

Woodrow Wilson School
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WWS 401c
Stanley N. Katz

Gun Control in the United States

Tuesdays, 7:30-10 p.m.

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General Approach of the PTF:

The United States seems divided between a significant number of people, represented by the National Rifle Association, who believe that it is their Second Amendment right to possess firearms, and a much larger group who believe that the dangerousness of such weapons requires government regulation of the purchase and use of guns. The tide seems to be turning slightly in favor of the latter group, and in 1993-94 the Congress passed the first important federal gun control legislation. Efforts at further federal and state regulation are being vigorously pursued – and contested. Over the years there have been a number of different strategies behind attempts to reduce or eliminate gun violence. Certain classes of weapons have been made illegal; gun purchasers can be forced to register or undergo a waiting period while their criminal records are checked, guns can be manufactured to be safer, and so on.

A few years ago, however, a new strategy for gun control emerged. State and local governments have begun to sue firearms manufacturers for damages on the theory that gun violence imposes large medical, police (and other) costs upon governments. A similar technique (based on the alleged costs to the states of medical care for citizens afflicted with tobacco-related diseases) forced the tobacco companies to the table a few years ago, and resulted in a huge settlement paid by the manufacturers to many states. Efforts are now underway to litigate against gun manufacturers in the hope that the prospect of successful tort verdicts will force them to change their manner of doing business – and reduce the availability of hand guns.

The Task Force will examine this litigation strategy with particular care, and in the context of alternative strategies. We will also evaluate the constitutional and other claims of the right to gun ownership community, as well as the variety of grounds for opposition to gun ownership, including public health claims. Our immediate task will be to advise the Attorney General of New Jersey as to the promise of litigation (as opposed to alternative strategies) for gun control in this state.

PTF Procedures:

The Policy Task Force will meet every Tuesday evening for discussion sessions. Limited reading assignments (mainly from materials on reserve in the Woodrow Wilson School Library) will be made for the first few weeks in order to orient members of the Task Force to general background on gun control and the Second Amendment. These assignments are, however, exemplary, and you are encouraged to read on their own for fuller information and deeper understanding. Several outside experts will also visit the Task force, presenting the points of view of their organizations. They will further inform you, but you must take into account their personal and institutional biases.

The most important work you will do this term is the research you undertake for your own JP. I hope that each of you will make a proposal to me for a paper topic before the end of the third week of term. We will negotiate individual topics and the range of topics for the group, to be sure that most important bases are touched by one student or another. But of course each of you will also work, along with me and the Senior Commissioner, on the Task Force report. This will be a joint effort, led by the Senior Commissioner, that will take up much of our time at the end of term. Class discussions will be crucial not only to your own progress, but to that of the PTF as a whole. You will be graded on your performance in all of these activities, but I will give primary attention to your JP.

As you will see from the schedule below, we will spend the first few weeks reading and talking our way into the subject. For the next several weeks the emphasis will be on researching (and then drafting) your JP. Each of you will then make an oral presentation of your draft to the Task Force, and set about revising it – a task that will probably take you into the Winter Recess. The last phase of the PTF will be trying to work out a common policy recommendation as the basis for the Task Force report.

A word to the wise: Each of you must formulate a precise question to be answered as the basis of your JP. It is essential that the policy question you address be well thought out before you begin your final research. The entire paper should be a concise, well-organized response to the policy question. The final paper should be no longer than 25 pages (a rule strictly enforced, since I will stop reading after page 25). Remember Dr. Johnson's response when asked why his most recent book was so long: "It would have been shorter if I had had more time." Less is more in writing an essay, but less is more difficult than more.

Finally, we will establish a web page for the PTF, using the Courseinfo software supported by the University. This will contain the information in this syllabus, and other material posted later in the term. It will also be the vehicle for our PTF listserve. I encourage general discussion on the listserv. I am always available for individual queries and discussions personally or by e-mail. I do not hold regular office hours, but I work in 428 Robertson with my door open, and you should feel free to stop by at any time I am in the office. I am in my office most weekends. I will also be happy to make individual appointments with you.

Reading:

1. Required for purchase: Franklin E. Zimring and Gordon Hawkins, Crime Is Not the Problem: Lethal Violence in America (New York, 1997) (Available at U. Store)

2. Books on reserve in WWS Library:

Bellesisles, Michael, Lethal Imagination: Violence and Brutality in American History (New York, 1999)

Canada, Geoffrey, Fist, Stick, Knife, Gun: A Personal History of Violence (Boston, 1995)

Gregg Lee Carter, The Gun Control Movement (New York, 1997)

Phillip Cook and Jens Ludwig, Guns in America (Washington, D.C., 1996)

Saul Cornell, ed., Whose Right to Bear Arms did the Second Amendment Protect? (Boston, 2000)

Davidson, O.S., Under Fire: the NRA and the Battle for Gun Control (New York, 1993)

Dizard, Jan e., Robert Merrill Muth and Stephen P. Andrews, Guns in America: A Reader (New York, 1999)

Final Report, WWS 304 Task Force on Gun Safety, Spring, 2000

Kleck, Gary, Point Blank: Guns and Violence in America (New York, 1991)

_____, Targeting guns: Firearms and their Control (New York, 1997)

_____, and Don B. Kates, The Great American Gun Debate (Lanham, MD, 1997)

LaPierre, Wayne, Guns, Crime and Freedom (New York, 1995)

Reiss, Albert J. and Jeffery A. Roth, eds., Understanding and preventing Violence (Washington, D.C. 1993)

Sherrill, Robert, The Saturday Night Special (New York, 1973)

Spitzer, Robert J., The Politics of Gun Control (New York, 1998)

Wilson, James Q. and Richard J. Herrnstein, Crime and Human Nature (New York, 1985)

Windlesham, Lord, Responses to Crime (New York, 1987)

_____, Politics, Punishment and Populism (New York, 1998)

Franklin E. Zimring and Gordon Hawkins, The Citizens' Guide to Gun Control (NY, 1993)

_____, "Crime Is Not the Problem: A Reply," 69 University of Colorado Law Review 1177 (1998)

_____, and George D. Newton, Firearms and Violence in American Life (Washington, D.C., 1969)

3. Websites on gun control:

There is a wealth of information on gun control (and the Second Amendment) on the Web. Despite the apparent richness of sources available on the Web, however, you must be alert to the difficulties of determining the provenance and authority of electronic texts. Every advocacy group with an interest in gun control or the freedom to own firearms is on the Web. Be aware of who is creating and promoting the information you access. This is very much part of the larger policy problem we will be studying. The first site noted below appears to be the most comprehensive source of information on all aspects of the problem we are studying.

Comprehensive bibliography of websites, annotated:

<http://guncite.com>

On the litigation strategy:

<http://www.firearmslitigation.org>

Johns Hopkins Center for Gun Policy and Research:

<http://infosys.jhsph.edu/centers/gunpolicy>

Violence Policy Center:

<http://www.vpc.org>

Note the comprehensive information on litigation filed against the industry:

<http://www.vpc.org/litigate.htm>

Center to Prevent Handgun Violence (the Brady organization):

<http://www.handguncontrol.org>

Bureau of Alcohol, Tobacco and Firearms:

<http://www.atf.treas.gov>

Note the new publication: Following the Gun: Enforcing Federal Laws
Against Firearms Traffickers:

<http://www.atf.treas.gov/pub/#Firearms>

National Center for Injury Prevention and Control:

<http://www.cdc.gov/ncipc>

Smith-Wesson agreement:

<http://www.smith-wesson.com/misc/agreement.html>

National Rifle Association:

<http://nra.org>

New Jersey gun control organization:

Meeting Schedule and Reading: (Speakers to be announced later)

19 September: Discussion Session

Reading: Zimring handout from Scientific American

Read in one or more of: Gregg Carter, The Gun Control Movement
 Jan Dizard, ed., Guns in America: A Reader
 or another survey of gun control

26 September: Discussion Session

Reading: Zimring and Hawkins, Crime Is Not the Problem

3 October: Discussion Session

Reading in one or more of: Gary Kleck, Point Blank: Guns and Violence in America

Gary Kleck, Targeting Guns: Firearms and Their Control

Robert Spitzer, The Politics of Gun Control

JP topics finalized by consent of instructor.

10 October: Discussion Session

17 October: Discussion Session

24 October: Discussion Session

31 October: Fall Break

7 November: Discussion Session

(Election Day – I will bring a TV to class for updates.)

14 November: Student oral presentations

Draft JPs due.

21 November: Student oral presentations

28 November: Discussion session

5 December: General discussion of PTF group report and recommendations

(led by Senior Commissioner).

12 December: Final discussion of group report

(led by Senior Commissioner).

8 January: Dean's Date: Final JPs due

16 January: PTF Report due (Senior Commissioner)

