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Abstract

The United States has a high number of gun-related deaths compared to the rest of the world. Many approaches attempt to help mitigate these deaths, but few have proven ultimately successful on a national level. The purpose of this paper is to establish the need for gun reform by determining the relationship between guns and fatalities and covers how the US and foreign countries approach gun control. More specifically, this paper will examine each of the different approaches: firearm access restrictions, licensing restrictions, carry restrictions, and issuing parameters for concealed weapon permits. This examination will include firearm homicide rates as well as firearm suicide rates. Additionally, this paper will also incorporate the works of Altheimer (2010), Masters (2015), and Rosenbaum (2012), all of whom have examined the issue of gun reform on a global level. This examination relies on pooled data to most effectively reach the following conclusion: The United States should compare its gun laws to foreign countries to mitigate gun deaths.

Keywords

gun violence, gun reform, licensing, homicide rates, comparative policy

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The United States has a high number of gun-related deaths compared to the rest of the world. Many approaches attempt to help mitigate these deaths, but few have proven ultimately successful on a national level. The purpose of this paper is to establish the need for gun reform by determining the relationship between guns and fatalities and covers how the US and foreign countries approach gun control. More specifically, this paper will examine each of the different approaches: firearm access restrictions, licensing restrictions, carry restrictions, and issuing parameters for concealed weapon permits. This examination will include firearm homicide rates as well as firearm suicide rates. Additionally, this paper will also incorporate the works of Altheimer (2010), Masters (2015), and Rosenbaum (2012), all of whom have examined the issue of gun reform on a global level. This examination relies on pooled data to most effectively reach the following conclusion: The United States should compare its gun laws to foreign countries to mitigate gun deaths.

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Introduction

The prevention of gun violence, and resulting deaths from gun violence, has been at the forefront of national justice reform for many years. Whether it is an increase or decrease in gun availability, stricter licensing laws, or mental health law reform, the national discussion of decreasing gun violence has many different perspectives. There does not seem to be a singular solution to the significant number of gun-related deaths in the United States. Though the issue is one of domestic nature, it is possible that an international comparison could be beneficial in viewing the problem from a new perspective. There are instances wherein some countries have adopted stricter gun laws and have consequently seen a decrease in gun related deaths. Conversely, other countries have also implemented stricter gun laws but have seen little or no change.

Gun and Violence Correlation

The process of, and discussion surrounding, formulating a solution for gun control revolves largely around the relationship between guns and crime and guns and fatalities. Some proposed theories show a negative correlation between gun ownership and violence or crime, while others argue a positive correlation. None of these theories, however, have been accepted as irrefutably accurate. Though Altheimer (2010) does not conclude the connection between firearm availability and homicide, he has analyzed the correlation between violent crime and accessibility of firearms. Altheimer's (2010) study covers 39 different cities in Africa, Asia, Eastern Europe, and South America. The data found a positive correlation between gun availability and crime, suggesting that "increasing gun availability provides an incentive for city residents to commit crime that they normally would not commit if guns were not available" and "that serious discussions

about the reduction of crime in these cities must consider methods to reduce levels of gun availability” (2010, p. 218). In addition to these findings, Altheimer (2010) acknowledged other contributing factors, such as unemployment and family disruption. Despite the difference in culture between the sampled cities and developed Western cities, the study reported findings that were “similar to those of similar studies that have examined the relationship between guns and crime in the United States” (Altheimer, 2010, p. 218). Beyond the correlation between violence and gun prevalence, how guns increase violent tendencies also plays an integral part in the gun control discussion.

Weapon Instrumentality Effect

By analyzing the relationship between guns and violence, many scholars have discussed the weapon instrumentality effect. This hypothesis suggests the presence of guns contributes to higher levels of aggression and lethality in situations of conflict. Subsequent hypothesis testing denotes that, “as predicted by the [General Aggression Model], our naïve meta-analytic results indicate that the mere presence of weapons increased aggressive thoughts, hostile appraisals, and aggression, suggesting a cognitive route from weapons to aggression” (Benjamin et al., 2017, p. 347). Other scholars have argued that if intent to harm or kill exists, the weapon of choice will not matter. This argument, initially proposed by Wolfgang in 1958, came to be known as the weapon substitution hypothesis.

Zimring (1968) disputed this by arguing that any given weapon’s capacity for lethal injury has a large impact on the lethality of an assault. Zimring (1968) made a comparison between the number of deaths attributed to knife attacks or gun attacks: The rate of knife deaths per 100 reported knife attacks was less than 1/5 the rate of gun deaths per 100 reported gun attacks.

These figures support the inference that if substituting knives for guns, the homicide rate would drop significantly (Zimring, 1968). Zimring argued that with the number of knife attacks resulting in death being a fifth of the number of fatalities per 100 gun assaults, guns were the more dangerous weapon, regardless of whether or not the intent to kill exists. As such, Zimring's study negated the weapon substitution hypothesis. In a later article, Zimring (2004) further expounded on this point:

Current evidence suggests that a combination of the ready availability of guns and the willingness to use maximum force in interpersonal conflict is the most important single contribution to the high US death rate from violence. Our rate of assault is not exceptional; our death rate from assault is exceptional. (p. 36)

Though the existence of guns is not the sole contributor to crime rates, Zimring (1968; 2004), Altheimer (2010), and their peers agreed that the presence of firearms often exacerbates the issue. Even if the sole intent to kill does not exist in any given case of gun assault, the rates at which a single gunshot wound result in a fatality testify how dangerous these weapons are. The most logical solution would be to restrict access to guns, but such a solution must come with legal stipulations.

Accessibility to Guns

Although restricting access to firearms is an effective measure to take with gun control, additional measures prove effective regarding mitigating gun fatalities. For example, two countries that stand out the most in the international discussion of gun control are Israel and Switzerland. Though both countries see deaths from firearms, the number of firearm-related fatalities is significantly less than in the United States (Bangalore & Messerli, 2013). According to the World Population Review, Israel and Switzerland examined 178 and 258 gun deaths total, respectively

(2019). The heavier restrictions on gun ownership result in the comparatively small number of deaths. Rosenbaum (2012) described a few of these restrictions implemented in Israel, stating that “[a]ll guns must have an Interior Ministry permit and identifying mark for tracing, and limits which citizens may apply for a permit, based on residence, occupation, or role in national defense” (p. 48).

Homicides are not the only deaths caused by firearms; gun related suicides also contribute to the need for gun control. As such, Israel has taken measures to prevent firearm suicides as well. Rosenbaum (2012) stated that among Israeli soldiers who are “the only subpopulation for whom guns are easily accessible, personal firearms were the most common suicide instrument, but decreasing soldiers’ access to guns when off-duty seems to have decreased their firearm suicide rate” (p. 52). While gun fatalities main focus tends to be homicides, suicide makes up a substantial portion of total firearm deaths and without considering suicides, the discussion on gun control becomes unbalanced.

Gun Control in Switzerland

Although gun advocates often cite Switzerland as having a prevalent gun culture-based on tradition, such is not the case (Halbrook, 2003; Poe, 2001). Rosenbaum (2012) denotes that “more than six times as many US households reported owning a gun because they have ‘always had one’” (pp. 49-50). Opponents of gun control also claim that Switzerland enjoys a lower number of firearm related deaths due to the supposedly high number of civilians who own guns (Poe, 2001). However, the Small Arms Survey in 2002 estimated that 16 per 100 Swiss civilians owned a gun; in comparison, 83 guns per 100 residents were civilian owned in the United States for the same year (Rosenbaum, 2012). According to Rosenbaum (2012):

Swiss gun owners are more likely than non-gun owners to report having seriously injured others. Respondents who owned a handgun or more than one gun reported more violence than respondents who owned long guns or just one gun. (p. 51)

These findings directly correlate to those found by Benjamin, Kepes, and Bushman (2017) in which the prevalence of guns results in a higher prevalence of violence, and in some cases, suicide. Rosenbaum's work suggests that, in the long run, this correlation only increases with rises in gun, and specifically handgun, ownership. With a significantly smaller number of armed civilians, Switzerland does not owe its low number of gun deaths to higher gun prevalence.

Licensing in Japan

Weapon buyback programs present as effective in raising awareness about a serious issue but tend to have more of a symbolic impact (Horn & Enquirer, 2013; Neuman, 2013). Buybacks aside, restrictions on the public's access to firearms can be accomplished through other means, namely through concise requirements for obtaining a gun license. In Japan, citizens who wish to apply for a gun license "must obtain formal instruction and pass a battery of written, mental, and drug tests and a rigorous background check. Furthermore, owners must inform the authorities of how their weapons and ammunition are stored and provide their firearms for annual inspection" (Masters, 2015, para. 25). Alongside the country's generally low crime rates, Japan has some of the lowest gun homicide rates globally, with statistics as small as 23 total deaths in 2015 and 76 total deaths in 2019 (Alpers, 2019). Though this is an impressive statistic, the discussion of firearm regulation also merits a look at a successful approach to gun control within the United States.

Licensing in the District of Columbia

In the United States, stricter gun laws affect gun fatalities resulting from homicides and suicides. The 1976 enactment of the District of Columbia's Firearms Control Regulation Act allowed the ownership of firearms only to those who held registration certification. Any citizen-owned firearms that were not registered after a 60-day allowance period were deemed illegal. New guns could be purchased from a licensed gun dealer within D.C., "...and if the owner [met] specified requirements relating to age, criminal record, physical fitness, and knowledge of firearms laws and safe use" (Loftin et al., 1991, p. 1615). If violated, the penalty included a \$1000 fine and one year in jail. Loftin's study examined the effects of this law on gun fatalities within the District of Columbia and found that the mean number of gun-related homicides decreased from 13.0 per month before the law's implementation to 9.7 per month thereafter. Similarly, suicide deaths by gun declined from a mean of 2.6 per month to 2.0 per month (Loftin et al., 1991).

This study suggests that it is possible to establish reasonable and enforceable restrictions on gun ownership. It is possible that applying similar restrictions and thorough background checks throughout the United States could produce a substantial decrease in gun homicides nationwide. Once past the application process, there remains the question gun storage and carriage. By extension, the necessity to analyze open and concealed carry remains.

Open vs. Concealed Carry Laws

When establishing new gun control laws, United States courts have difficulty analyzing the Second Amendment's scope, otherwise known as the right, to keep and bear arms. Lower-level courts often engage in debates over whether the Second Amendment's historical impact has an impact on its modern

application. In the landmark case *District of Columbia v. Heller* (2008), the US Supreme Court ruled that “the Second Amendment guarantees an individual right to possess firearms independent of service in a state militia and to use firearms for traditionally lawful purposes, including self-defense within the home” (Duigan, 2019, para. 1). While five to four voted in agreement that the Second Amendment protected the individual’s right to keep and use firearms in the home, the US Supreme Court left the lower courts to decide whether that right also extended outside of the home.

As Meltzer (2014) summarized, this resulted in courts taking on different points of view. Some courts decided to extend the right to bear arms outside the home, to extend the right to self-defense when in public. Other courts ruled that they would allow carrying outside one’s home but would enforce bans on concealed carrying since that would not infringe on the rights protected by the Second Amendment. Greenlee (2019) argued that many Americans would prefer not to carry at all if their only option were to carry openly. Winkler (2014) offered a solution:

Very few gun owners want to carry openly displayed guns...Under an open carry law, the state could still require a license, so long as it is generally available to law-abiding adults. Counties with large cities...could keep their more restrictive licensing requirements for concealed carry. However, if the state allowed open carry and concealed carr[y] this could be banned entirely. (paras. 10-12)

The conclusion that both Greenlee (2019) and Winkler (2014) reach suggests that bans on concealed carry would lessen the number of gun related deaths. Herein underlies the need to compare to other countries, more specifically, regarding may-issue and shall-issue laws.

May Issue vs. Shall Issue

The implementation of shall-issue or may-issue concealed carry laws also significantly impacts the number of gun fatalities that a state or county observes. The United States Concealed Carry Association covered the difference between a may-issue state and a shall-issue state in a 2019 article: shall-issue states require that a gun license be issued with the fulfillment of all requirements (such as paying fees, receiving training, or background checks). The state has no discretion in the matter of whether or not the applicant meets the requirements. Conversely, states with may-issue laws have discretion over whether or not an applicant receives a license, even if the application process is passed. Seigel and colleagues (2017) found that shall-issue concealed-carry permitting laws were significantly associated with 6.5% higher total homicide rates than may-issue states (Seigel et al., 2017). The correspondence between may-issue laws (and related discretion for licensing issuing) seems to extend to foreign countries as well. According to Levush (2013), Israel uses may-issue laws for concealed and open carry. Israel rejects approximately 40% of gun permit applications, which is more than any country in the western world (Rosenbaum, 2012). Japan does not issue permits for guns, unless for private citizens, with restrictions (Umeda, 2013). Switzerland employs shall-issue laws for private citizens and personal protection reasons; Switzerland does not issue permits for open-carry but uses restricted may-issue parameters for concealed-carry (Bundesgesetz über Waffen, Waffenzubehör und Munition, 1997). It is worth noting these different gun license policies across different countries in conjunction with Seigel and his colleagues' work in 2017. Further examination into the merits of may-issue laws over shall-issue laws could prove useful in revising the United States' gun control. Gun reform is a

multifaceted problem; therefore, it contributes just as much as any other facet.

Conclusion

The country is in a state of crisis; the United States saw a total of approximately 36,384 deaths by firearms in 2019 (“Gun Violence Archive,” 2019). With ever-increasing numbers of gun related deaths, it often feels like there is no end in sight for those who seek a solution. This paper has explored many aspects of gun control through a domestic and international scope. In doing so, this paper has shown that there is no single-step solution to the complex issue of gun laws; a multifaceted problem often requires an equally multifaceted solution. The path to successful gun control must include reform to gun access, carry restrictions, and license issuing parameters.

Additionally, the United States must adopt an international perspective by viewing how outside countries tackle similar issues. Other countries with significantly lower gun related deaths may give cues, and the US may be wise to apply foreign philosophies to its legal structure. By learning from foreign allies’ successes and failures, the US could employ more effective gun laws. The problem of gun violence in the US may have its roots in the culture of the country itself and to how gun laws are written and enforced. It may be that to properly tackle the growing issue of gun fatalities in this country, Americans must conduct a thorough examination into their culture of aggression and entitlement to arms.

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