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## **THE IDEOLOGY OF GUN OWNERSHIP AND GUN CONTROL IN THE UNITED STATES**

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### **INTRODUCTION**

In the United States, serious discussion of gun control has taken two primary approaches: the criminological and the legal. Criminologists have asked whether various gun controls would reduce gun crime and other gun misuse, or whether restrictive gun control laws would deprive innocent victims of an efficacious means of self-defense. Legal scholars of gun control have studied whether the right to arms guarantees in the federal constitution and most state constitutions pose legal barriers to restrictions or gun confiscation. This essay has an entirely different purpose: to examine the ideological frameworks of the American gun control debate.

The criminological and legal approaches tend to evaluate guns realistically. That is, they look at the benefits and harms (and the legal response thereto) of persons possessing objects which can send a lead bullet downrange. It is clearly true that much of the importance of firearms (for good or ill) depends on their physical characteristics. In this regard, the gun in America is properly understood from the position of realism, in that the most important feature of the gun is its actual physical characteristics: because a gun can shoot a lead projectile at an attacker from a distance, a smaller person can effectively defend herself against an attacker. If the gun is easily portable (as is a handgun), the gun provides an ability to project force (and thereby protect oneself) matched by no other physical object (Snyder, 1993). Conversely, in the hands of some criminals (such as an undersized 15-year-old), the gun also offers an ability to project force that no other object offers.<sup>(pg.4)</sup>

But while the actual physical characteristics of firearms and their use are important to understanding the role of the gun in the United States, it is also true that the significance attached to guns quite often has little relation to guns themselves. Enormous energy is poured into what George Herbert Mead called "the use of significant symbols," in which both guns and gun control acquire new meanings. This article examines some of the ways in which guns, and gun control, have become "significant symbols" in American society. The article first examines one basis of the symbolic value of guns to some gun owners—as an affirmation of individualism and equality. Next, the article discusses guns in relation to the rule of law, and how private armed defense is seen as either negating or fulfilling the rule of law in American. Next, the article looks at several aspects of the symbolic roles of gun control: as punishment of a "scapegoat" object, as status conflict, and as the subject of "moral panic." Finally, the growing role of medical researchers as gun control advocates is discussed, with an emphasis on implications of taking a medical, "scientific" approach to resolving a contentious social issue.

In no way is this article a full survey of how gun advocates and gun opponents infuse guns and gun control with symbolic or ideological meaning. Such a survey would require a full book, at least. Perhaps this article will provide at least a start towards understanding why proposals to regulate or prohibit firearms in the United States generate so much passion among both proponents and opponents.

## SOURCES OF THE "PRO-GUN" IDEOLOGY

There are likely many reasons why so many Americans are so attached to their guns. Perhaps one reason is that firearms are seen by firearms owners as reflective of two cherished American values: individualism and equality.<sup>(pg.5)</sup>

### *Individualism and Equality*

Surely one reason that so many Americans care so much about guns is that guns effectuate and symbolize individualism and self-reliance—two traits in which Americans outpace the rest of the industrial world. Indeed, Alexis De Tocqueville invented the word "individualism" for his book *Democracy In America* (LaFeber, 1989).

Americans put a unique emphasis on self-reliance in every aspect of their lives. They drive their own cars to work and to self-service stores, come home from work to a single-family residence with its own laundry facilities, and for recreation, they work in their private garden, or hone their skills at various do-it-yourself activities.

A similar explanation is offered why the United States has neither a socialist party on the left, nor a nationalist/religious party on the right: "the pervasive individualism of American culture" (Tonso, 1982: 281).

Equality is an important value in many societies. The American version is usually concerned less with distribution of wealth than with status equality of individuals. The notion of due deference to superior classes has always been seen as un-American.

One illustration of the American ideals of classlessness (and of individualism and self-reliance), is reflected in the selection of the archetypal armed American hero. The armed Canadian hero is a government employee (the mounted policeman), while the armed Japanese hero is an aristocrat (the samurai). Unlike the British knight (with expensive armor), or the Japanese samurai (with a hand-crafted, exquisite sword), or the Canadian mounted policeman (carrying a government-issued handgun which ordinary persons were not allowed to carry), the classic armed American hero—the cowboy—sporting a mass-produced handgun, such as a Colt .45, that could be bought at a hardware store for ten dollars (Rosa, 1969; Kaplan and Dubro, 1986).

The cowboy's Colt revolver was, of course, known as the "Great Equalizer" (Billington, 1981). The name reflects in part the fact that firearms <sup>(pg.6)</sup> make a smaller, less powerful person functionally equal to a larger person, since the firearm allows the smaller person to defend himself at a distance from the larger person. As an inscription on a Winchester rifle put it: "Be not afraid of any man, / No matter what his size; / When danger threatens, call / on me / And I will equalize" (Kennett & Anderson, 1975: 108).

Thus, in a society where individualism and self-reliance and equality are all seen as highly desirable values, it should not be surprising that a tool—such as the firearm—which is seen as enabling its owners to effectuate those values, would become widespread. Nor should it be surprising that the tool would develop into a cherished (in some eyes) symbol of those values.

Of course there are other, perhaps more practical reasons, why guns became so popular in the United States. Unlike in Europe, where the aristocracy usually attempted to maintain a monopoly on hunting, hunting in America was wide open from the first days of white settlement (and, for that matter, from the days when the first Indians crossed the Bering Strait). Nowhere else in the world did environmental and sociocultural conditions foster use of shotguns *and* rifles *and* handguns (Tonso, 1982).

Although few Americans today hunt for their food as their ancestors did, the sporting popularity of guns in America maintains a link with the frontier heritage. Stone explains, "An important function of play is the recreation and maintenance of obsolete work forms, making history a viable reality for mankind. Thus, canoeing, archery, and horseback riding persist in society today as play" (Stone, 1972: 302).

Whatever the reason, the degree to which guns have permeated American consciousness can be seen in how American speech is loaded with gun metaphors: big shot; going off half-cocked; cocksure; misfire; shoot for the moon; primed; a gunner; jump the gun; triggered; flash-in-the-pan; keep your powder dry; top gun; straight shooter; loaded for bear; target date; set your sights on it; square shooter; take another shot at it; a long shot; draw a bead on it; high caliber; stick to your guns; he's a pistol; son of a gun; shoot from the hip; faster than a speeding bullet; riding shotgun; bring out the big (pg.7) guns; fire away; bite the bullet; a shotgun approach; lock, stock, and barrel; on target; and on and on.

## **TAKING THE LAW INTO ONE'S HANDS**

Perhaps one of the most important symbolic aspects of the gun is that—in the eyes of gun lovers and gun haters alike—the gun is associated with a person "taking the law into her own hands." This section suggests that people's taking the law into their own hands has always been a core principle of the American legal system, and the American attitude towards guns is simply one manifestation of that principle.

In a precise legal sense, armed use of force for self-defense is not "taking the law into one's hands." Using deadly force or the threat thereof to defend against a violent felony is legal in all 50 states. Every state also recognizes the right of citizens to arrest a person committing a violent felony in her presence. Using lawful force cannot, by definition, be "taking the law into one's hands" any more than exercising other lawful choices, such as signing a contract.

When criminals use force, though, they are violating the law, and thereby taking the law into their own hands. When citizens use or threaten force to stop the law-breaking, they are taking the law back from the criminals, and restoring the law to its rightful owners (under American legal ideology): themselves.

Use of force in self-defense is generally approved by the American public. Two 1985 polls asked whether "vigilantism," which was defined as "taking the law into one's hands," is justified by circumstances. Seventy-one percent of the population responded "always" or "sometimes" (Alpern, 1985).

The fact that the American justice system supports a citizen role in defense against violent criminals is consistent with the American system's inclusion of a citizen role in other important areas. Most democracies outside the Anglo-American legal tradition see justice as a unitary state function. The (pg.8) inquisitorial continental legal system does not sharply separate the role of the judge and the prosecutor. Finding of fact is by the judge, not a jury. Even the British and other

Commonwealth systems allow a relatively limited role for juries; Britain, for example, permits juries to decide only serious criminal cases and libel suits.

In America, ordinary citizens retain the rights that were once enjoyed by all citizens in Anglo-American legal systems. American juries determine all civil cases in which one party wants a jury, and all felony criminal cases (unless the parties prefer a judge). Significantly, juries are not confined only to finding the facts. Juries possess—and regularly exercise—the power to nullify the law itself. One of the most common situations for nullification is self-defense and defense of property (Hans and Vidmar, 1986).

Citizens sometimes function not only as triers of facts, but also as prosecutors. Citizen lawsuits to enforce the law began with fraud suits against government contractors in the Civil War, grew at the turn of the century to include antitrust enforcement, and now are a routine tool to compel stringent environmental law enforcement. Under the *qui tam* provisions of the False Claims Act, citizens may sue fraudulent government contractors and collect a share of the penalty (Vogel, 1990).

At the core of the large role of Americans in their judicial system is the unique American concept of popular sovereignty. While most other nations consider law as a vehicle of the state, the American tradition views the law as the servant of the people; as a federal district court put it, "the people, not the government, possess the sovereignty" (*Mandel v. Mitchell*, 1971).

In the years leading up to the American Revolution, patriots and Tories alike began to use the term "Body of the People" to mean "a majority of the people" and eventually "the united will of the people." Legitimate sovereignty, patriots said, flowed not from "the Crown," but from the "Body of the People" (Maxwell-Brown, 1975). Locating sovereignty in the People, and not in the Crown, meant locating the power to enforce the law in the People as well. During the debate over ratification of the Constitution, (pg.9) federalist Noah Webster assured America: "Before a standing army can rule, the people must be disarmed, as they are in almost every kingdom in Europe. The supreme power in America cannot enforce unjust laws by the sword, because the whole body of the people are armed, and constitute a force superior to any band of regular troops that can be, on any pretense, raised in the United States" (Ford, 1888: 56).

By reserving more power for themselves, Americans grant less power to government. America is one of the few nations without a universal licensing system for all guns and the only nation not to license handguns. But the explanation is not simply that Americans are crazy about guns; Americans resist governmental licensing of all sorts. American licensing programs for drivers are the least stringent of any modern industrial nation.

It is true that the United States protects the right to bear arms far more vigorously than other nations do.<sup>1</sup> The U.S. protects most other rights better as well. America is the only nation with a

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<sup>1</sup> The National Rifle Association's success in mobilizing American gun owners is consistent with Blau's theory of exchange conflict. Blau theorizes that the more that subordinates (gun owners) can collectively experience deprivations in exchange relations with superordinates (the government), the more that the subordinates will see the conflict in ideological terms, the more the subordinates will gain a sense of solidarity, and the more the subordinates will oppose the superordinates (Blau, 1964). Thus, as Colorado gun owners read the NRA's member magazine *American Rifleman* and learn about governmental abuses (or alleged abuses) of gun-owners in states such as New York and New Jersey, Colorado gun-owners develop a greater sense of ideological solidarity with their allegedly oppressed eastern brethren, and become all more opposed to any form of gun control in Colorado or elsewhere.

The process of communication and ideologization may likely to grow even stronger in future years as gun owners (or at least gun owners who care about politics) communicate in greater numbers in electronic fora such as "gun rights" zones of Compuserve, the Internet, the Paul Revere Network (a loose consortium of about 100 computer bulletin boards throughout the United States), and the NRA's own "Gun-Talk" computer bulletin board. As Collins points out, conversation is more likely when two people can be near each other, and when they share common cultural outlooks (Collins). As computer communication allows persons who are far apart physically to be "near" for electronic conversation, the growing ideological solidarity of the conversationalists seems

meaningful exclusionary rule to prevent the courtroom use of illegally seized evidence—much to the (pg.10) consternation of former federal Judge Malcolm Wilkey, who maintains that the nation cannot enforce current or future gun control unless it imitates "other civilized countries" such as Britain, Canada, and Japan by scrapping the exclusionary rule and the probable cause requirement of the Fourth Amendment (Wilkey, 1977). The extensive *Miranda* protections of suspects from being coerced to confess would be unimaginable in other nations. Speech is freer in the United States, and government secrets more discoverable. While other countries such as Great Britain have Official Secrets Acts, America has the Freedom of Information Act.<sup>2</sup>

The American system of adversary courtroom procedure; of checks and balance among the three, limited branches of government; and of widespread ownership of firearms all reflect the assumption that government is not to be trusted, and that only if the People retain for themselves the direct right to enforce the law, can the People's liberty be secure.

Thus, the fact that current American gun laws recognize the right of individuals to use force for protection is consistent with the pervasive theme of American legal culture of leaving extensive power in the hands of the people, and of distrusting the state to administer justice by itself. Simply put, Americans do not trust authority as much as most citizens of the British commonwealth and Japan do. Unlike the British who so easily acceded to their nation's Firearms Act of 1920, many Americans do not trust the police and government to protect them from crime. They do not trust the discretion and judgment of police officers to search whatever they please. The first words of America's national existence, the Declaration of Independence, assert a natural right to overthrow a tyrant by force.

The American sense that the law belongs to the people dovetails with other social facts that reinforce an ideological viewpoint favorable to gun ownership. As Annett and Collins point out, compared to Europeans, (pg.11) Americans enjoy greater geographic mobility, can afford to use mainly private automobiles rather than public transportation, and are wealthier; all these factors give American individuals more freedom from surveillance and greater autonomy than Europeans have. In Europe, economic, communication, and cultural resources are more under the control of the government or traditional aristocracies than in the United States (Annett and Collins, 1975). Accordingly, it would not be surprising that, compared to Europe, Americans would expect to have a greater degree of control over their private security, rather than expecting to be allocated security by the government.

Although armed self-defense may be legally permissible in American legal culture, some gun control advocates consider it immoral. Writes Professor Friedland of the University of Toronto, father of Canada's modern gun legislation: "A person who wishes to possess a handgun should have to give a legitimate reason.... To protect life or property ... should not be a valid reason.... Citizens should rely on the police, security guards, and alarm systems for protection" (Friedland, 1975-76: 50-51). Sarah Brady, chair of America's leading gun prohibition group, Handgun Control, Inc., states "To me, the only reason for guns in civilian hands is for sporting purposes" (Jackson, 1993). Her husband James Brady agrees; asked if private possession of handguns was defensible, he replied, "For target shooting, that's okay. Get a license and go to the range. For defense of the home, that's why we have police departments" (Brady, 18).

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predictable.

<sup>2</sup> Former British Prime Minister Edward Heath has expressed fears that Britain's Official Secrets Acts would make it impossible for British equivalents of the Iran-Contra affair ever to be exposed (Ewing & Gearty, 205).

In the eyes of some gun prohibition advocates, the right to life itself must be subjugated to "civilization." David Clarke, of Washington's City Council, claims that his gun control efforts (outlawing gun ownership for self-defense) "are designed to move this government toward civilization.... I don't intend to run the government around the moment of survival" (Greene, 1985).

Simply put, some advocates of gun control are not especially concerned with whether it saves lives. Survey data consistently show that about half of (pg.12) all gun control supporters do not believe that the stricter laws they favor will have an impact on crime or violence (Kleck, 1991b, ch. 9).

In some cases, gun control may be favored even if the price is more death. Consider, for example, H. Laurence Ross's review of Gary Kleck's book *Point Blank* in the *American Journal of Sociology*. Kleck's book was awarded the Hindelang Prize, as the most significant contribution to criminology in the last three years; Ross praises Kleck's meticulous research and analysis, and Kleck's debunking of many of the myths surrounding the gun issue. And Ross does not deny Kleck's conclusion that, because handguns are frequently used by law-abiding citizens for lawful defensive purposes, the availability of handguns to law-abiding citizens results in a large net saving of innocent lives every year, even after accounting for the large number of handgun murders and suicides. Yet saving lives, according to Ross, is not the most important goal: "But despite the masses of data and the cleverness of his analysis and argument, Kleck has missed the point ... [To accept Kleck's viewpoint is to] embrace a society based on an internal as well as an external balance of terror. The social order is seen to rest adequately on masses of potential victims using the threat of gun violence against masses of potential armed criminals.... [The] spectacle is one that ought to disgust rather than cheer the civilized observer." Not only is Ross willing to sacrifice the protection of innocent life in order that "civilized" persons will no longer need to feel "disgust" at crime victims using force for protection, Ross actually looks forward to more criminal gun violence as a spur to further controls. After noting the "fate of James Brady" (confined to a wheelchair after being struck by a bullet intended for President Reagan), Ross notes approvingly that Brady's tragedy provided "impetus for attempts at broader control." Ross looks forward to the spur of "more incidents, more heinous ones with more tragic or important victims, to develop the necessary determination" for society to progress beyond "narrow controls" to the confiscation of all firearms (Ross, 1992).(pg.13)

That gun control advocates oppose the private use of force even in situations where they acknowledge that innocent lives would be saved suggests that the core issue from their viewpoint is not whether gun control will save lives, but some other value. Perhaps one such value is social organization. Consistent with Blau's analysis of power exchange, the more that a provider of services (in this case, the government) can monopolize an essential good (such as physical safety), and less that consumers of the good (individuals) can use physical force, the greater the power dominance of the monopolist over the individual (Blau, 1964). The point was illustrated vividly in Crown Heights, Brooklyn, in August 1991, when then-Mayor David Dinkins refused to order a police response to a riot/pogrom being carried out against Lubavitcher (Hasidic) Jews, in alleged retaliation for an automobile accident in which a black child was killed (Girgenti, 1993). Although few gun owners (or Hasidic Jews) have read Blau, a good many of them do believe that what the gun control lobby's efforts will lead to in the long run is an important redistribution of power away from gun owners and towards the government.

Based on the history of other societies, the more that physical power is dispersed among various members of the society, the more equal their relationships will tend to be. Collins formulates the causal principle that "The more reliance on *cheap, individually operated weapons*, the more of the able-bodied population may participate in fighting, and the greater the democracy of and decentralization of society." (Collins, 1975: 357) (emphasis in original). Collins' observation is not

too different from George Orwell's formulation: "Though I have no doubt exceptions can be brought forward, I think the following rule would be generally true: that in ages when the dominant weapon is cheap and simple, the common people will have a chance ..." (Orwell). Certainly the political ideology of the founders of the American republic and the authors of the Second Amendment was consistent with Collins' viewpoint that diffusion of physical power in society is both a cause and an affirmation of the diffusion of political power (Halbrook, 1984).<sup>(pg.14)</sup>

## SCAPEGOAT OBJECTS AND COGNITIVE CONTROL

Given the gun's symbolic and practical role within a culture of individualism and popular sovereignty, gun control in its more extreme formulations may in some respects be out of step with many elements of American culture. In rejecting guns and in admiring the "civilized" foreign nations, some gun control advocates implicitly propose a less American, more European model for the relation of the individual and the state. Bruce-Briggs summarizes it best:

[U]nderlying the gun control struggle is a fundamental division in our nation. The intensity of passion on this issue suggests to me that we are experiencing a sort of low-grade war going on between two alternative views of what America is and ought to be. On the one side are those who take bourgeois Europe as a model of a civilized society: a society just, equitable, and democratic; but well ordered, with the lines of authority clearly drawn, and with decisions made rationally and correctly by intelligent men for the entire nation. To such people, hunting is atavistic, personal violence is shameful, and uncontrolled gun ownership is a blot upon civilization.

On the other side is a group of people who do not tend to be especially articulate or literate, and whose world view is rarely expressed in print. Their model is that of the independent frontiersman who takes care of himself and his family with no interference from the state. They are "conservative" in the sense that they cling to America's unique pre-modern tradition—a non-feudal society with a sort of medieval liberty at large for everyman. To these people, "sociological" is an epithet. Life is tough and competitive. Manhood means responsibility and caring for your own. (1976: 61).

Herman Kahn chastised advocates of gun control: "You had no idea what you were doing. You were hitting America in the teeth, right in the center of the culture" (1973: C1).<sup>(pg.15)</sup>

Gun prohibitionists are not anti-patriots. Some gun prohibitionists are uncomfortable, though, with certain aspects of American culture, including the individualism and violence, and the difficulty to control minorities, immigrants, and "rednecks." Part of the way to resolve the cognitive dissonance of loving America but despising certain parts of it is to rationalize away the parts one despises. If American violence and crime (and the rural values embodied in gun culture) are caused by the very existence of guns, one need only do away with guns. Since, as gun prohibition advocate and former Attorney General Ramsey Clark writes, guns "make lions out of lambs," we could all be lambs again if only guns vanished (1970: 95).

Clark's views are far from eccentric. The gun prohibition lobby apparently believes that firearms turn normal people into criminals, and asserts that each year thousands of gun murders "are done by law-abiding citizens who might have *stayed* law-abiding if they had not possessed firearms ... most murders are committed by previously law-abiding citizens" (National Coalition to Ban



Handguns, quoted in Kates, 1990: 46). The assertion that most murders are committed "by previously law-abiding citizens" is patently false. Two-thirds to four-fifths of homicide offenders have prior arrest records, generally for violent felonies (Swersey and Enloe, 1975; Narloch, 1973; Wolfgang, 1958; Kleck, 1986).

By blaming objects, a person can avoid having to blame individuals for their moral choices and lack of self control. Some gun controllers base their position on their sincere belief that gun control could reduce crime. Other advocates of gun prohibition seem motivated by a desire to express their disdain for the kind of people who own guns. Other controllers may be reluctant to condemn groups (particularly the inner-city underclass) for their actions, and guns therefore become a substitute scapegoat object.

Indeed, the scapegoat object has long tradition in Anglo-American law. For many centuries, if a criminal killed someone with a sword, the sword would be forfeited. Earlier in Britain, objects that "caused" a death were punished. If man fell from a tree, the tree was cut down. If he drowned in (pg.16) a well, the well was filled up. If a criminal killed a victim with a third party's sword, "the sword shall be forfeit as deodand, and yet no default is in the owner." A steam-engine was even forfeited under this doctrine (Holmes, 1881). The "deodand" was a gift to God of the object causing death. In early American law, a tree that fell on someone might be destroyed as deodand. One court ordered destruction of a canoe that had failed "to make way in a storm," causing its owner's death. A Virginia court ordered the chain by which a boy had hanged himself in suicide to be forfeit as deodand (Chapin, 1983).

Similarly, in ancient Greece, a sword used by a murderer would be banished beyond the city limits, as would a statue that fell on someone (Hyde, 1916). This punishment of physical objects was paralleled in medieval and early modern European law by the legal punishment of animals. If a pig killed a baby, or if a swarm of locusts ate a crop, the animals would be charged with legal offenses, defended by a court-appointed lawyer, and usually convicted. Animal defendants whom the court could apprehend, like domestic pigs, would be tortured to death, just as were human criminals (Evans, 1906).

Some scholars suggest that the people who punished swords and executed pigs were not so stupid as to believe that swords or pigs could form criminal intent, or could be deterred by the punishment of their fellows. Rather, argues one scholar of the phenomena, people were terrified by the seemingly random nature of bad events, which implied that perhaps there was no order to the universe. Thus, the purpose of punishing objects and animals "was to establish cognitive control ... the job of the courts was to domesticate chaos, and to impose order on a world of accidents—and specifically to make sense of certain seemingly inexplicable events by *redefining them as crimes* ... the child's death became explicable. The child had died as an act of calculated wickedness, and however awful that still was, at least it made some kind of sense" (Humphrey, 1906: xxvi). Albert Cohen described the same phenomena as the "evil causes evil fallacy": the belief that bad consequences must have bad causes. Perhaps it is easier to trace America's (pg.17) problems to "wicked" objects like guns or drugs, rather than to consider the depressing possibility that America may include a disproportionately large number of wicked people.

The above analysis does not, of course, contend that gun ownership is not itself sometimes an effort to achieve cognitive control. If a person is upset at what he perceives to be the breakdown of traditional authority in society, is also fearful of violent crime, buys a gun for home defense, but does not bother to learn how to use it, the purchase of gun might be seen as an effort to re-establish some kind of symbolic control.

## SYMBOLIC CRUSADE

Gusfield analyzed the Temperance crusade as less a battle over alcohol than a "status conflict." He defined prohibition as a "symbolic crusade," in which prohibitionists sought government validation of their lifestyle and condemnation of the perceived lifestyle of drinkers. From the 1900s onward, Temperance was a Protestant, rural, nativist movement, increasingly isolated from its liberal reformist allies of the 19th century. Once prohibition was enacted into law, the Temperance movement had achieved its goal of status validation of its members. That Prohibition was haphazardly enforced was not a major concern to the prohibitionists; symbolic validation of life-style, not actual abstinence, was the true goal, writes Gusfield (1963).

In the viewpoint of some gun control advocates, the symbolic benefits of gun control are far more important than any expected substantive benefits. For example, United States Senate Majority Leader George Mitchell called the Brady Bill a "mostly symbolic" proposal which would do little to reduce crime. Yet in November 1993, Mitchell threatened to call the Senate back into Washington—after most Senators had already gone home for the winter—because Republican delaying tactics threatened to prevent the bill from being enacted until early 1994. Likewise, conservative columnist William F. Buckley wrote that the Brady Bill would have no impact on violent crime, but (pg.18) it should be passed anyway as way of making a collective statement about the seriousness of the crime problem.

Similarly, New York City Council Member Walter McCaffery, when voting for an "assault weapon" ban, stated that he would like to say "[T]o those who question the words of symbolism, we live in a world filled with both substance and symbolism. It is my belief that this is an important piece of legislation to send a message, as a piece of symbolism ..." (Committee on Public Safety, 1991: 67).

Condemnation of violence is not the only symbolic value of gun control. Although there is virtually no evidence that gun registration laws (requiring lawful gun owners to provide the government with the serial number and model of every gun they own) are of any practical benefit—especially in light of the governmental expenditures and bureaucracy required to process the registration—gun registration remains an ardently sought goal of the gun control movement—with equally ardent resistance from the gun rights movement. While gun registration opponents worry that registration today may facilitate gun confiscation tomorrow (as was the case with New York City's "assault rifle" confiscation), the opposition to registration may be partly derivative of an intuitive recognition of the same fact that leads other persons to support registration: The degree to which persons are under the surveillance of others is reflective of their relative status (Collins & Annett, 1975).

The demand for registration as a token of submission by gun-owners is one illustration of how the gun control debate is part a status conflict. In the direct-mail of the gun control groups, messages of status conflict sometimes take precedence of messages related to any realistic objective of firearms control. Thus, the envelopes bearing solicitations from Handgun Control, Inc. contain the inviting message "Your first real chance to tell the NRA to go to Hell!" The fundraising letters themselves speak far passionately more about the evils of the National Rifle Association than about the purported benefits of gun control laws.(pg.19)

In short, while guns are for some people a symbol of individualism or of other values, gun control may sometimes be a symbol of opposition to violence, or of opposition to the kinds of persons who are considered to be gun owners.

## MORAL PANICS

Gusfield's work on symbolic crusades has been elaborated by analysts of the "moral panic." In a "moral panic" certain people or certain behaviors are defined as a threat to social values. The persons/behavior are described in a stereotyped and hysterical fashion by the media. The moral panics are launched by "moral entrepreneurs," who frequently have both ideological and financial interests in the propagation of the panic. The moral panic is set off by an "atrocious tale," which is an event (real or imaginary) that evokes moral outrage, implicitly justifies punitive actions against those considered responsible for the event, and mobilizes society to control the perpetrators (Becker, 1963; Schur, 1980; Ben-Yehuda, 1985). Among the persons and behaviors that have become objects of moral panics have been (statistically non-existent) surges in teenage drinking (Chauncey, 1980); the "mods" and "rockers" of 1960s British youth culture (Cohen, 1980); sexually explicit entertainment (Zurcher & Kirkpatrick, 1976); psychotropic drugs (Downes, 1977; Szasz, 1975; Goode, 1983); the Unification Church (Bromley, Shupe, & Ventimiglia, 1979); and witchcraft (Ben-Yehuda, 1985).

A typical moral panic is the one that arose in Israel in May of 1982. For several months the nation was in an uproar over the "fact" that 50% of Israeli high school students smoked hashish. In truth, all available statistics indicated that the actual rate of hashish use was about 3-5%. The panic had been promulgated by Israeli drug enforcement officials, who had their own reasons for wanting to create the impression of a drug crisis among Israeli children (Ben-Yehuda, 1990).<sup>(pg.20)</sup>

The American gun control issue too often amounts to the attempted instigation of one moral panic after another. One of the most successful panics was set off by "Drug Czar" William Bennett in February 1989. After a criminal named Patrick Purdy (discussed in more detail in the next section) murdered six children in Stockton, California with a firearm that looked like a combat rifle, Mr. Bennett banned (or, more precisely, convinced the Treasury Department to ban) the import of so-called "assault weapons" because such weapons were the "weapon of choice" of drug dealers and other criminals. Mr. Bennett's gun ban earned him enormous media attention, including the covers of national newsmagazines. California (and later four other states) enacted a prohibition on "assault weapons," and the gun prohibition lobbies which had first raised the "assault weapon" issue enjoyed enormous fund-raising benefits. The National Rifle Association and other opponents of "assault weapon" prohibition were vilified as accessories to murder who were deliberately arming drug dealers and turning America into a killing zone (Kennedy, 1989).

All the while, however, police records of guns seized from criminals indicated that "assault weapons" constituted only about 1% of crime guns, and were not and are not the "weapon of choice" of any group of criminals. And although many so-called "assault weapons" have a menacing military appearance, they are no more powerful than many other types of ordinary firearms (Kleck, 1991b).

Ultimately, the backlash from the "assault weapon" panic may have done Mr. Bennett's career more harm than good, as there is now a substantial cadre of gun-owners who would work against him in any political campaign. Yet the "assault weapon" panic certainly benefited Mr. Bennett's (and President Bush's) political fortunes in its first few months. And the moral panic over "assault weapons" remains a major fund-raising tool for the gun prohibition lobbies. Moral panics, including ones involving firearms, illustrate the observation of many sociologists that political authorities often <sup>(pg.21)</sup> create internal "enemies" as a means of increasing the authorities' legitimacy and control of resources.

Fear and loathing also play a role in opposition to gun control. At the fringes of the gun rights movement, all sorts of conspiracy theories about world government and the like flourish. These theories, however, do not fit the model of a moral panic, since they are neither instigated by an

"atrocious tale," publicized by the mass media, nor used to justify punitive actions against the alleged perpetrators (in part because the perpetrators are a nebulous "they").

## MEDICALIZATION OF GUN CONTROL

As Gusfield reminds us, alcohol prohibition began as a great "public health" crusade. Today, liquor prohibition is generally remembered as a failure, but a new prohibition crusade has captured the attention of much of the public health community. One of the more significant developments in the gun control debate in the last several years has been the entry of much of the medical establishment into the debate with a strong position in favor of highly restrictive controls and even prohibition. Indeed, to the extent that general newspaper readers are exposed to academic research regarding gun control, such exposure is very likely to be a wire-service write-up of a press release from the *New England Journal of Medicine* or *JAMA* (the Journal of the American Medical Association), touting a pro-control finding from research funded by the Centers for Disease Control.

In some regards, the research is a welcome addition to the academic analysis of gun control. Some medical researchers present worthwhile collections of new data, and while other scholars may differ over the interpretation of the data, the research represents a useful step forward in the debate (Fingerhut & Kleinman, 1990).

But it is also true that most of the medical literature is pervaded by an environmental paradigm in which guns are "disease vectors" which cause the (pg.22) "disease" of violence. The medical literature never addresses the fact that regions—such as the rural Midwest—and groups—such as older white males—with the highest prevalence of the "disease vector" have the lowest prevalence of the disease. If guns actually were disease vectors for gun violence, then population groups and regions with the highest rates of disease vector presence would be expected have the highest disease rates, not the lowest.

Moreover, the medical gun prohibition literature frequently suffers from the same defect which Blumer found in so much sociology: "To select (usually arbitrarily) some one form of empirical reference and to assume that the operationalized study of this one form catches the full empirical coverage of the concept or proposition ..." (1969: 31-32). For example, a study of homicide victims is touted as proving that guns have no protective value—ignoring the obvious fact that research about dead people is unlikely to show many instances of successful self-defense (Kellermann & Rivara, 1993).

The medical scholarship does a reasonably good job of quantifying firearms deaths. But the literature is so full of ignorant statements about how guns function, hostility to the notion that guns might sometimes have a pharmacopic effect (the victim's gun serving as a "remedy" to the criminal's gun), vicious denunciations of gun owners, and a complete incomprehension as to why anyone would actually own a gun as to be of very limited value in formulating gun control policy. There is no effort to enter the world of the gun owner, to see guns as gun owners see them. Accordingly, the medical literature regarding guns is generally as flat and sterile as would be research about wines written by a hard-shell Baptist preacher whose lips have never tasted a drop. As Blumer observed, "the scholar who lacks firsthand familiarity is highly unlikely to recognize that he is missing anything" (1969: 37).

Fujimara's description of "doable problems" in scientific research helps explain in part why there has been such an explosion of mediocre research about guns in the medical research community (Fujimara, 1986, 1987). The (pg.23) medical research generally focuses on analysis of gun mortalities; mortalities are a "doable" subject, in that government bodies such as police departments

(and coroners) compile much more information about homicides than they do about other crimes. The data from the official records is already present, needing only to be quantified and analyzed. The research is also doable in that there are abundant resources for such studies (provided by grants awarded by the federal Centers for Disease Control to researchers seen as likely to support the CDC's strict gun control agenda). And the research is doable in that (unlike the vast majority of ordinary medical research), prospects are high for publication in prestigious professional journals like the *New England Journal of Medicine*; the researcher may also enjoy laudatory interviews on National Public Radio, and find his research reported (uncritically) in the news media, restated in newspaper editorials, and turned into an enduring factoid of the gun control argument.

Although the medical literature takes the form of ordinary medical research, the analysis often fails to conform to basic principles of common sense that are applied to ordinary disease research (Suter, 1994). For example, the fact that there is an inverse relationship between the prevalence of the suspected disease vector (guns) and the "disease" (firearm fatalities)—in that rural or wealthier populations have more guns per capita but far fewer firearms fatalities than do core urban areas with lower gun densities—ought to (but does not) lead medical researchers to question whether the cause of the disease involves something other than just guns (such as the collapse of family and community).

In 1880, Louis Pasteur discovered that he could make chickens sick by injecting them with cholera germs. But a few years later, Max von Pettenkofer (a professor of hygiene in Munich) drank a cup of pure cholera germs, with no ill effect. Pettenkofer is credited with establishing that germs by themselves do not cause infection; there must also be a susceptible population and a suitable environment. In the case of inner-city male minority teenagers, there is plainly a population and environment susceptible to the "disease" of (pg.24) gun violence. Yet the medical research about the disease looks almost exclusively at guns, and pays little attention to the factors that have made one particular portion of the population immensely more susceptible to the violence disease than every other part of the population.

But to point out the illogic or methodological deficiencies of the public health approach to violence control is to miss the whole point. Medicalization of the social problem of violence has less to do with curing violence than with expanding the sphere of medical control of the rest of society. Indeed, the public health program of attacking ideological opponents rather than proposing useful disease reduction programs is hardly new to the late 20th century. In the 15th century, the "public health" community of the day put its effort into burning witches (whose practice of herbal and other folk remedies threatened the male-dominated medical and religious systems' ideological monopolies) and ignored disease-reducing programs such as rat control. Today, the Centers for Disease Control makes the funding of firearms-related research a top priority, but accords a far lower priority to domestic violence, even though the CDC's own research shows domestic violence to be a far greater risk factor for death and injury (Blackman, 1994).

What is most striking, ideologically, about much of the medical research is the tone with which it is presented. The notion that gun control should be considered a "public health" issue is taken as proof that the debate on gun control is over; all that remains is to implement to prohibitionist prescriptions of the medical experts, as public health experts "succeed in shifting the debate over firearms and violence from the political to the scientific arena." (Kellermann, 1993: 151). While criminologists tend to present their research as simply one item which may be of use in shaping public policy, there is a sense of outrage among much of the medical literature that the United States has not yet followed the prescription of the "public health" community by outlawing handguns and severely restricting all other guns.(pg.25)

The insistence that the labeling of an issue as a "public health" problem should be the end of discussion is consistent with Habermas' observation that increasing levels of government control are accompanied by efforts to redefine political issues as "technical problems." The technical issues must be depoliticized—taken away from the realm of individual choice as expressed through the political arena—and instead must be controlled by governmental experts (Habermas, 1976).

Turning gun control over to the prescriptions of the self-appointed medical technocracy might, however, endanger public safety. Several centuries ago, physicians treated wounds by caring for the weapon that caused it. By the *armarium ugentum*, prescribed for gunshot and other wounds in 1622, "If the wound is large, the weapon with which the patient has been wounded should be anointed daily; otherwise, every two or three days. The weapon should be kept in pure linen and a warm place but not too hot, nor squalid, lest the patient suffer harm" (Bechker, 1622: 33).

Today, it would seem absurd to deal with gunshot wounds by treating the gun rather than the wound. But prestige organs of the medical establishment such as the *New England Journal of Medicine* and the *Journal of the American Medical Association* claim to have found the solution for the public health problem of woundings: remove guns from society. The better the pathogen of guns is controlled, the safer society will be.

Like the *armarium ugentum* in its time, this view is widely accepted among public health professionals of this time. As in the 17th century, a focus on the object that seemed to "cause" the distress—the weapon—was a solution that missed the real cause of the distress. The distress of a wound, and the distresses of a violent society, have causes more profound than physical objects. Better mental health and criminal justice care may be the better direction for public health to take, by directly treating those who are violent—rather than attempting to control a single means of violence. Instead of trying to calm the violence by controlling guns, would it be more prudent to prevent the violence from occurring, by incarcerating and treating people (pg.26) who are already displaying, through their arrests and convictions, a propensity for acts of rage?

Patrick Purdy, who murdered five children in Stockton, California in January 1989 with a semi-automatic Kalashnikov rifle, had a long arrest record for felonies such as robbery, receiving stolen property, and sale of illegal weapons. But instead of being imprisoned for his crimes, he always slipped through the cracks of the system, avoided a felony conviction, and wound up back on the street. In addition, Purdy, a mildly retarded alcoholic, had a record of mental disease for which he should have been committed and treated. He told a government mental health worker that he had frequent thoughts about killing a large number of people with a gun or a bomb. In April 1987, he was arrested for firing a pistol at trees near Lake Tahoe, and he assaulted a police officer. After he smeared his jail cell with blood, was caught reading white supremacist literature and attempted suicide in jail, Purdy was described in a mental health report as "a danger to himself and others." Although he was sentenced to a year in jail, the parole board let him go after 45 days (Kempsey, 1989).

The state's chief law enforcement officer, Attorney General John Van de Kamp turned what should have been a humiliating indictment of California's failure into a political victory. Purdy's criminal record was sealed for several months, thus preventing further inquiry into mistakes made by Van de Kamp's criminal justice system. Van de Kamp convinced the California legislature to ban guns he termed "assault weapons" (although the final bill did not even ban the type of gun Purdy had used, due to drafting errors). Whatever the independent merits of an "assault weapon" bill, the passage of the legislation satisfied Californians that they had done something about crime, when in fact the state's revolving door criminal and mental health systems were just as overburdened and underfunded as on the day Purdy opened fire.

Coser observed that violence, like pain in a human body, can warn the (social) body of dangers that should be addressed (1967). The pain caused by Patrick Purdy's heinous acts should have led to major reform of the California (pg.27) criminal justice and mental health system. But instead, all that resulted was a symbolic law about guns with a symbolically dangerous appearance.

People on the fringe of society have the least power to assert a claim to social resources. The failure of society to provide decent mental health care to people like Patrick Purdy ends up, often enough, with mentally diseased people doing awful things to themselves. On the rare occasions when mental disease catches the public eye—in a spectacular killing with a gun—there is much ado over controlling guns. The same pathetic individuals who have perpetrated the heinous act of violence, typically ending with their own death, have usually been passed around and passed down by the system. Legislatures content themselves with passing a bill "about guns," as if they have solved something. Sealing up the criminal justice and mental health systems—keeping the Patrick Purdys inside—is more effective than letting the Purdys loose again and again and trying to keep them from getting guns or other dangerous instruments.

Gun control sometimes plays what Ilich calls an "iatrogenic" role in distracting popular attention from the conditions which allow crime to flourish (Ilich, 1976). Kleck summarizes: "Fixating on guns seems to be, for many people, a fetish which allows them to ignore the more intransigent causes of American violence, including its dying cities, inequality, deteriorating family structure, and the all-pervasive economic and social consequences of a history of slavery and racism ... All parties to the crime debate would do well to give more concentrated attention to more difficult, but far more relevant, issues like how to generate more good-paying jobs for the underclass, an issue which is at the heart of the violence problem" (Kleck, 1991a: 18). Gun control, whatever its symbolic benefits, distracts the public and the legislature from the more difficult tasks of taking better care of the mentally ill, of confronting the culture of poverty, and of imprisoning violent criminals for lengthy terms.(pg.28)

## CONCLUSION

If scholarship were king, then restrictive gun control or gun prohibition would barely be a topic on the national agenda. Over the last decade, the world of academic criminology has increasingly come to the conclusion that most gun control laws do little to protect public safety, whereas gun ownership by law-abiding citizens contributes significantly to public safety (Kleck, 1991b, and citations therein). (Moderate gun control laws and defensive gun ownership are not, of course, mutually exclusive.) During the same period, almost every legal scholar to study the issue has concluded that the federal constitution, and most state constitutions, guarantee an individual right to keep and bear arms that renders illegal a good many of the gun control/prohibition proposals being advanced today (Amar, Halbrook, Levinson, and citations therein). Yet while the academic case against highly restrictive gun controls or prohibitions has never been stronger, such controls remain a constant topic of American political debate.

Perhaps one reason that the scholarship has had relatively little impact on the gun debate is that the gun control battle is mainly fought with the heart, rather than the mind. This article has suggested a number of ways in which the gun control issue raises ideological or symbolic issues for partisans on both sides. Widespread gun ownership is seen as an affirmation of individualism and of "taking the law into one's hands," values which may receive approval or condemnation depending on whether one prefers a more organized, European-style social order. Whether or not various gun controls actually make anyone safer, the crusade for and enactment of such controls provide various

ideological or symbolic benefits to some of their advocates, including: making a statement in favor of non-violence; reasserting cognitive control in a chaotic, dangerous world; and affirming the superiority one's own lifestyle through the condemnation of gun control opponents or gun users in symbolic crusades and moral panics. The campaign to medicalize the gun control question contains within it many of the above issues, as efforts are made to (pg.29) move a controversial social question from a political to a technocratic arena—although there is some reason to question the self-proclaimed "scientific" quality of some of the pro-control medical research.

While this article has not analyzed all the ideological issues surrounding the gun control debate, it does seem clear that guns and gun control press important ideological "hot buttons" for gun control advocates and opponents alike. As a result, achieving some kind of compromise that will provide a final settlement to the American gun control battle may prove impossible.

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