



Guns in the US vs. the rest of the world

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HUNT VALLEY, Md. (TND) — It's been over a week since an 18-year-old gunman barricaded himself in a classroom at Robb Elementary School in Uvalde, Texas, shooting and killing 19 children and two teachers.

The tragic incident shook the nation — the same nation that, 10 years ago, was shaken by the deadliest elementary school shooting in U.S. history at Sandy Hook in Newtown, Conn., where 20 children and six adults were killed.

I had hoped, when I became president, I would not have to do this again," President Joe Biden said the day of the Uvalde shooting. "Another massacre."

Just this year alone, the U.S. has now seen more than 200 incidents of what the Gun Violence Archive considers a mass shooting, when four or more people are shot or killed, excluding the attacker, in one incident.

Seventeen of them took place after the Uvalde massacre. In the past few years, Americans have seen some of the worst gun violence in history. Gun Violence Archive data show in 2020, 43,670 deaths were from gun violence, with 19,514 of those deaths marked as homicide, murder, unintentional or defensive gun use, while 24,156 were suicides. Out of the total, 610 were mass shooting deaths and 21 were mass murder deaths. The numbers increased in 2021, with 45,012 gun deaths total, including 20,922 homicides and 24,090 suicides. Mass shootings amounted to 692 deaths last year, and mass murders accounted for 28 deaths.

According to the 2021 National Firearms Survey, more than 81.4 million Americans own guns, and there are estimated to be more than 400 million guns in the U.S. between the police, military and civilians. Considering 19,000 gun homicides, roughly one firearm out of every 21,000 will be used to kill a person.

The trends and mass events sparked much debate in Washington, as American citizens turn to lawmakers for answers to the question: How can these mass shootings be stopped?

As is standard for gun policy discussions among politicians, Democrats are starting a renewed push for gun control legislation, such as advanced background checks, red flag laws and safe storage laws. Republicans say schools need to be better secured with metal detectors, have a

single point of entry and an armed law enforcement officer on duty 24/7, along with better mental health resources.

Biden and Vice President Kamala Harris are calling for bans on assault rifles and high-capacity magazines, despite opposition from some members of their party who say more modest reforms have a better chance of passage.

Furthering the dispute is the argument over what constitutes an “assault weapon.” Many gun advocates allege the term was made up and ambiguous so the anti-gun lobby in the 1980s could enforce sweeping bans easier. The gun industry typically defines an “assault rifle” as a weapon the military uses with “select-fire capabilities,” or the ability to switch between semi-automatic and fully automatic. Yet, the government refers to assault weapons as military-style weapons capable of firing multiple rounds, either semi-automatic or fully automatic.

In addition, the debate over gun reform is reigniting a national push to look at other nations with stricter gun laws, especially restrictions put into place swiftly after mass shooting events. Just Tuesday, Biden welcomed New Zealand Prime Minister Jacinda Ardern to the White House, mainly to discuss Indo-Pacific relations and economic security, but also to learn more about the conversations Ardern had following the 2019 mass shootings at mosques in Christchurch, resulting in 50 deaths.

Within days, Ardern banned the sale of assault weapons. Parliament later voted to bar the circulation and use of most semi-automatic firearms, parts that convert firearms into semi-automatic firearms, magazines over a certain capacity and some shotguns.

It did happen to us. And sure, it may not have been a frequent occurrence, but it happened,” Ardern said from the White House. “And in the aftermath of that, the New Zealand public had an expectation that if we knew what the problem was, we would do something about it. Now, the context I have to give is our political system is very different. We had the ability with actually the near-unanimous support of parliamentarians to place a ban on semi-automatic military-style weapons and assault rifles, and so we did that. But the New Zealand public set the expectations first and foremost.”

Similar swift actions have been taken by other nations in the British Commonwealth following mass shooting events. The United Kingdom banned semiautomatic weapons after a British gunman shot and killed 16 people in 1987, and then banned most handguns after a 1996 shooting. Australia instituted mandatory gun buybacks after a gunman killed 35 people, and created a license requirement where gun buyers have to prove a “genuine need” to own a weapon. Norway passed a ban on semi-automatic rifles after a two-stage terror attack in 2011 that killed 77 people. Germany and Canada tightened gun laws after shootings as well, and Canada is introducing legislation that would implement a “national freeze” on the sale and purchase of handguns, limit magazine capacities and even ban some toys that look like guns.

“We need only look south of the border to know that if we do not take action firmly and rapidly, it gets worse and worse and gets more difficult to counter,” said Canadian Prime Minister Justin Trudeau after announcing the new measures Monday.

The U.S. has the highest number of guns per capita than any other country in the world — 46% of the world’s civilian-owned guns, per a 2018 report by the Small Arms Survey. The country also has the highest homicide-by-firearm rate out of the world’s most developed nations.

The U.S. Supreme Court has upheld firearm restrictions here and there, like bans on concealed weapons and the possession of certain kinds of weapons.

The Gun Control Act of 1968 bans people under 18 years old, convicted criminals, the mentally disabled, dishonorably discharged military personnel and others from buying guns. The 1993 Brady Handgun Violence Prevention Act required background checks for all unlicensed people buying a gun from a federally authorized dealer.

As part of the Violent Crime Control and Law Enforcement Act of 1994, Congress passed an assault weapons ban prohibiting the manufacture or sale for civilian use of certain semi-automatic weapons, and magazines that could accommodate 10 or more rounds. The law expired after 10 years. Former President Barack Obama initiated actions such as requiring firearm dealers at gun shows or online to get federally licensed and conduct background checks, and former President Donald Trump imposed a ban on so-called bump stocks, which allowed semi-automatic guns to fire at a rate close to automatic weapons. The ban was put on hold in March 2021.

In addition, gun laws vary from one state to the next. Seven states ban any open carry practices; eight of the 50 states require firearm owners to register their weapons with the state; and 22 states enforce deadly force laws, meaning people can use deadly force if they’re protecting themselves.

What struck me was these kinds of mass shootings rarely happen anywhere else in the world,” Biden said after Uvalde. “Why? They have mental health problems. They have domestic disputes in other countries. They have people who are lost. But these kinds of mass shootings never happen with the kind of frequency that they happen in America. Why?”

The question has resonated across the U.S., but some legal experts say comparing the U.S. to other nations isn’t the best place to start talks about gun ownership, because no other country has quite the same rights embedded in the Constitution. 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.”

Robert Cottrol is a professor at George Washington University Law School, specializing in American and Comparative Legal History and teaches criminal law. He said the U.S. has a very different perspective on the question of gun ownership.

“One of the things that I think you have in Canada and the rest of the British Commonwealth is basically a view that gun ownership is only legitimate if it is for recreational purposes — that is, target shooting, hunting, etc.,” Cottrol said. “The idea is that gun ownership for personal self-defense is not a legitimate reason to own a gun. The notion I think is strong in the United States, and indeed is embedded in the Constitution, is that one reason for gun ownership is so that the state doesn’t have a monopoly of force.”

Cottrol said this is where the conversations surrounding mass shootings and gun violence needs to start in order to fashion a policy recognizing that key difference. The polarization between the two political parties in the U.S. over guns runs deep, and while some lawmakers have expressed optimism for some sort of action following the Uvalde massacre, other lawmakers recognize Americans expect Congress to ignore the issue. Despite polling that indicates a 51% majority of Americans support a nationwide ban on the sale of AR-15 rifles and similar semiautomatic assault weapons, Republicans are aware that joining a push for limiting access to guns wouldn’t reward them politically, and Democrats say the National Rifle Association still has a stronghold on the GOP through financial contributions and support.

However, Cottrol added prohibitions have “not been very successful” in the U.S. historically.

“The people who are driving the movement are not taking into account the differences in U.S. culture, American culture, American history, American law,” he said. “I think a lot of people seem to think you can wave a magic wand and essentially have British-style gun control in the United States. That’s unlikely to occur.”

David Kopel, research director of the Independence Institute, a policy analyst at Cato Institute and a professor at the University of Denver’s Sturm College of Law, said the stark split between the two sides is what’s resulting in no action at all.

“I think it’s sort of ridiculous that people on both sides approach this as an either/or,” he said. “We either have to crack down on law-abiding gun owners or we have to do something that addresses the root causes or adds to school security. But we can’t think about both things at once.”

Cottrol added the “gun control movement has been the worst enemy of gun control” because “they’ve produced a mass movement that says, ‘Not one inch.’”

A Politico/Morning Consult poll conducted after the Uvalde shooting found 49% of registered Republican voters support banning assault-style weapons, and 41% oppose such a ban. That

being said, an analysis from FiveThirtyEight shows historically, support for stricter gun control laws typically spikes after tragedies, but doesn't last long.

The law experts said the policies or efforts they see actually having a chance in Congress would be things like improving mental health recordkeeping and sharing, ramping up research on the best security practices for schools and some sort of federal red flag law, rather than focusing on specific types of weapons or blanket bans.

What I'd like to see is a very different dialogue. What kind of control measures can we produce that screen out the people that shouldn't be allowed to have guns while recognizing that it is a constitutional right and that the overwhelming majority of people who own guns use them responsibly?" Cottrol said.

Kopel referenced the Battles of Lexington and Concord in 1775 that kicked off the American Revolutionary War when the British came to confiscate the guns and gunpowder.

The last time somebody tried to [confiscate weapons] in the United States The Americans said, 'No, we'd rather fight now while we still have guns than after you've confiscated them, because then you can do anything you want to us,'" Kopel said. "I don't think [bans are] realistic in the United States."

Politicians and advocates argue over how effective the gun laws are in the other countries that have either enforced sweeping bans, nationwide buybacks or the gradual tightening of restrictions. Biden said when the 1994 assault weapons ban ended, mass shootings tripled. They did, but researchers say it's nearly impossible to prove cause and effect, and it could take years to assess any modern-day ban because of how many guns are already in circulation.

"We've got a long way to go before we can get both sides sitting at the table and really talking about what measures are really going to make a difference," Cottrol said. "We may very well pass something this go-round, but I'm not at all sure it's going to get at the real problem."