Summary Article: gun control
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government limitation of the purchase and ownership of firearms. The availability of guns is controlled by nations and localities throughout the world. In the United States the “right of the people to keep and bear arms” is guaranteed by the Constitution, but has been variously interpreted through the years. From the late 1930s federal judicial and law enforcement officials generally held that the right exists mainly in the context of the maintenance of a state militia, but in 2002 the Justice Dept., under Attorney General John Ashcroft, indicated that it interpreted the amendment as more broadly supporting the rights of individuals to possess and bear firearms. Such an interpretation was upheld by 2008 and 2010 Supreme Court decisions that nonetheless did not challenge the government’s right to place some limitations on the ownership and possession of firearms.

Some U.S. states and localities have enacted strict licensing and other control measures, and federal legislation (1968) prohibited the sale of rifles by mail. Gun control has continued to be widely debated, however, and has often been opposed, notably by the National Rifle Association (NRA). Increasing gun-related crimes together with citizen pressure propelled congressional passage (1993) of the “Brady bill” (named for James Brady, the press secretary seriously wounded in the 1981 assassination attempt on President Ronald Reagan) after years of controversy. It required a minimum of a five-day waiting period and background check before a handgun purchase. Parts of the bill were challenged in court, and in 1997 the Supreme Court invalidated its background-check provision. The 1994 Crime Bill outlawed the manufacture, sale, and possession of military-style assault weapons, but it expired in 2004.

In 1999, following a rash of shootings at U.S. schools, further gun-control legislation was passed by the Senate but was voted down by the House of Representatives. Attempts by some localities (through legislation) and individuals (through lawsuits) to pursue gun control through the courts by permitting or bringing negligence suits against a gun manufacturer or dealer when a weapon it made or sold was used in a crime led many states and, in 2005, Congress to pass laws limiting such suits. The Dec., 2012, killing of 26 teachers and first graders at a Newtown, Conn., school led President Obama to propose (2013) a new assault weapons ban and other gun-control measures. That legislation died in Congress.

After the Newtown shootings a few states enacted stricter laws, but subsequently more states passed laws that eased restrictions on gun ownership, such as allowing the carrying of concealed weapons without a permit, firearms training, or background check. In some instances, aspects of proposed gun-rights laws have been criticized by law enforcement agencies for needlessly restricting police powers. At the same time, gun violence, and mass killings involving guns, have continued to occur in the United States at unusually high levels, prompting recurring calls for some sort of restriction on the purchase of firearms, most recently after a school shooting in Parkland, Fla., in which 17 died (Feb., 2018).
See study by A. Winkler (2011).

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