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2024 Essay Contest \$100 Scholarship Award Winner

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*Rampant Gun Violence Should Not Be Our New Norm*

In 2023, school shootings reached yet another record high.<sup>1</sup> Sixteen years after the *Heller* decision, it's not surprising that gun violence in our country has escalated to the point of normalcy.

The assertion in the Americans Against Gun Violence mission statement that the *Heller* decision and its progeny are literally "death sentences for tens of thousands of Americans annually" greatly underscores the gravity of America's gun issue. Prior to the *Heller* decision, the Supreme Court had ruled in four separate cases that the Second Amendment did not grant an individual right to gun ownership unrelated to service in a "well regulated militia."<sup>2</sup> In the 2008 *Heller* decision, though, a narrow 5-4 majority of justices ruled that the "well regulated militia" clause in the first half of the Second Amendment was effectively irrelevant to the "right to keep and bear arms" in the second half of the Amendment, establishing a constitutional precedent that has since influenced our nation's gun control laws.<sup>3</sup>

All other high-income democratic countries have taken measures to prevent gun violence by enacting effective gun control laws. Japan, for example, requires formal instruction, testing, and extensive background checks in order to legally own firearms, and civilian ownership of handguns and all automatic and semi-automatic long guns is completely banned.<sup>4</sup> In comparison, the United States is an extreme outlier among our peers with extraordinarily lax gun laws, an extraordinarily high rate of armed civilians, and an extraordinarily high rate of gun violence. A 2021 study found that the rate of gun-related homicides in the United States is almost infinitely higher than the rate in Japan (where the rate is close to zero); 19 times higher than in France; 33 times higher than in Australia; and 77 times higher than in Germany.<sup>5</sup> The United States is also an extreme outlier in its rates of gun-related deaths in children and youth. Earlier studies showed that children under the age of 15 in the United States are killed with guns at a rate that is 12 times higher than in other high income democratic countries,<sup>6</sup> and high school age youth are murdered with guns at a rate that is 82 times higher.<sup>7</sup>

These statistics aren't mere coincidences. They show a worrying association between the lack of gun control and our abnormally high gun violence rates - a deadly association that has been made worse by the *Heller* decision.

The *Heller* decision was the result of a decades long campaign by pro-gun lobbying groups like the NRA to promote the myth that gun ownership is an inherent right of American citizens and even a central part of our national identity; and that gun ownership is vital to self-defense at home. The *Heller* decision allowed the gun lobby to effectively rewrite the Second Amendment to fulfill its own political agenda.<sup>8</sup> In fact, however, there is extensive evidence that widespread civilian gun ownership results in far greater risk than benefit to law-abiding Americans.<sup>9</sup>

In truth, the Second Amendment was never intended to confer an individual right to own guns for personal use. The purpose of the Amendment was to allow states to have armed, "well regulated," volunteer militias. More than 200 years later, this amendment is irrelevant and unnecessary. There is no rational reason why individuals should have the right to own hand guns or assault rifles in modern day America.

We don't need more guns. We don't need more "thoughts and prayers" from our politicians after yet another school shooting. We don't need more shooter-drills or bullet-proof backpacks or armed teachers. What we need is systemic change. We need to overturn the *Heller* decision and ban handguns and assault rifles, like other high income democratic countries have done. Until we do, regular school shootings and other forms of rampant gun violence resulting in tens of thousands of deaths annually will continue to be the new norm in the United States of America.

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<sup>1</sup> Naaz Modan and Kara Arundel, "Another Record High: Counting School Shootings in 2023," K-12 Dive, December 20, 2023, <https://www.k12dive.com/news/2023-total-school-mass-shootings/703007/>.

<sup>2</sup> *United States v. Cruikshank*, 92 US 542 (Supreme Court 1876); *Presser v. Illinois*, 116 US (Supreme Court 1886); *U.S. v. Miller*, 307 U.S. 174 (1939) (n.d.); *Lewis v. United States*, No. 55 (U.S. 1980).

<sup>3</sup> *District of Columbia v. Heller*, 554 US (Supreme Court 2008).

<sup>4</sup> "Key Components of Federal Gun Control Laws in the United States and Five Other High Income Democratic Countries: Australia, Canada, Great Britain, Japan, and New Zealand" (Americans Against Gun Violence, 2024), <https://aagunv.org/wp-content/uploads/2024/01/Key-Components-of-gun-control-laws.pdf>.

<sup>5</sup> Katherine Leach-Kemon, Rebecca Sirull, and Scott Glenn, "On Gun Violence, the United States Is an Outlier," Institute for Health Metrics and Evaluation, October 31, 2023, <https://www.healthdata.org/news-events/insights-blog/acting-data/gun-violence-united-states-outlier>.

<sup>6</sup> "Rates of Homicide, Suicide, and Firearm-Related Death among Children--26 Industrialized Countries," *Morbidity and Mortality Weekly Report* 46, no. 5 (1997): 101-5.

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<sup>7</sup> Ashish P. Thakrar et al., “Child Mortality In The US And 19 OECD Comparator Nations: A 50-Year Time-Trend Analysis,” *Health Affairs* 37, no. 1 (January 2018): 140–49, <https://doi.org/10.1377/hlthaff.2017.0767>.

<sup>8</sup> Michael Waldman, “How the NRA Rewrote the Second Amendment,” *POLITICO Magazine*, May 19, 2014, <http://www.politico.com/magazine/story/2014/05/nra-guns-second-amendment-106856.html>.

<sup>9</sup> “Should Law-Abiding People Own Guns for Self Protection,” *Americans Against Gun Violence: Facts and FAQ’s*, June 1, 2019, <https://aagunv.org/wp-content/uploads/2016/08/FAQ-guns-for-protection.pdf>.