. Accordingly, the national discussion about gun violence has diminished as both the Republican and the Democratic Parties have decided to turn attention to other issues. But significant carnage, family suffering, and societal impact continues even if the national political discussion has by and large moved on.

In what follows, I suggest that we can begin to grasp the diffuse trauma and tragedy of America’s annual pageantry of gun violence when we compare its scale with that of the casualties of the 9/11 terrorist attacks. This process of comparison allows us to open our eyes to the scale of damage and begin to test out the possibility that our domestic gun violence deserves to be recognized as a genuine national security priority. Discussions of WMD – weapons of mass destruction – are housed typically in International Studies, Strategic Theory, and War and Peace discussions. I want to appropriate this term and suggest that it is an apt description for our national scale of firearms violence wrought by the proliferation of small arms across our society. If it is wise to worry about nuclear proliferation, it is similarly wise to worry about small arms proliferation. Both can kill – and in great numbers. Similarly, I aim to use distinctive categories from Just War Theory – namely, collateral damage – to illuminate how both intentional gun violence and indeed mere gun ownership take one into the terrain of explicit moral responsibility. Simple gun ownership requires a high level of vigilance to prevent alternative uses for a gun initially purchased with the intention of its use in target practice or hunting.

I will examine the societal debates about gun violence and gun control. Specifically, I will show how the general descriptions of the main dynamics shaping America's gun violence that are repeated, decade after decade, by the National Rifle Association, and the rest of America's gun lobby are deeply flawed. And because these descriptions misdiagnose the problems so markedly, they are used to justify deeply inadequate public policies meant to preserve easy public access to guns. I will conclude by examining how debates about gun violence and gun control are so heated in part because they sit squarely on the key ideological divide between the affirmation of the value of individual rights and the affirmation of the priority of the common good. Our "culture wars" are mobilized often for political purposes, and the center of these "wars" often is the charged debate between individualist and communitarian philosophical emphases. Where many worry intensely about infringing on "gun rights," I note that the English medieval right to bear arms develops out of a core affirmation of the need to defend the common good and well-being of the community. If *rights* are an important moral lens, so too is an affirmation of the centrality of the common good. And surely, discussions of *gun rights* cannot be allowed to blind us, decade after decade, to the rights of children and families to have a healthy environment. Defense of the well-being of the community in the late middle ages may well have justified the requirement that able-bodied people bear arms so as to be able to help protect the community. But today, the need for community protection may well require not so much the bearing of arms as the restraining of the proliferation of arms.

Gun Violence as Mere Local News

Different frameworks for understanding concentrate our attention on various features of reality and block attention to other features. They shape the world that we attend to and extend concern about. It has long been difficult for our society to grasp the scale of our national gun violence because of the way it tends to present itself in discrete episodes of carnage with one, two, or three dead spread in seemingly disconnected events of tragedy flung across time and the expanse of our country. Such events are typically ugly – 7/11 Store holdups gone awry; crazed lover kills beloved; drunken shoot out at local bar; back alley assaults, and, of course, gang shootings. These stories have repeated themselves across the decades and across our land and regularly receive short-lived media notice as tragic but local news items. Such episodes numb us with their frequency and mechanical repetition. Not surprisingly, this repetitiveness of the local news stories of gun violence leads over time to a sense that gun violence is simply a sad but fixed part of the fabric of American life. In this way, huge scales of violence become "normalized," and we as a society become accustomed to these sad stories as simply given features of life and not patterns that can and should be engaged and changed.

Episodic Attention then Business as Usual

But over the years, the country has witnessed shocking cases where the gun casualties are so numerous that national media attention is drawn and sustained. Gun fire that brings down ones and twos does not break into national attention. But the Columbine High School shootings in Littleton Colorado in May 1999 and other large-scale spectacular events of gun violence since then do change the equation and break into the national news cycle. At Columbine, two white suburban high school students shot and killed 12 of their school mates and a teacher before shooting themselves. Thirteen victims and two perpetrators were dead (Gibbs, 1999).

While national attention focuses on the unusual event of the largely white suburban high school mass shooting, no media outlet seemed interested in the story that Chicago, for example, was doing only slightly less than the equivalent of a Columbine High School scale massacre each week. While Columbine got the headlines, Chicago, LA, New York, Detroit, and the rest had their normal flow of gun fire and family suffering and tearful funerals go by with only local notice and little national attention. When urban center violence is “normalized” in the national mind, people tune out – it is so ugly and depressing after all. Only gun violence episodes that break the expected norm or pattern trigger national media attention and hence prompt a national focus and discussion (Trout, 2009).

After Columbine, we have seen that a regular procession of high profile cases of mass shootings have commanded – even if fleetingly – national media attention. On March 21, 2005 at the Red Lake High School Indian Reservation in Minnesota, a student went on a rampage and shot and killed ten of his classmates and grandparents. On April 16, 2007, we had the deadliest shooting rampage in American history at Virginia Tech in Blacksburg, Va. An emotionally imbalanced student shot and killed 32 people before killing himself. And again, we have the recent shooting at Northern Illinois University on February 15, 2008 where Stephen Kazmierczak shot and killed six people (Herbert, 2009).

While these larger episodes of gun violence slaughter do capture the national news stage briefly, almost no policy change has developed from these new occasions of national exposure. While the shock over the Columbine High School killings triggered a sustained national discussion about gun issues, since then each episode of mass gun violence seems to register less and less of a national impact. We, as a nation, appear to be growing accustomed now even to these episodic large events of firearms carnage.

The Asymmetry of Moral and Strategic Concern: Gun Carnage and the Drama of 9/11

A key problem with American gun violence is that it presents no immediately clear grand narrative or frame by which we can cognitively gather all of its distinct episodes of carnage into a meaningful whole that captures and holds our national attention,

moves us to tears, pushes us to grasp, and engages the scale of the problem. It is instructive to compare our country's robust reaction to the 9/11 attacks to our country's easy conscience, decade after decade, regarding far greater levels of carnage wrought annually by home grown firearm violence.

The 9/11 attacks fixated the world's attention in good part because the carnage was so intensely concentrated in remarkably potent visuals of an identifiable "ground zero." The compactness of the drama of the 9/11 carnage intensified the concentration of moral attention and national feeling. In contrast, the relative diffuseness of our numerous but small scale gun violence events – scattered here and there across the land – obscures our moral attention to the scale of firearm casualties. Even casualty levels of ones and twos repeated enough can rise to massive numbers. And any weapon, like the handgun, that across a year and across our land can generate such numbers deserves to be understood as a "weapon of mass destruction." WMD needs to be recognized not just as an appropriate term used to describe the nuclear, biological or chemical weapons of foreign military or terrorist threats. WMD can, I believe, be appropriately applied to help name rightly the true scale of our domestic gun violence casualties. Weapons proliferation is dangerous whether it is in the international sphere or within our national borders. We should have dual concern about both nuclear proliferation and local handgun proliferation. In my childhood, our elementary school ran "duck and cover" drills in case of nuclear attack. We lived 20 miles northwest of Washington, DC, so we were a bit sensitized to the threats posed in the Cold War. Today, my children's elementary school runs *lock down* drills in case of crazed gun assaults. Nuclear weapons and small arms may differ markedly, but both constitute a real intrusive threat into the lives of children and into America's communities.

Indeed in the last few years, there has been growing recognition that America's policies of relatively easy gun access are allowing Mexican drug cartels to arm themselves with weapons smuggled in from our country. As the *New York Times* (2009) has recently reported, Mexico in 2008 suffered from 6,200 drug-related murders, a doubling from the previous year. A report to Congress holds that over 90% of the guns that were recovered in Mexican drug violence cases across the last 3 years were initially sold by American gun dealers, gun shops, and gun shows primarily in Texas, California, and Arizona (McKinley, 2009). Mexican leaders are now calling for our country to impose stricter gun regulation. It seems that the cost of America's gun policies is no longer just the fact that American citizens – like our soldiers in Iraq and Afghanistan – are being asked daily to walk in "harm's way." Indeed, our national policies would now seem to impose a burden on Mexican citizens asking them also to walk in "harm's way" as well (Renner, 1997). This means that to grasp the true scale of the US firearm violence, we should be incorporating the Mexican data of its dead who have died due, in significant part, to the US gun sales.

Another element of 9/11's remarkable drama lay in how the attacks came from foreign sources. This immediately cast the events as the rarest of events – an attack on America's mainland – our *homeland* – sheer *terrorism*. The 9/11 attacks were immediately grasped as of utmost importance, the true stuff of war, but by contrast,

our homegrown patterns of gun violence appear as rather boring, politically meaningless and common, deeply ugly, and mere criminal justice matters: The stuff for police chiefs, social workers, and maybe mayors to worry about, but not Presidents and international leaders (Hedges, 2003).

Given the horrific drama of the terrorist threat, the scale of our national resolve to address that threat came as no surprise. We developed a Department of Homeland Security, vastly upgraded airport security, changed our foreign policy, spent untold vast sums on a war in Afghanistan to take down the Taliban government that had allowed Al-Qaeda to operate, and later on a more controversial war on Iraq, ostensibly to prevent Saddam Hussein from giving weapons of mass destruction to terrorist organizations. One may well disagree with the direction of our nation's actions in response to 9/11, but one cannot deny that the nation responded vigorously to the murder of 3,000 and the potential threat of more murder to come (Hoge & Rose, 2005).

What is so remarkable is the contrasting lack of any robust and sustained national outcry against the far greater home grown firearm carnage that killed far more Americans in 2001 than did any foreign terrorists. In 2001, 11,671 Americans were killed in firearm homicides and that prompted little sustained national discussion (USDOJ, 2009). The nation felt compelled to provide significant financial compensation to help ease the horrific suffering of the families of the victims of 9/11. But no such national financial generosity has ever been forthcoming to help ease the trauma and the loss experienced by the far greater number of families devastated each year by the loss of loved ones due to home-grown firearm violence. Why is the former class of families deemed more deserving of help than the latter? Why is the latter class of families' suffering and loss deemed less deserving somehow of national concern and national response? If we are going to have a Department of Homeland Security, then it would seem that it should extend its reach beyond protection against foreign terrorists. We get security briefings in America's airports, but many of our urban center neighborhoods need such briefings just as much. For our "homeland" communities to be genuinely secure, we need policies designed to reduce the casualty flows that occur from homegrown threats employing firearms.

A Gathering of Diffuse Ground Zeros': Chicago's Vigil Against Violence

The catastrophe of 9/11 with its delimited duration and sharply defined "ground zeros" concentrated the moral attention of the nation and people around the world intensely. By contrast, America's domestic gun violence tends to diffuse its mini-episodes of drama in far-flung tragic events seemingly unconnected one from the other and enjoying no overarching grand narrative of war or international threat to offer a frame of interpretation, focus, and meaning. It thus requires greater intentionality and imagination to intellectually gather together the annual impact of American firearm violence. To achieve

this focus in the case of gun violence is a distinct moral achievement requiring a communal effort and aided on occasion by public rituals of mourning.

Years ago, I was privileged to join in one such community-based attempt to gather in the broad impact of gun violence welling up across a year in a fixed geographical zone – the Southside of Chicago. I taught for a year in Willibrord Catholic High School on Chicago's Southside at 115th Street in Roseland and lived in Chicago's Hyde Park neighborhood for a number of years as I worked on my doctorate at the University of Chicago. I heard about a group of Southside religious and civic leaders who started a memorial service held in the evening of the first Sunday of every month to remember and mourn those of the Southside murdered that year. They gathered at 35th and State in the shadows of the Stateway Gardens Public Housing Complex. Led by Rev. Susan Johnson, people gathered to hold onto the memory of loved ones, to sing and pray, to be comforted and to try to heal. Each service included a reading of the names of the South Side's murdered dead for that year. The slate was washed clean on the New Year so that January's list was short. I attended the May 31, 1995 gathering and the build-up of the list included 150 dead. The names were read as the evening darkened and our candles glowed brightly.

I returned on the New Year's Eve – December 31, 1995. America's gun violence was in the tail end of its highest carnage years. I will not forget that evening. We who gathered – black, white, Hispanic, poor, middle class, and many police officers – prayed, sang, and shivered in the gathering cold and dark. I and most others had tears in our eyes. We read the names of the Southside's murder victims for the year. I stood in line to read my list of 11 names – Gregory McWilliams, William Stewart, Norma Wade, Yvette Fleming, and the rest – may God rest their souls and heal their families. The list went on and on as we stamped freezing feet. We – a band of maybe 150 of the living – tried to hold onto the memory of the 407 who were murdered in the Southside of Chicago that year (Kalven, 2002; Terry, 2007). Statistics are one thing, but names catch in the throat (Trout, 2009). A country that too quickly forgets its episodes of violence and its dead would do well to develop more of these public rituals that gather the community and require a pause and an acknowledgment of pain and loss and connections severed. If we had more such community-wide civic rituals of remembrance and mourning, perhaps we as a national community would over years be able to grasp the price we pay for policies of easy gun access and inattention to gun violence patterns.

Guns Impact on Children: Leading Causes of Death

Gun violence has an immense impact on the lives of children in the USA in direct and indirect ways (Fingerhut & Christoffel, 2002; Friedman, 2006; Garbarino, Bradshaw, & Vorrasi, 2002). Many children each year are killed or injured by gunfire. Likewise, high rates of gun violence mean that too often the adults – the

parents, uncles, aunts, and other caregivers – upon whom children depend are themselves killed or injured. The ripple effects of firearms possession and use ebb widely.

According to the Centers for Disease Control and Prevention (CDC hereafter) in 2005, homicide was the second leading cause of death of children up to and including the age of 19. It accounted for 11.1% of all deaths and of homicide deaths 70.4% were firearm homicides. The leading cause of death was unintentional injury, but this category includes 172 accidental firearm deaths. The fourth leading cause of death was suicide, and of these suicides 43% were the result of gunshots. Gun violence thus plays a major role in three of the four leading causes of death (Bergen, Chen, Warner, & Fingerhut, 2007; CDC, 2005, 2009).

For the cohort between 10 and 19, unintentional injury remained the leading cause of death, followed by homicide is second and suicide is third. 1.7% of unintentional injury deaths were due to firearm accidents. Homicides accounted for 13% of all deaths and of those remarkably 82% were firearm homicides. Suicides, the third leading cause of death, accounted for 10.8% of total deaths and of suicides 43.7% occurred through the use of a gun. If you break out the data for 10–19-year-old white females, suicide is the third leading cause of death and homicide drops to fourth. For white males, 10–19, suicide is number two and homicide is number three. For black females, homicide is number two and suicide is sixth. For black males aged 10–19, homicide is the first place leading cause of death comprising 40% of total deaths (CDC, 2009).

Gender and Racial Differentiates in Homicide Victim Rates: Our National Shame

In 2005, 798 of homicide victims were under age 14, 827 were between the ages of 14–17, 4,329 were between the ages of 18–24, 4,389 were between 25 and 34 (USDOJ, 2007b). Most very young homicide victims are killed without the use of a gun. By age 6, however, 34% are killed with the use of a gun, and by age 12, 54% of homicide victims are dying by gunfire. Between the ages of 15 and 20, roughly 75% of homicide victims are killed by gunfire (USDOJ, 2007g).

According to Centers of Disease Control figures, in 2005, 126 children, aged 12 or under, were killed in firearm homicides – 77 boys and 49 girls; 42 of these kids were white boys, 34 were black boys, 27 were white girls, and 18 were black girls. The average firearm homicide rate per 100,000 of this age group stood at 0.24 (Bergen et al., 2007).

Older children – teenagers – fared much worse. That year saw 1,846 young people, aged 13–19, killed in firearm homicides for a death rate of 6.24. Strikingly, 987 were black male teens, and 626 were white male teens. The firearm homicide death rate per 100,000 for black males in this age cohort (2,448,239 in total) stood at 40.31. The death rate for white boys in this age group (11,827,582 in total) stood at 5.29. Firearm homicides among black female teens stood at 84 (total 2,381,094)

for a homicide death rate per 100,000 of 3.53. For white female teens, there were 87 firearm homicides (11,196,667 in total) for a homicide death rate of 0.78 (Bergen et al., 2007; Zimring & Hawkins, 1999).

The next age grouping – ages 20–30 – exhibits even more glaringly, the horrific carnage being borne by the African American community due to firearm violence. The total firearm homicide death rate per 100,000 for this age cohort in 2005 stood at 11.91. The homicide death rate for white females stood at 1.54, and for black females it jumps to 6.97. For white males, it was 8.77 while for black males it soars to 95.53. Black men in this age group are almost 11 times more likely to be murdered with a gun than white men and 13 times more likely to be so murdered than black women (Bergen et al., 2007).

Is not this a searing hole in America's heart? America, of course, cannot forget the carnage scale of 9/11. But we as a society need to clutch other ranges of pain and suffering close to our hearts too. Just in 2005 alone, 1,972 of American kids died in firearm homicides. That is roughly 2/3rd of the casualties of the 9/11 attacks. In 2005 alone, the firearm homicide death toll among black men aged 20–30 was slightly higher than the 9/11 loss of life (Bergen et al., 2007).

How can one not feel ashamed that these casualty flows do not seem to concentrate our nation's attention? What kind of country has our country become? Have we no compassion or moral vision or seriousness left?

Gun Violence Data: Grasping the Scale of the Problem

The good news is that the US homicides have dropped significantly from their peak in 1991 of 24,703 to 16,692 in 2005 (USDOJ, 2007c). The bad news is that this last figure is still a lot of dead people. Likewise, firearm homicides have dropped significantly from their peak of 17,048 in 1993 to 11,566 in 2006 (USDOJ, 2009). The Centers for Disease Control and Prevention gives slightly higher figures – 12,352 – for 2005 homicide firearm deaths (Kung, Hoyert, Xu, & Murphy, 2008; CDC, 2009a). The bad news is that either figure still constitutes a huge national hemorrhaging of blood with waves of suffering and trauma rippling out across too many families and communities. In 2006, sadly the total number of homicides went up slightly to stand at 17,034 with firearms serving as the lethal weapon in almost 68% of all homicides (USDOJ, 2009). In 2005, handguns were used in 8,478 homicides, with “other guns” – rifles or shotguns – being used in 2,868 homicides (USDOJ, 2007g).

The bulk of perpetrators of homicides are males and most victims of homicide are males. Across the years from 1976 to 2005, the offending rates for males were roughly eight times higher than those for females, and the victimization rates for males were roughly three times higher than those rates for females. Across those years, males were the victims of homicide in 76.5% of the cases while female victims made up 23.5% of the victim pool. 88.8% of the homicides had a male perpetrator. In 2005, the homicide victimization rate per 100,000 stood at 9 for males and 2.3 for females with 13,122 males and 3,545 females killed (USDOJ, 2007e).

For the years 1976–2005, the “victimization rates for males were three times higher than the rates for females. The offending rates for males were eight times higher than the rates for females. Approximately one-third of murder victims and almost half the offenders are under the age of 25. For both victims and offenders, the rate per 100,000 peaks in the 18–24 year-old age group” (USDOJ, 2007f).

There are huge racial disparities in homicide victimization rates. In 2005, the victimization rate per 100,000 for whites was 3.3 while for blacks it tragically stood at 20.6, and for the class dubbed “other” it stood at 2.5. In terms of numbers of homicide victims, 2005 saw 8,017 whites murdered, 7,999 blacks murdered, and 437 others murdered (USDOJ, 2007h).

It is worth noting that across the years 1976–2005 most murders were intraracial. For example, 86% of white victims were killed by whites and 94% of black victims were killed by blacks (USDOJ, 2007h). In 2005, 44.6% of homicides consisted of a white offender and a white victim, 8.8% consisted of a black offender and a white victim, 3.2% consisted of a white offender and a black victim, and 42.2% consisted of a black offender and a black victim (USDOJ).

Gun Violence as a Leading Cause of Urban Communities’ Loss of Social Capital

William Julius Wilson’s magisterial sociological analyses *The Truly Disadvantaged* and *When Work Disappears* were heavily informed by his studies of Chicago’s Southside and Westside communities (Wilson, 1987). Wilson provides a detailed sociological understanding of the impact on many urban American areas like Chicago when heavy industry left and unemployment rates rose dramatically. Poverty increases coupled with increased availability of guns helped encourage increased crime rates, neighborhood decay, a loss of political clout, and commercial and industrial investment. In such regions, increasingly, families feel increased threat and loss of quality of life. Wilson analyzes the powerful dynamic of “out migration” from urban areas experiencing rising poverty and crime rates. It, he argues, has never been just so-called *White flight* to the safer and better off suburbs, but a generalized middle class and lower middle class flight of all racial groups – of Black families, Hispanic families, and Asian families, as well.

Such *outmigration* of the middle and working classes, Wilson argues, increases the “concentration of poverty” in various districts and cuts their political clout, civic and economic vitality, tax base, and city services. Increased crime rates render such neighborhoods unattractive to commercial or industrial reinvestment, and this sustains high patterns of unemployment and consequent poverty and hopelessness. Gun violence, I would argue, has been historically a key factor in this dynamic of outmigration – of middle-class flight – and a key obstacle in luring companies, stores, and developers to reinvest in – and middle-class families to relocate in – hard hit urban communities.

While urban gun violence patterns are but one factor among a wide number that have encouraged the growth of America's suburban areas and the depopulation of many of our urban districts, still it is a significant element in families' choices of outmigration. And once such outmigration occurs, the very geographical distancing of growing suburban populations seems to go hand in hand over the decades with an emotional distancing from the realities and scale of urban firearm violence. What impacts on 'those people' is not really my problem. Over time, too many Americans seem to have accustomed ourselves with a notion that high firearm violence and wide-spread family suffering is a sad, but normal and indeed inevitable feature of everyday life in many inner-city districts.

The Gun Lobby's Account of Our Gun Violence Problem

The National Rifle Association and the rest of the gun lobby have put forth, over the last four decades, a sustained picture of our gun problem, but it is a picture that fails to attend to a range of important data and concerns. Thus, it distorts more than it illumines. They portray our society as sharply and rather rigidly divided between two key classes of people – law abiding citizens and criminals. The core problem of firearm violence is narrowed into a tightly circumscribed issue – the intentional use of guns for criminal purposes. Guns in the hands of ordinary citizens remain valorized as a potent social good – providing opportunities for wholesome sports-like target shooting that can engage the entire family or hunting that can link people to the great outdoors in all its majesty. And in learning the skills and practices of these sports, kids can come to connect to deep elements of America's historic past. Thus, guns, hunting, and target shooting are said to support "family values" and patriotic values (Burbick, 2006; Sugarmann, 1992).

Indeed the intensity of the concentration on the criminal use of guns grounds another potent argument why ordinary citizens deserve open access to firearms. The emphasis on the criminal threat of gun violence to one's home or person grounds the argument that citizens and households need armed defense against potential armed attack. Guns are said to offer prudent parents and individual citizens some deterrent protection against home invasion and assault. This concern for personal and home defense against hostile strangers has been the gun lobby's rationale for pushing state legislatures' to pass "right to carry laws" allowing citizens to carry concealed handguns. It has also been the core appeal of many handgun companies in trying to increase sales to women – by marketing smaller handguns designed to fit into a purse (Sugarmann & Rand, 1994).

So the overall policy agenda the gun lobby advocates is one where guns are to be kept maximally accessible to "law abiding citizens" but significantly restricted against the criminal element. This simultaneous valorization of open access and strict restriction leads to the gun lobby pushing for policies that would require immediate identification and background checks so that gun sales at gun shows can be processed immediately. One would not want a stand up American citizen to have

to wait 2 weeks to get their gun. Strict background checks at the point of gun sales are to be used to prevent guns from falling into the hands of “criminals,” or the insane or children. The gun lobby pushes consistently for both maximally broad access to gun purchases for most citizens and for strict prosecution of criminal use of firearms. Hence, we have the logic enshrined in the NRA’s famous slogans – “Guns Don’t Kill People. People Kill People,” “If Guns Are Outlawed, then Only Outlaws Will Have Guns,” and the more edgy “An Armed Society is A Polite Society.” But it is important to remember some of the rejoinders. One is: “Guns Don’t Kill People, People Kill People, but They Do It with Guns.”

The Gun Lobby’s Blind Spots: Firearm Suicides and Data on Homicide Perpetrators

The gun lobby’s interpretation is fundamentally flawed, in that it ignores two massive realities at the core of American firearm violence. The gun lobby’s obsession with criminal use of guns by hostile strangers leads them to ignore the massive impact on America’s families and communities of firearm suicides and the fact that in the vast majority of firearm homicides, the perpetrators are not hostile strangers but rather family members, friends, or acquaintances. It seems that the strict line so emphasized by the gun lobby between “law abiding citizens” and “criminals” understood always as “hostile strangers” is a fiction.

Because the NRA and the rest of the lobby concentrate their attention so tightly on the threat posed by violence from hostile strangers, the suffering that is borne into American homes and communities by vast numbers of firearm suicides is systematically ignored because it does not fit the category of crime. However, public health and medical professionals because of their broader concern for overall societal health, pay equal concern for both firearm homicide data, and firearm suicide trends. Both suicides and homicides kill and maim and spread widening ripples of suffering and trauma. Both threaten children and families and both bring unnecessary suffering into American’s homes and communities and high costs to the treasuries of cities and states (Hemenway, 2004).

Conveniently lost in this view of the problem is any serious moral wrestling with the suffering caused by the US firearm suicides, which annually have long surpassed firearm homicide numbers. While the rates of firearm homicide are tragic enough, we get a truer picture of the scale of gun violence in America when we add the rates of firearm deaths by suicide and accidental shooting. The suicide of someone else may pose no direct threat to our security, but the pain of loss to the suicide victim’s family and friends can be as devastating as if the victim had been murdered. Families, schools, and communities lose loved ones through firearm homicides, suicides, and accidents, and there are strong moral and public policy reasons to try to reduce the victim rates wherever we can.

In 2005, there were 17,002 firearm suicides cases in the USA (out of a total 32,637 suicides). So roughly 52% of suicides are with the use of a gun. It is estimated

that the ingestion of drugs or poison are involved in 70% of all nonfatal suicide attempts, but less than 12% of successful suicides. By comparison, one study suggests that over 90% of suicide attempts using guns prove lethal (Kung et al., 2008).

A second major inadequacy of the gun lobby's understanding of gun violence lies in its sustained emphasis on the threat from "hostile strangers." This concern has potent emotional force. For example, in the NRA's flagship monthly magazine *The American Rifleman* readers over the years are exposed regularly to a column "The Armed Citizen." It describes in detail the cases of personal assault or threat and the cases of home invasion where an individual or homeowner uses a gun to deter the attack. But this portrayal should not blind us to the criminological data that holds that the primary threat in firearm violence is from a family member, friend, or acquaintance, who when drunk or enraged by an argument, grabs a gun. Much rides on whether we attend to this data or ignore it. The gun lobby in choosing to ignore it holds that law abiding citizens rightfully feeling threatened by potentially hostile and criminal strangers should protect themselves by getting a firearm for home or personal protection. Thus, they advocate bringing a gun into the home or onto one person as a positive safety choice, an insurance policy to help deter, or defend against hostile attack.

But the best criminological data shows that hostile strangers are not the main threat in firearm homicides. The data makes clear that by bringing firearms into the home, one is simply making these guns more available and on call possibly for that tragic day in the future when a family member, a friend, or acquaintance visiting – perhaps drinking too much or perhaps in a fit of anger – grabs what is readily present and shoots. Whereas the gun lobby views the classification of people as somehow ontologically set as "law abiding citizens" or "criminals," the real stuff of life is more messy and fluid. We need not go back to the Genesis account where Cain kills his brother Abel out of jealousy to recognize that brothers kill brothers, and friendships can twist and that real people when drunk or stoned can do things that are out of character. With regularity, those with no criminal infraction record tragically cross the line. There is a first time for everything. Every criminal starts out as a "law abiding citizen." Zimring and Hawkins (1997) estimate that roughly 75% of gun homicides are committed by acquaintances, friends, or family.

It would seem that wide proliferation of guns into American homes does not promote family or community security, but distinctly enhances insecurity and mayhem and profound loss and suffering.

Guns and Consumer Product Safety

Almost all firearm suicides and accidents are by law-abiding citizens, and many firearm homicides are committed by individuals with no previous criminal record. Thus, the Violence Policy Center in Washington, DC argues that policies that allow wide availability of guns to "law-abiding" citizens while struggling to keep them out of the hands of criminals will accomplish little (Sugarmann & Rand, 1994).

While accepting the need for waiting periods for gun purchases, the Center doubts that this will reduce our domestic carnage.

Instead, along with a growing number of legislators, policy analysts, physicians' groups, and big city mayors, the Center wants to change the basic frame of interpretation about gun issues: From one centered in concern about violence by strangers to one that understands guns as "inherently dangerous consumer products," deserving strict public safety and regulatory oversight. This *consumer product safety* approach seeks to restrict the flood of firearms into homes and communities across the land.

The Consumer Product Safety Commission (CPSC), established by Congress in 1972, was granted regulatory oversight over almost all consumer products to insure their general safety, but Congress specifically exempted firearms and ammunition from regulatory coverage. Thus, no federal agency has the power to "ensure that firearms manufactured and sold are safe for their intended use" or "to prohibit the manufacture or sale of new firearms technology that poses a significant threat to public safety" (Sugarmann & Rand, 1994, p. 5). While the Bureau of Alcohol, Tobacco and Firearms (BATF) can regulate the sale and transfer of firearms and ammunition, it still suffers from significant underfunding and the hostility of the National Rifle Association (NRA) and many conservative members of Congress.

By focusing on guns as *inherently dangerous products* and threats to public safety, this movement calls for outright bans on certain weapons, greatly expanded waiting periods for gun purchases, limits on the number of gun purchases an individual may make in a month or year, requirements that guns be locked up away from children, and significantly higher registration fees for gun dealers. The Violence Policy Center, for example, would have Congress set bans on the manufacturing, sales, ownership, and transfers of assault weapons, handguns, and other especially hazardous firearms. Present handgun owners would be allowed to keep their weapons until death, when their survivors would have to turn the gun into law-enforcement officials. Shotguns and rifles for sport could still be sold and owned, but there would be greater federal regulatory powers to keep new developments in rifle and shotguns within safe limits and to extend the ban on assault-style rifles (Sugarmann & Rand, 1994).

Gun Ownership, Collateral Damage, and Hidden Externalities

The term "collateral damage" has been prominent in the recent years in American newspapers regarding stories about American bombers killing civilians while targeting military sites in our Wars in Iraq and in Afghanistan (Hedges & Al-Arian, 2008; Walzer, 1977). This terminology has deep traditional roots in the development across the centuries of the just war tradition, a tradition of moral reasoning that has strongly shaped the articulation in the last two centuries of the international rules of warfare. The core of this moral tradition holds that in war, it is morally permissible to target enemy soldiers but not permissible to target one's opponents'

civilians, their noncombatants. The intentional killing of civilians, this teaching holds, is quite simply “murder” – a war crime. However, unintentional killings of civilians in war – caused by bombing or shooting intended against enemy soldiers or other legitimate military targets but which goes wide of the mark – has long been distinguished from murder and dubbed collateral damage. Where murder of civilians in war has long been held as a grievous wrong and punishable as a war crime, “collateral damage” has been understood to refer to regrettable accidents, for which there is no direct moral or legal culpability, no court martial, military punishment or international condemnation.

This ethical distinction flows in good part from a tradition of reasoning in historic Roman Catholic ethics given prominent highlighting in the writings of Thomas Aquinas, where he notes that a single decision can lead to double effects, one intended and another unintended. This tradition long held that one bears direct moral responsibility for the range of one's intended effects, but not for one's unintended effects, dubbed side-effects. Such effects, like the stray bombing killing a civilian family, are classed as tragic and regrettable events, but finally true accidents for which no moral or legal culpability flows to the agent who released the bomb.

But in recent decades, this whole notion of giving collateral damage a moral pass as a pure accident has been strongly challenged. Further distinctions seem to be warranted because we accept in many other spheres of human action how direct moral responsibility is not tightly restricted solely to the class of directly intended effects but flows more broadly to include unintended but foreseeable harms that may flow from one's action. For example, a core area in medical malpractice cases is grounded in the notion that moral agents often deserve to be held directly morally and legally responsible for our unintended but still foreseeable impacts that damage others. The whole legal theory of negligence is based on holding that the sphere of direct moral responsibility, and hence potential culpability, is not restricted to just the range of intended outcomes, but also to the broader range of destructive outcomes that an agent should have been able to foresee and take due care to avoid.

I believe that the analysis of collateral damage in the ethics of combat offers an important lens for helping to focus attention on important aspects of America's annual pageantry of gun violence. The gun lobby's reductionistic polarization of law-abiding citizens and criminals cashes out in a stress on two classes of acts gun homicides and gun accidents. This directly parallels the similar distinction of murder and pure accident that the classic just war theory enshrined in its understanding of collateral damage. The NRA and the rest of the gun lobby tend to focus so intently on intentional firearm homicide, that all other impacts of the gun use like gun suicides get treated like mere collateral damage, regrettable, but inevitable events in which the gun purchaser or owner bears no negligence or responsibility. The gun lobby assumes an ability to grasp the complexity of gun use as bifurcated between the seemingly positive uses (home defense, sports-hunting, target shooting, and the satisfactions of collecting) and other negative criminal and destructive uses of guns.

When the key moral focus is placed so intensely on intentional choice in discrete acts of firearm homicide, then the complex moral terrain of responsibility surrounding

the decision to purchase a gun and bring it into a home or carry it on one person is allowed to remain in the shadows. The NRA and the gun lobby want the whole debate to be within the frame of criminal justice concerns – condemn criminal use and prosecute harshly. The public health perspective and the consumer product safety perspective, and that of big city mayors want to highlight not only the moral responsibility or irresponsibility involved in discrete decisions to pull the trigger, but also to reflect on the grave moral responsibilities involved in the decision to buy a gun and thus introduce that weapon into a home or an apartment.

We need to deconstruct the myth of control in the NRA's slogan: "Gun's don't kill people, people kill people." It distorts by suggesting that people's initial intentionality when they purchase a gun is clear and that they can sustain strict control over the built-in lethality of weapons across the decades. This view of guns suggests that the issue of moral and legal responsibility is engaged only at the intentionality of the point of actual purchase, the initially intended targeting and firing.

But important issues of moral and legal responsibility are raised for individuals when they decide to purchase guns and to bring them into a home and for cities, states, and national communities when they fail to develop adequate restrictions on gun sales. The fact that a gun can be put to multiple uses across its lifetime lies behind the growing movement to consider guns as inherently dangerous consumer products and public health threats. It suggests that we consider guns as analogous to land mines or bombs – artifacts whose lethality may slumber, but may later be triggered by persons other than the original purchaser or current owner (Winslow, 1997). Firearms, even if bought initially for the most peaceable and innocuous of reasons, e.g., target shooting – can still be used later by the owner or others to kill oneself or others.

If those who purchase lethal instruments bear a high burden of responsibility for even the collateral damage they cause, then those who use guns – to make profits, to have good salaries in Washington, DC lobby headquarters, to gain pleasure from sport, to gain feelings of security at home – bear responsibility when these lethal instruments are used later and often by others to cause destruction to self and others. Such tragic outcomes may well not have been intended, but they should have been foreseen.

The attempts a few years ago by cities to bring lawsuits against various gun manufacturers and sellers helped further an important societal conversation about the morality of guns. Many of the initial cases brought by major cities have been blocked in the courts, but at least these cases have prompted a discussion about *societal-borne*, but heretofore undiscussed costs due to gun violence (Butterfield, 1998, 2002). As with cases of environmental pollution and cigarette smoking, the sale and use of guns often imposes high social and economic costs on the general public – costs that the public – as neighbors, citizens, and taxpayers – has not volunteered to bear. Gun buyers and sellers have been allowed to pass the significant social and medical costs of gun ownership and use onto society at large, a society that has remained until quite recently generally unmindful of the massive scale of such impacts, these hidden externalities (Cook & Ludwig, 2000; Finkelstein, Corso, & Miller, 2006).

Guns as a Symbolic Center of the Culture Wars

The issues of gun control are so hotly contested because they lie near the center of America's "culture wars," straddling the philosophical fault line between strict individualism and communitarianism (Bellah et al., 1985). The National Rifle Association (NRA) draws deeply on America's historic emphasis on individual rights, especially the Second Amendment's guarantee of "the right of the people to keep and bear Arms."

The issues of firearm violence in America have been so reified across 30 years political clashes that many are extremely bored with the tired and predictable character of the arguments presented. For many people, gun rights, target practice, hunting, gun threats, and firearm homicide are felt deeply and are wrapped tightly to one's sense of identity and community. For the last 30 years, guns have served as a wedge issue between the two national parties. Democrats have been relatively more concerned to push gun control policies and Republicans more concerned to protect gun rights of individuals. Many in the gun rights camp stress that the 2nd Amendment that speaks of the right to keep and bear arms holds that this is the primary right because it is the concrete possession against a potentially tyrannical government that allows a community to actually engage in protecting all their other rights. Much of this cultural wars divide grows out of the tension between individualist models of society and more communitarian understandings (Gitlin, 1995; Wills, 1999).

Much of the volatility of the debates about guns in America arises, I believe, comes from the complex ways guns have been understood as related to the American identity. "Gun rights" are housed in the Bill of Rights in the 2nd Amendment. This, not surprisingly, has pushed for a popular framing of gun issues as an individual rights and liberty question about keeping open the access to gun purchases, gun sports, and guns for home and personal security. But while the emphasis in the USA falls on gun rights, the emphasis in the United Kingdom (from which we historically get our stress on gun rights) seems ironically to fall on our civic responsibilities.

Joyce Lee Malcolm (1994) is a historian who tracks out the development of the British right to bear arms upon which much of the American colonial thinking draws. Tellingly, she concludes that this "right" arises out of a historically deeper strand of English law and sensibility, namely, that which is concerned about civic responsibilities to protect the community of the town or village. Her research suggests that the English "right to bear arms" developed in the Middle Ages out of a communitarian emphasis on common civic responsibilities and interests in deterring criminals and in protecting one's family along with one's neighbors. Gun rights, that in contemporary America are pushed so stridently as a matter of individual liberty, it seems, developed from historic English affirmations of gun duties and responsibilities owed to the protection of one's entire community. She notes that an obligation of a *police duty* was imposed in the Middle Ages on able-bodied Englishmen and women to keep "watch and ward" duties of protecting the town or village.

This communal responsibility demanded that people be armed and ready to raise a “hue and cry” to warn the community of criminal action or attack. The key value was civic safety. The firearm was a means to affecting that goal, not a fetish and end all in itself that the contemporary American gun lobby has turned it into.

Both American gun laws and our constitutional interpretations about the meaning of the 2nd Amendment seem to be stalemated in our national conflict over individualist vs. communitarian understandings of our national project. We have a history of a defined right to bear arms articulated in the United States arising from a Medieval English communal stress on an obligation to render civic responsibility for the wellbeing of the neighborhood and town. Historically the United States Supreme Courts have focused on this 2nd Amendment “right to bear arms” and concluded that it does not affirm an individual right to own a gun, but rather a communal right that allows for greater restrictions to be imposed on individual’s access to gun ownership. The full wording of the 2nd Amendment reads: “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.”

The 1939 Supreme Court held in the case of *United States v. Miller* that the 2nd Amendment did not grant any individual right to gun ownership. It interpreted the Amendment’s preamble about a “well-regulated Militia” as defining the frame in which the right was to be interpreted (Henigan et al., 1995). This allowed for fairly robust state and city laws to restrict gun ownership, especially handgun ownership. But we live in interesting times. After 8 years of the Presidency of George Bush, his realigned Supreme Court overturned *US v. Miller* in its holding on June 26, 2008 in its case *District of Columbia v. Heller*. This case struck down a District of Columbia law prohibiting the ownership of guns and this likewise struck down a similar law in Chicago and other municipalities. The Court has held that American’s now have an individual right to bear arms (Doherty, 2008; Tushnet, 2007). This landmark case renders many city laws that ban handguns as null and void, but it is a narrow holding and the grand debates and cases regarding gun restrictions will continue.

The *culture wars* debates between individualist and communitarian understandings of the American project now are being placed on vivid display in the holdings of the US Supreme Court. One hopes that as the Court deliberates over the constitutional interpretation issues that it will give equal attention to the real world consequences of its holdings on the well-being of children, families and communities across America. One hopes that our country can recover some of the old English stress that gun ownership must be evaluated with a keen eye toward the well-being of the community.

Conclusion

Concern about gun rights must not be allowed to override the rights of children and families to enjoy a healthy environment. Homeland security is not just about protecting the American society from the threat by foreign terrorists, but if it is to be a

genuine security, it must include sustained attention and response to reduce our home grown firearm violence patterns. National media focus and political discussion concentrates sustained attention to the courage and valor of American soldiers who are asked to walk in harm's way, yet too often we as a nation turn our backs to the fact that our policies of easy gun access have helped insure that a whole generation of young people, especially those growing up in inner city core areas, are forced to walk daily in harm's way also right in our own communities. Gun violence is of a scale that it needs to be thought of as a top national security problem worthy of serious engagement and deserving serious funds and educational resources to be committed to violence reduction policies. Guns are weapons of mass destruction. Gun control measures need of course to be tied to serious efforts to promote economic reinvestment and job creation in many of our nation's urban core neighborhoods, small towns, and rural areas. Today, as in late Medieval England, the right to bear arms must serve the core value of protecting the common good of society. Tighter gun control measures by themselves will not solve all of our gun violence problems, but they do remain an important step toward insuring a healthy environment for our children and families.

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