



Americans Against Gun Violence
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2024 Essay Contest Third Place Winner - \$2,000 Scholarship Award

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Now Is The Time to Fight for More Stringent Gun Control Laws

One gun shot, and a tragedy is left behind. Each day, 327 people are shot in the United States, among them 24 are children and teens. Did they do anything wrong? No. Their only misfortunes were to meet dangerous people who owned guns. How can this be America, the land where all "are endowed by their creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness?"

On June 26, 2008, when a narrow 5-4 majority of Supreme Court justices ruled in favor of Dick Heller who claimed that Washington DC's restrictive handgun law violated his Second Amendment rights, the Court effectively rewrote the Second Amendment to the gun lobby's liking.¹ As a result of the *Heller* decision, people could now claim a constitutional right to own guns, even if they weren't affiliated with "a well regulated militia." Previously, this right didn't exist. Furthermore, seeing the success of the *Heller* decision, the gun lobby used it to challenge a wide range of other existing gun control laws, such as concealed carry restrictions, background check requirements, magazine capacity limits, and more. Some laws were upheld, while many were struck down or modified in response to the legal challenges.

America's high rate of gun violence is a unique phenomenon compared to other high income democratic countries. To demonstrate, Japan, Great Britain, Korea, and many other countries have rates of firearm homicides less than 0.05 per 100,000 population, while the United States has a firearm homicide rate of 4.52 per 100,000 population. Many studies have shown that the United States doesn't have significantly higher rates of mental illness or violence in general as compared with other high income democratic countries. Rather, high rates of private gun ownership and easier accessibility to guns, as the *Heller* decision helped to create, have consistently been proven to be the factors that most clearly explain our extraordinarily high rate of gun-related deaths.

By adopting stricter gun control laws, our rate of gun violence would decrease. California's gun laws, which although considered to be among the strictest in the United States, are still lax compared to gun laws in other high income democratic countries. Yet even

California's gun laws, while weak by international standards, have resulted in lower rates of gun-related deaths in our state than the national average.² If California and the rest of the United States were to adopt stringent gun control laws comparable to those in other high income democratic countries, we could expect to reduce our rate of gun-related deaths to below one tenth the current rate, saving more than 40,000 lives a year at the national level.

Working together to overturn the *Heller* Decision is a crucial first step toward preventing more deaths caused by guns, but we cannot simply stop there. Rather, after returning the Second Amendment to its original intent – providing for “the preservation or efficiency of a well regulated militia”³ - we must openly advocate for the adoption of stringent gun control regulations comparable to the laws in other advanced democracies in order to ensure that Americans truly have the freedom to life, liberty, and the pursuit of happiness. We can't wait for the next horrific mass shooting to occur or for over 40,000 more Americans to be killed with guns over the next 12 months. Now is the time for us to stand up, work together, overturn Heller, and fight for more stringent gun control laws.

¹ 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>.

² “Fatal Injury Data | WISQARS | Injury Center | CDC,” Centers for Disease Control and Prevention, accessed April 20, 2024, <http://www.cdc.gov/injury/wisqars/fatal.html>.

³ U.S. v. Miller, 307 U.S. 174 (1939) (n.d.).