

# New Nonfiction from Dr. Anthony Gomes: “The Gun Culture in America: Will There be a Light at the End of the Tunnel?”

To fathom the Gun Culture and gun-related violence in the US, it is important to understand *The Second Amendment* (Amendment II) to the United States Constitution, which protects the right of the people to [keep and bear arms](#). It was adopted on December 15, 1791, as part of the first ten [amendments](#) contained in the [Bill of Rights](#). The Second Amendment was based partly on English common law<sup>3</sup>/<sub>4</sub>the right to keep and bear arms and was influenced by the [English Bill of Rights of 1689](#). [Sir William Blackstone](#) described this as an auxiliary right that supported the right of self-defense and resistance to oppression, in addition to the civic duty of every citizen to act in defense of the state. It originated during a turbulent period in English history during which the authority of the King to govern without the consent of Parliament, and the role of Catholics in a country that was becoming Protestant was challenged. Ultimately, James II, a Catholic, was overthrown in the Glorious Revolution, and his successors, the Protestants William III and Mary II, accepted the conditions that were codified in the Bill. One of the issues the Bill resolved was the authority of the King to disarm its subjects, after James II had attempted to disarm many Protestants and had argued with Parliament over his desire to maintain a standing (or permanent) army. The bill stated that it was acted to restore “ancient rights” trampled upon by James II.

There have been several versions of the Second Amendment. As

passed by Congress and preserved in the National Archives, the amendment states: "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 [Supreme Court of the United States](#) has ruled that the right belongs to individuals, while also ruling that the right is not unlimited and does not prohibit all regulation of either [firearms](#) or [similar devices](#) (Epstein, Lee; Walk, Thomas G. September 18, 2012). [State](#) and [local](#) governments are limited to the same extent as the [federal government](#) from infringing this right.

Early English settlers in America (Hardy, p. 1237; Malcolm, Joyce Lee (1996). p. 452, 466), viewed the right to arms and/or the right to bear arms and/or state militias as important for one or more of these purposes (in no particular order):

- enabling the people to organize a militia system.
- participating in law enforcement.
- deterring tyrannical government; (Elder, Larry; July 3, 2008)
- repelling invasion.
- suppressing insurrection, allegedly including [slave revolts](#); (Bogus, Carl T, Roger Williams,1998)
- facilitating a natural right of self-defense.

*Excepting for the last, none of the other purposes hold sway today.*

## THE NATIONAL RIFLE ASSOCIATION (NRA) AND ITS ROLE IN THE POLITICS OF GUNS

The NRA was founded in 1871 in New York by William Conant Church and George Wood Wingate. It is headquartered in Fairfax, Virginia and had 5 million members as of 2017. The NRA advocates gun rights and informs its members regarding gun related bills since 1934. Since 1975, the organization

directly lobbies the presidential candidates, the US Congress and Senate for and against gun legislation. According to Center for Responsive Politics, nearly 90% of NRA donations went to Republican candidates. The NRA spent \$54.4 million in the 2016 election cycle, almost all of it for or against a candidate but not a direct contribution to a campaign. The money went almost entirely to Republicans. Of independent expenditures totaling \$52.6 million, Democrats received \$265! The NRA's largest 2016 outlay was the \$30.3 million it spent in support of Donald Trump for President. (Mike Spies and Ashkley Balcerzac, OpenSecrets, November 9, 2018). According to ProPublica and the Federal Election Commission, most of the money went to support the Republican Presidential candidate and Republican Congressional races in 2020. Undoubtedly, the NRA is one of the most powerful lobbies in Washington that rates political candidates targeting candidates that are for gun control. Essentially, it uses the Second Amendment as cover to promulgate gun dissemination and profits on gun sales, much at the cost of gun deaths of Americans.



Guns are displayed at Dragonman's, an arms seller east of Colorado Springs, Colo.

## THE IMPACT OF NO-ACTION ON GUN-CONTROL ON YOUNG HIGH-SCHOOL AMERICANS

Since the Columbine High School shooting on April 20, 1999, in Littleton, there have been 229 U.S. school shootings not including misfires or instances in which a shooter was stopped before inflicting deaths or injuries. In 2022 alone there have been 212 mass shootings. On May 14, 2022, a [racist attack](#) at a [Buffalo, New York, supermarket](#) by an 18-year old gunman took

the lives of 10 people and left three more injured. And just only 10 days later, an 18-year old gunman killed 21 people including 19 children at an elementary school [in Uvalde, Texas](#). It was the deadliest school shooting in America [since Sandy Hook](#).

There is no purpose in reviewing these ghastly events; however, to mention just two that touched me the most since these were only children, is what happened on December 14, 2012, in Newtown, Connecticut at the Sandy Hook Elementary School, and on May 24<sup>th</sup> in Uvalde, Texas.

There is no doubt that Adam Lanza, the mass killer of Sandy Hook was mentally deranged, but without guns he would be unable to go on a killing spree of innocent first-grade children. Although the states of Connecticut and New York passed stricter gun laws, despite President Obama's highly emotional appeal and repeated appeals after other gun shootings, the US Congress and the Senate did nothing. To me this was and remains unconscionable and speaks of total inhuman cowardice of politicians in front of the world at large. Besides, most of these politicians are of the Christian faith who flaunt their Judeo-Christian faith and the greatness of our western civilization. I have wondered where Christ fits in this equation!

On the night of October 1, 2017, Stephen Paddock of Mesquite, Nevada fired more than 1,100 rounds on a crowd of concertgoers at the Route 91 Harvest music festival on the Las Vegas Strip in Nevada, leaving 58 people dead and injuring 851. He was found dead from a self-inflicted gunshot wound. This incident was the deadliest mass shooting in the United States committed by a single individual whose motive remained unclear. As usual it reignited the debate about guns and guns laws. This time around the attention was focused on *bump-stocks* used by Paddock to convert his semi-automatic rifles to fire at a rate of a fully automatic weapon. The usual pictures on TV; the

mourning, the flowers, the prayers, President Trumps visit to the injured, but NO action whatsoever!

And it happened again: On February 15, 2018, a 19-year old Nikolas Cruz opened fire with a semi-automatic gun at the Marjory Stoneman Douglas High School in Parkland, Florida killing 17 and wounding 14 others, five with life-threatening injuries. Apparently, he purchased the semi-automatic weapon a year ago when he was only 18. It is ironic that the legal age to purchase alcohol in the US is 21 years, whereas a semi-automatic weapon can be purchase at the age of 18! As usual we saw the same pictures on TV: students running helter-skelter, parents crying, TV and newspaper correspondents saying and writing and asking the same questions all over again, and politicians offering prayers and condolences.

Mental health has been often used as a scapegoat. Yes, indeed these killer individuals could have significant psychiatric issues, that need to be dealt with, but without a gun and a semi-automatic moreover, they couldn't kill. Yes, they might stab some, and even kill some with a knife or whatever else, but the overwhelming number of killings with a semi-automatic wouldn't occur. Mentally deranged people are all over the world, but they don't go killing innocent people at random, because they don't possess guns! Furthermore, it is difficult to determine which medical condition is associated with a desire for mass killing, and young people with mental disorders unless institutionalized are well known to stop their medications for a variety of reasons.

It seems these killings of young people, and the after-emotions have become routine, and in a few days all of this drama disappears from the radar, until another killing surfaces. All of this despite the fact that the majority of Americans favor some gun control. Today, as before, parents all over the US agonize over the safety of their children. It is ironic that instead of passing sensible gun reforms, some elected politicians and lawmakers would prefer to further

militarize our schools by arming teachers.

Our politicians and gun advocates can take the examples of several countries in the world, in particular Australia, where the current homicide rate is the lowest on record for the past 25 years. In 1996, after a mass shooting in Tasmania in April of that year, Australia passed the National Firearms Agreement. In the Tasmania killing, known as the Port Arthur Massacre, a 28-year-old man, armed with a semi-automatic rifle, shot and [killed 35 people, and injured 18 others](#). Under the 1996 law, Australia banned certain semi-automatic, self-loading rifles and shotguns, and imposed stricter licensing and registration requirements. It also instituted a mandatory buyback program for banned firearms. (Eugene Kiely, *The Wire*, October 4, 2017).

What can be done to prevent gun violence in America?

1: Ban on the purchase of all semiautomatic and automatic weapons, bump stocks, and high-capacity magazines. These are military style weapons and need not be used for hunting or protection.

2: Strict background checks and *uniform gun-laws nationwide*. There is high rate of gun violence in Chicago despite strong gun laws; however, guns in Chicago come from Indiana.

3: Increase age limit for gun purchase to 21.

4: Better attention and alertness to mental health issues. However, this is a difficult problem to deal with in our multi-faceted culture and our dysfunctional health care system.

4: Campaign finance law in the US changed drastically in the wake of two 2010 judicial opinions: the Supreme Court's decision in [Citizens United v. FEC](#) and the D.C. Circuit Court of Appeals decision in [SpeechNow.org v. FEC](#) (Campaign Finance Historical Timeline, 2011). In a nutshell, the high court's

5-4 decision gave a green light to corporations and labor unions to spend as much as they want to convince people to vote for or against a candidate.

Our corrupt political system based on lobbies and campaign contributions by individuals, PAC's, super PCC's, and corporations should end forthright. Each individual should be able to contribute an X amount, and the pool of public money should be divided equally both in local and presidential elections.

5: Regarding the Second Amendment it is important to recognize that at a time when the [English Bill of Rights of 1689](#) was written England had no standing army. And when the Second Amendment was adopted on December 15, 1791, as part of the US Constitution, the US had gained freedom from British colonialism and imperialism just 15 years before, and consequently feared a foreign invasion. Furthermore, it is important to recognize that we have the largest and most sophisticated military the world has ever seen, and we don't need guns in individual citizenry to protect us from a foreign invasion. Those amongst us who feel threatened by our own government, should keep in mind that their guns and militias are no match to our government military forces. Thomas Jefferson believed that unless every generation had the right to create a new constitution for itself, the earth would belong to "the dead and not the living". (Thomas Jefferson to William Plumer, 1816.)

*These arguments in no way means that we should take away guns for self-protection, sport and hunting. One can well understand that for rural America gun ownership for sport is part and parcel of their culture.*

These changes would go a long way in asserting our humane values and our democracy and shall not deprive any person in the pursuit of life, liberty, and property without due process of law.



\*\*\*

## References:

Epstein, Lee; Walk, Thomas G. (September 18, 2012). [Constitutional Law for a Changing America: Rights, Liberties and Justice](#) (8 ed.). CQ Press. pp. 395–96. [ISBN 978-1-4522-2674-3](#).

Hardy, p. 1237. “Early Americans wrote of the right in light of three considerations: (1) as auxiliary to a natural right of self-defense; (2) as enabling an armed people to deter undemocratic government; and (3) as enabling the people to organize a militia system.”

Malcolm, Joyce Lee (1996). *To Keep and Bear Arms: The Origins of an Anglo-American Right*. Cambridge: Harvard University Press.

Elder, Larry (July 3, 2008). [“Why Do We ‘Keep and Bear Arms?’ Part 1”](#). [Human Events](#). Retrieved May 14, 2016.

Bogus, Carl T.; Professor, Roger Williams University School of Law (Winter 1998). “The Hidden History of the Second Amendment”. *U.C. Davis Law Review*. 31: 309–408.

Michael Roberts: Parkland School Shooting 208<sup>th</sup> Since Columbine: The Tragic List. Westword, February 15, 2018.

Mike Spies and Ashkley Balcerzac: The NRA Placed Big Bets on the 2016 Election and Won Almost All of Them. OpenSecrets, November 9, 2018.

Emily Stewart: Trump blames Florida school shooting on Russia investigation. VOX, February 18, 2018.

Eugene Kiely: Gun Control in Australia, Updated. The Wire, October 4, 2017

Campaign Finance Historical Timeline. Archived from the original on 2011-07-24

Thomas Jefferson to William Plumer, 1816. ME 15:46