

# Battleground America

## One nation, under the gun.

by [Jill Lepore](#) April 23, 2012



Every American can be his own policeman; the country has nearly as many guns as it has people. Photograph by Christopher Griffith. Just after seven-thirty on the morning of February 27th, a seventeen-year-old boy named T. J. Lane walked into the cafeteria at Chardon High School, about thirty miles outside Cleveland. It was a Monday, and the cafeteria was filled with kids, some eating breakfast, some waiting for buses to drive them to programs at other schools, some packing up for gym class. Lane sat down at an empty table, reached into a bag, and pulled out a .22-calibre pistol. He stood up, raised the gun, and fired. He said not a word.

Russell King, a seventeen-year-old junior, was sitting at a table with another junior, Nate Mueller. King, shot in the head, fell face first onto the table, a pool of blood forming. A bullet grazed Mueller's ear. "I could see the flame at the end of the gun," Mueller said later. Daniel Parmertor, a sixteen-year-old snowboarder, was shot in the head. Someone screamed "Duck!" Demetrius Hewlin, sixteen, was also shot in the head, and slid under the table. Joy Rickers, a senior, tried to run; Lane shot her as she fled. Nickolas Walczak, shot in his neck, arm, back, and face, fell to the floor. He began crawling toward the door. Ever since the shootings at Columbine High School, in a Denver suburb, in 1999, American schools have been preparing for gunmen. Chardon started holding drills in 2007, after the Virginia Tech massacre, when twenty-three-year-old Seung-Hui Cho, a college senior, shot fifty-seven people in Blacksburg. At Chardon High School, kids ran through the halls screaming "Lockdown!" Some of them hid in the teachers' lounge; they barricaded the door with a piano. Someone got on the school's public-address system and gave instructions, but everyone knew what to do. Students ran into classrooms and dived under desks; teachers locked the doors and shut off the lights. Joseph Ricci, a math teacher, heard Walczak, who was still crawling, groaning in the hallway. Ricci opened the door and pulled the boy inside. No one knew if the

shooter had more guns, or more rounds. Huddled under desks, students called 911 and texted their parents. One tapped out, "Prayforus."

From the cafeteria, Frank Hall, the assistant football coach, chased Lane out of the building, and he ran off into the woods.

Moments later, four ambulances arrived. E.M.T.s raced Rickers and Walczak to Chardon's Hillcrest Hospital. Hewlin, Parmertor, and King were flown by helicopter to a trauma center at MetroHealth Medical Center, in Cleveland. By eight-thirty, the high school had been evacuated.

At a quarter to nine, police officers with dogs captured Lane, about a mile from the school.

"I hate to say it, but we trained for exactly this type of thing, a school emergency of this type," Dan McClelland, the county sheriff, said.

Danny Parmertor died that afternoon. That evening, St. Mary's Church opened its doors, and the people of Chardon sank to their knees and keened. At the town square, students gathered to hold a vigil. As night fell, they lit candles. Drew Gittins, sixteen, played a Black Eyed Peas song on his guitar. "People killin', people dyin'," he sang. "People got me, got me questionin', Where is the love?"

Russell King had been too badly wounded. A little after midnight, doctors said that they couldn't save him. There are nearly three hundred million privately owned firearms in the United States: a hundred and six million handguns, a hundred and five million rifles, and eighty-three million shotguns. That works out to about one gun for every American. The gun that T. J. Lane brought to Chardon High School belonged to his uncle, who had bought it in 2010, at a gun shop. Both of Lane's parents had been arrested on charges of domestic violence over the years. Lane found the gun in his grandfather's barn.

The United States is the country with the highest rate of civilian gun ownership in the world. (The second highest is Yemen, where the rate is nevertheless only half that of the U.S.) No civilian population is more powerfully armed. Most Americans do not, however, own guns, because three-quarters of people with guns own two or more. According to the General Social Survey, conducted by the National Policy Opinion Center at the University of Chicago, the prevalence of gun ownership has declined steadily in the past few decades. In 1973, there were guns in roughly one in two households in the United States; in 2010, one in three. In 1980, nearly one in three Americans owned a gun; in 2010, that figure had dropped to one in five. Men are far more likely to own guns than women are, but the rate of gun ownership among men fell from one in two in 1980 to one in three in 2010, while, in that same stretch of time, the rate among women remained one in ten. What may have held that rate steady in an age of decline was the aggressive marketing of handguns to women for self-defense, which is how a great many guns are marketed. Gun ownership is higher among whites than among blacks, higher in the country than in the city, and higher among older people than among younger people. One reason that gun ownership is declining, nationwide, might be that high-school shooting clubs and rifle ranges at summer camps are no longer common.

Although rates of gun ownership, like rates of violent crime, are falling, the power of the gun lobby is not. Since 1980, forty-four states have passed some form of law that allows gun owners to carry concealed weapons outside their homes for personal protection. (Five additional states had these laws before 1980. Illinois is the sole holdout.) A federal ban on the possession, transfer, or manufacture of semiautomatic assault weapons, passed in 1994, was allowed to expire in 2004. In 2005, Florida passed the Stand Your Ground law, an extension of the so-called castle doctrine, exonerating from prosecution citizens who use deadly force when confronted by an assailant, even if they could have retreated safely; Stand Your Ground laws expand that protection outside the home to any place that an individual "has a right to be." Twenty-four states have passed similar laws.

The day before T. J. Lane shot five high-school students in Ohio, another high-school student was shot in Florida. The Orlando *Sentinel* ran a three-paragraph story. On February 26th, seventeen-year-old Trayvon Martin left a house in a town outside Orlando and walked to a store. He was seen by a twenty-eight-year-old man named George Zimmerman, who called 911 to report that Martin, who was black, was "a real suspicious guy." Zimmerman got out of his truck. Zimmerman was carrying a 9-mm. pistol; Martin was

unarmed. What happened next has not been established, and is much disputed. Zimmerman told the police that Martin attacked him. Martin's family has said that the boy, heard over a cell phone, begged for his life. Zimmerman shot Martin in the chest. Martin did not survive. Zimmerman was not charged. Outside Orlando, the story was not reported.

The day after the shooting in Ohio, I went to a firing range. I'd signed up for a lesson the week before. Once, when I was in Air Force R.O.T.C. for a year, I spent an afternoon studying how to defeat a sniper, but I'd never held a gun before.

The American Firearms School sits in an industrial park just north of Providence, in a beige stucco building topped with a roof of mint-green sheet metal. From the road, it looks like a bowling alley, but from the parking lot you can tell that it's not. You can hear the sound of gunfire. It doesn't sound like thunder. It doesn't sound like rain. It sounds like gunfire.

Inside, there's a shop, a pistol range, a rifle range, a couple of classrooms, a locker room, and a place to clean your gun. The walls are painted police blue up to the wainscoting, and then white to the ceiling, which is painted black. It feels like a clubhouse, except, if you've never been to a gun shop before, that part feels not quite licit, like a porn shop. On the floor, there are gun racks, gun cases, holsters, and gun safes. Rifles hang on a wall behind the counter; handguns are under glass. Most items, including the rifles, come in black or pink: there are pink handcuffs, a pink pistol grip, a pink gun case, and pink paper targets. Above the pink bull's-eye, which looks unnervingly like a breast, a line of text reads, "Cancer sucks."

The American Firearms School is run by Matt Medeiros, a Rhode Island firefighter and E.M.T. Medeiros is also a leader of the Rhode Island chapter of Pink Heals, a nonprofit organization of emergency and rescue workers who drive pink fire trucks and pink police cars to raise money for cancer research and support groups. Last year, when Pink Heals opened a women's center in West Warwick, Medeiros held a fund-raiser at the Firearms School.

Unlike many firing ranges, which are private clubs, the American Firearms School is open to the public. Most mornings, federal, state, and local law-enforcement agencies, as well as private security firms, rent out the ranges for training and target practice. Classes, from beginner to advanced, are held in the afternoons, and are run by certified instructors.

In many states, to purchase a gun from a licensed dealer you need a permit, which requires you to complete firearms-safety training, not unlike driver's education. But, even if all states required this, not everyone who buys a gun would have to take a class. That's because forty per cent of the guns purchased in the United States are bought from private sellers at gun shows, or through other private exchanges, such as classified ads, which fall under what is known as the "gun-show loophole" and are thus unregulated.

At the American Firearms School, the Learn to Shoot program, for novices, costs forty dollars for ninety minutes: a lesson, a gun rental, range time, two targets, and two boxes of bullets. This doesn't constitute sufficient instruction for a gun permit in the state, but the school offers a one-day, ninety-nine-dollar course that does: Basic Firearms Safety includes shooting fundamentals, a discussion of firearms law, and guidance in safe firearms storage.

The idea that every man can be his own policeman, and every woman hers, has necessitated revisions to the curriculum: civilians now receive training once available only to law-enforcement officers, or the military. A six-hour class on concealed carrying includes a lesson in "engaging the threat." N.R.A. Basic Personal Protection in the Home teaches "the basic knowledge, skills, and attitude essential to the safe and efficient use of a handgun for protection of self and family" and provides "information on the law-abiding individual's right to self-defense," while N.R.A. Basic Personal Protection Outside the Home is a two-day course. A primer lasting three hours provides "a tactical look at civilian life." This raises the question of just how much civilian life is left.

As I waited for my lesson, I paged through a stack of old magazines while watching Fox News on a flat-screen television. In Michigan and Arizona, Mitt Romney and Rick Santorum were competing in that day's Republican primaries. At the top of the hour came the headlines: in Ohio, Demetrius Hewlin had just died. For a tick, the news announcer fell silent.

I put down *Field and Stream* and picked up *American Rifleman*, a publication of the N.R.A. The magazine includes a regular column called “The Armed Citizen.” A feature article introduced David Keene, the N.R.A.’s new president. Keene, who is sixty-six, is a longtime conservative political strategist. Grover Norquist once called him “a conservative Forrest Gump.” The 2012 Presidential election, Keene told *American Rifleman*, is “perhaps the most crucial election, from a Second Amendment standpoint, in our lifetimes.”

The Second Amendment reads, “A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.” Arms are military weapons. A firearm is a cannon that you can carry, as opposed to artillery so big and heavy that you need wheels to move it, or people to help you. Cannons that you can carry around didn’t exist until the Middle Ages. The first European firearms—essentially, tubes mounted on a pole—date to the end of the fourteenth century and are known as “hand cannons.” Then came shoulder arms (that is, guns you can shoulder): muskets, rifles, and shotguns. A pistol is a gun that can be held in one hand. A revolver holds a number of bullets in a revolving chamber, but didn’t become common until Samuel Colt patented his model in 1836. The firearms used by a well-regulated militia, at the time the Second Amendment was written, were mostly long arms that, like a smaller stockpile of pistols, could discharge only once before they had to be reloaded. In size, speed, efficiency, capacity, and sleekness, the difference between an eighteenth-century musket and the gun that George Zimmerman was carrying is roughly the difference between the first laptop computer—which, not counting the external modem and the battery pack, weighed twenty-four pounds—and an iPhone.

A gun is a machine made to fire a missile that can bore through flesh. It can be used to hunt an animal or to commit or prevent a crime. Enough people carrying enough guns, and with the will and the training to use them, can defend a government, or topple one. For centuries before the first English colonists travelled to the New World, Parliament had been regulating the private ownership of firearms. (Generally, ownership was restricted to the wealthy; the principle was that anyone below the rank of gentleman found with a gun was a poacher.) England’s 1689 Declaration of Rights made a provision that “subjects which are Protestants may have arms for their defence suitable to their condition and as allowed by law”; the Declaration was an attempt to resolve a struggle between Parliament and the Crown, in which Parliament wrested control of the militia from the Crown.

In the United States, Article VI of the Articles of Confederation, drafted in 1776 and ratified in 1781, required that “every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.” In early America, firearms and ammunition were often kept in public arsenals. In 1775, the British Army marched to Concord with the idea of seizing the arsenal where the Colonial militia stored its weapons. In January of 1787, a Massachusetts resident named Daniel Shays led eleven hundred men, many of them disaffected Revolutionary War veterans, in an attempt to capture an arsenal in Springfield; they had been protesting taxes, but they needed guns and ammunition. Springfield had been an arsenal since 1774. In 1777, George Washington, at the urging of Henry Knox, made it his chief northern arsenal. By 1786, Springfield housed the largest collection of weapons in the United States. In the winter of 1787, the governor of Massachusetts sent the militia to suppress the rebellion; the Springfield arsenal was defended. That spring, the Constitutional Convention met in Philadelphia. Among the matters the delegates were to take up was granting to the federal government the power to suppress insurgencies like Shays’ Rebellion. From Boston, Benjamin Franklin’s sister Jane wrote to him with some advice for “such a Number of wise men as you are connected with in the Convention”: no more weapons, no more war. “I had Rather hear of the Swords being beat into Plow-shares, and the Halters used for Cart Roops, if by that means we may be brought to live Peaceably with won a nother.”

The U.S. Constitution, which was signed in Philadelphia in September of 1787, granted Congress the power “to provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions,” the power “to provide for organizing, arming, and disciplining the Militia, and for

governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress,” and the power “to raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.”

Ratification was an uphill battle. The Bill of Rights, drafted by James Madison in 1789, offered assurance to Anti-Federalists, who feared that there would be no limit to the powers of the newly constituted federal government. Since one of their worries was the prospect of a standing army—a permanent army—Madison drafted an amendment guaranteeing the people the right to form a militia. In Madison’s original version, the amendment read, “The right of the people to keep and bear arms shall not be infringed; a well armed and well regulated militia being the best security of a free country: but no person religiously scrupulous of bearing arms shall be compelled to render military service in person.” This provision was made in the same spirit as the Third Amendment, which forbids the government to force you to have troops billeted in your home: “No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.”

None of this had anything to do with hunting. People who owned and used long arms to hunt continued to own and use them; the Second Amendment was not commonly understood as having any relevance to the shooting of animals. As Garry Wills once wrote, “One does not bear arms against a rabbit.” Meanwhile, militias continued to muster—the Continental Army was disbanded at the end of the Revolutionary War—but the national defense was increasingly assumed by the United States Army; by the middle of the nineteenth century, the United States had a standing army, after all. Harpers Ferry was the U.S. Army’s southern armory, Springfield its northern. In 1859, when John Brown and his men raided Harpers Ferry, they went there to get guns.

At the American Firearms School, you can either rent a gun or bring your own. It’s like an ice-skating rink that way, except that renting skates when you don’t know how to skate is different from renting a gun when you don’t know how to shoot. The guys who work at the school don’t take any chances. In the twelve years since the school opened, there has never been an accident. “You can’t do anything here without us watching you,” Tom Dietzel told me. “In a swimming pool, there are lifeguards. And this place is a lot more dangerous than a swimming pool.”

Dietzel, who is twenty-four and has long dark hair, is one of the few instructors at the school who isn’t ex-military, ex-police, or ex-rescue. He led me to a classroom, opened a case, and took out a .22-calibre Mark III Target Rimfire pistol. Dietzel studied history in college, and on weekends he gives tours of the Freedom Trail, in Boston. We talked about the eighteenth-century portraits in the new wing of the Museum of Fine Arts; we debated the oratory of Joseph Warren. Dietzel owns a flintlock musket; he’s a Revolutionary War reënactor, with the Thirteenth Continental Regiment. He showed me a photograph of himself in costume: a cocked hat, a mustard-colored scarf of flax. He could have been painted by Gilbert Stuart.

Dietzel is a skilled and knowledgeable teacher, steady, patient, and calm. He had written safety rules on a whiteboard: Never point your gun at anyone. Keep your finger off the trigger. Don’t trust the safety.

Assume every gun is loaded.

He explained how to load the magazine. “This is a semiautomatic,” he said. “After you fire, it will load the next bullet, but you have to pull the trigger again to fire. We don’t have automatics here.” Automatic weapons are largely banned by the federal government. “An automatic, you pull the trigger and it keeps shooting.” Dietzel shook his head. “Because: why? Why?”

Gun owners may be more supportive of gun-safety regulations than is the leadership of the N.R.A.

According to a 2009 Luntz poll, for instance, requiring mandatory background checks on all purchasers at gun shows is favored not only by eighty-five per cent of gun owners who are not members of the N.R.A. but also by sixty-nine per cent of gun owners who are.

Dietzel rose. “Stand like a shortstop about to field a ball,” he said.

He showed me how to hold the .22.

Every day, Dietzel goes to work and, at some point, has to hand a gun to a perfect stranger who has never used one. He went over the rules again.

We got earplugs and headgear and ammunition and went to the range. I fired a hundred rounds. Then Dietzel told me to go wash my hands, to get the gunpowder off, while he went to clean the gun.

The halls at the American Firearms School are decorated with framed prints: Monet's "Impression, Sunrise"; van Gogh's "Irises." A sign on the door of the women's restroom reads, "Every Tuesday Is Ladies Night. Ladies Get FREE Range Time from 5:00 PM to 9:00 PM."

I opened the door, and turned on the tap. T. J. Lane had used a .22-calibre Mark III Target Rimfire pistol. For a long time, I let the water run.

On March 8th, Trayvon Martin's father, Tracy Martin, held a press conference in Orlando. "We feel justice has not been served," he said. He demanded the release of recordings of calls to 911. "Family Wants Answers in Teen's Death," the Associated Press reported.

Two days later, the biggest gun show in New England was held in West Springfield, Massachusetts, in an exposition center the size of an airport hangar. (Nationwide, there are about five thousand gun shows annually.) Early in the morning, men with guns lined up to have them inspected at the door: two policemen made sure that every gun was unloaded; a plastic bucket on the floor, half filled with sand, was for dumping ammunition, like the bin at airport security where T.S.A. officers make you chuck your toothpaste. Tickets cost eleven dollars, but there was no charge for children younger than twelve.

Inside was a flea market: hundreds of folding tables draped with felt tablecloths and covered with guns, along with knives, swords, and a great deal of hunting gear. Long guns stood on their stocks, muzzles up. Handguns rested under glass, like jewelry. "Cash for Guns," the sign at the Tombstone Trading Company read. Ammunition was sold outdoors, in cartons, as in the fastener aisle of a hardware store. At the N.R.A. booth, membership came with a subscription to one of the N.R.A.'s three magazines, an N.R.A. baseball hat, twenty-five hundred dollars of insurance, "and the most important benefit of all—protecting the Constitution."

I stopped at the table of Guns, Inc., which advertises itself as the largest firearms dealer in western Massachusetts. Guns, Inc., is also an arsenal: a place where people who don't want to keep their guns at home can pay to have them stored.

In the nineteenth century, the Springfield Armory grew to become the single biggest supplier of long arms to the U.S. Army. It shut its doors in 1968. A National Historic Site now, it houses about ten thousand weapons, most of which are shoulder arms. A sign on the door warns that no firearms are allowed inside. "People ask about that," Richard Colton, a park ranger and the site's historian, told me when I visited, "but we have plenty of guns here already."

The story of the Springfield Armory illustrates a shift in the manufacture and storage of firearms: from public to private. In 1974, a family in Illinois founded a company devoted to arms manufacturing and import called Springfield Armory, Inc. The firm, "the first name in American firearms," is one of the largest of its kind in the United States. Dennis Reese, the current C.E.O., and his brother Tom have staunchly opposed gun regulation. I asked Brian Pranka, of Guns, Inc., if he had any Springfield Armory guns. He said, "You can't buy a Springfield handgun in Springfield." The company does not make handguns that conform to all the gun-safety regulations in states like Massachusetts, New York, and California, and in Illinois they have lobbied the legislature, successfully defeating a state ban on assault weapons. In 2008, the Illinois State Rifle Association gave the Reeses the Defenders of Freedom Award.

On the first day of the Springfield gun show, Trayvon Martin's parents appeared on "Good Morning America." On March 19th, the Department of Justice, responding to growing protests, announced that it would conduct an investigation. On March 23rd, President Obama answered questions about the shooting at a press conference. "If I had a son, he'd look like Trayvon," the President said. Later that day, Rick Santorum spoke outside a firing range in West Monroe, Louisiana, where he'd just shot fourteen rounds from a Colt .45. He told the crowd, "What I was able to exercise was one of those fundamental freedoms that's guaranteed in our Constitution, the right to bear arms."

In the two centuries following the adoption of the Bill of Rights, in 1791, no amendment received less attention in the courts than the Second, except the Third. As Adam Winkler, a constitutional-law scholar at U.C.L.A., demonstrates in a remarkably nuanced new book, “Gunfight: The Battle Over the Right to Bear Arms in America,” firearms have been regulated in the United States from the start. Laws banning the carrying of concealed weapons were passed in Kentucky and Louisiana in 1813, and other states soon followed: Indiana (1820), Tennessee and Virginia (1838), Alabama (1839), and Ohio (1859). Similar laws were passed in Texas, Florida, and Oklahoma. As the governor of Texas explained in 1893, the “mission of the concealed deadly weapon is murder. To check it is the duty of every self-respecting, law-abiding man.” Although these laws were occasionally challenged, they were rarely struck down in state courts; the state’s interest in regulating the manufacture, ownership, and storage of firearms was plain enough. Even the West was hardly wild. “Frontier towns handled guns the way a Boston restaurant today handles overcoats in winter,” Winkler writes. “New arrivals were required to turn in their guns to authorities in exchange for something like a metal token.” In Wichita, Kansas, in 1873, a sign read, “Leave Your Revolvers at Police Headquarters, and Get a Check.” The first thing the government of Dodge did when founding the city, in 1873, was pass a resolution that “any person or persons found carrying concealed weapons in the city of Dodge or violating the laws of the State shall be dealt with according to law.” On the road through town, a wooden billboard read, “The Carrying of Firearms Strictly Prohibited.” The shoot-out at the O.K. Corral, in Tombstone, Arizona, Winkler explains, had to do with a gun-control law. In 1880, Tombstone’s city council passed an ordinance “to Provide against the Carrying of Deadly Weapons.” When Wyatt Earp confronted Tom McLaury on the streets of Tombstone, it was because McLaury had violated that ordinance by failing to leave his gun at the sheriff’s office.

The National Rifle Association was founded in 1871 by two men, a lawyer and a former reporter from the New York *Times*. For most of its history, the N.R.A. was chiefly a sporting and hunting association. To the extent that the N.R.A. had a political arm, it opposed some gun-control measures and supported many others, lobbying for new state laws in the nineteen-twenties and thirties, which introduced waiting periods for handgun buyers and required permits for anyone wishing to carry a concealed weapon. It also supported the 1934 National Firearms Act—the first major federal gun-control legislation—and the 1938 Federal Firearms Act, which together created a licensing system for dealers and prohibitively taxed the private ownership of automatic weapons (“machine guns”). The constitutionality of the 1934 act was upheld by the U.S. Supreme Court in 1939, in *U.S. v. Miller*, in which Franklin Delano Roosevelt’s solicitor general, Robert H. Jackson, argued that the Second Amendment is “restricted to the keeping and bearing of arms by the people collectively for their common defense and security.” Furthermore, Jackson said, the language of the amendment makes clear that the right “is not one which may be utilized for private purposes but only one which exists where the arms are borne in the militia or some other military organization provided for by law and intended for the protection of the state.” The Court agreed, unanimously. In 1957, when the N.R.A. moved into new headquarters, its motto, at the building’s entrance, read, “Firearms Safety Education, Marksmanship Training, Shooting for Recreation.” It didn’t say anything about freedom, or self-defense, or rights.

The modern gun debate began with a shooting. In 1963, Lee Harvey Oswald bought a bolt-action rifle—an Italian military-surplus weapon—for nineteen dollars and ninety-five cents by ordering it from an ad that he found in *American Rifleman*. Five days after Oswald assassinated President Kennedy, Thomas Dodd, a Democratic senator from Connecticut, introduced legislation restricting mail-order sales of shotguns and rifles. The N.R.A.’s executive vice-president, Franklin L. Orth, testified before Congress, “We do not think that any sane American, who calls himself an American, can object to placing into this bill the instrument which killed the president of the United States.”

Gun-rights arguments have their origins not in eighteenth-century Anti-Federalism but in twentieth-century liberalism. They are the product of what the Harvard law professor Mark Tushnet has called the “rights revolution,” the pursuit of rights, especially civil rights, through the courts. In the nineteen-sixties, gun ownership as a constitutional right was less the agenda of the N.R.A. than of black nationalists. In a 1964

speech, Malcolm X said, “Article number two of the constitutional amendments provides you and me the right to own a rifle or a shotgun.” Establishing a constitutional right to carry a gun for the purpose of self-defense was part of the mission of the Black Panther Party for Self-Defense, which was founded in 1966. “Black People can develop Self-Defense Power by arming themselves from house to house, block to block, community to community throughout the nation,” Huey Newton said.

In 1968, as Winkler relates, the assassinations of Robert Kennedy and Martin Luther King, Jr., gave the issue new urgency. A revised Gun Control Act banned mail-order sales, restricted the purchase of guns by certain high-risk people (e.g., those with criminal records), and prohibited the importation of military-surplus firearms. That law, along with a great deal of subsequent law-and-order legislation, was intended to fight crime, control riots, and solve what was called, in the age of the Moynihan report, the “Negro problem.” The regulations that are part of these laws—firearms restrictions, mandatory-sentencing guidelines, abolition of parole, and the “war on drugs”—are now generally understood to be responsible for the dramatic rise in the U.S. incarceration rate.

The N.R.A. supported the 1968 Gun Control Act, with some qualms. Orth was quoted in *American Rifleman* as saying that although some elements of the legislation “appear unduly restrictive and unjustified in their application to law-abiding citizens, the measure as a whole appears to be one that the sportsmen of America can live with.”

David Keene, the N.R.A.’s president, is the former chairman of the American Conservative Union. In his office in Washington, he has a photograph of Ronald Reagan on the wall and a view of Pennsylvania Avenue out the window. Keene has white hair, blue eyes, and an air of plainspoken geniality. When he was eight or nine, he says, his grandfather taught him how to shoot by aiming a .22 at squirrels and rabbits. Keene’s parents were labor organizers. They never once voted for a Republican. “My first political activity was going door to door passing out pamphlets for J.F.K. in the snows of Wisconsin,” Keene told me. In the nineteen-fifties, he said, “Lionel Trilling considered conservatism to be a political pathology.” Keene became a conservative in high school, when he read “The Constitution of Liberty,” by Friedrich Hayek. In 1960, at the Republican National Convention, Barry Goldwater said, “Let’s grow up conservatives, if we want to take this party back, and I think we can someday. Let’s get to work.” Four years later, Keene volunteered for Goldwater’s campaign.

After Goldwater’s defeat, Keene finished college and went on to law school. He became the national chairman of the Young Americans for Freedom. “What brought conservatism to dominance was the Great Society,” Keene argues, because Johnson’s vision represented “the culmination of the thinking that you could solve everything with money, and nothing worked.” Keene went to D.C. to work for Spiro Agnew, and then for Richard Nixon.

On Election Day in 1970, Keene was at the White House. Joseph Tydings, a Democratic senator from Maryland who had introduced a Firearms Registration and Licensing Act, was running for reelection. “The returns were coming in, and someone said, ‘What’s going on in Maryland?’” Keene recalled. “And someone answered, ‘I can tell you this: everywhere except Baltimore, there are long lines of pickup trucks at the polls. He’s going down over gun control.’”

In the nineteen-seventies, the N.R.A. began advancing the argument that the Second Amendment guarantees an individual’s right to carry a gun, rather than the people’s right to form armed militias to provide for the common defense. Fights over rights are effective at getting out the vote. Describing gun-safety legislation as an attack on a constitutional right gave conservatives a power at the polls that, at the time, the movement lacked. Opposing gun control was also consistent with a larger anti-regulation, libertarian, and anti-government conservative agenda. In 1975, the N.R.A. created a lobbying arm, the Institute for Legislative Action, headed by Harlon Bronson Carter, an award-winning marksman and a former chief of the U.S. Border Control. But then the N.R.A.’s leadership decided to back out of politics and move the organization’s headquarters to Colorado Springs, where a new recreational-shooting facility was to be built. Eighty members of the N.R.A.’s staff, including Carter, were ousted. In 1977, the N.R.A.’s annual meeting, usually held in Washington, was moved to Cincinnati, in protest of the city’s recent gun-

control laws. Conservatives within the organization, led by Carter, staged what has come to be called the Cincinnati Revolt. The bylaws were rewritten and the old guard was pushed out. Instead of moving to Colorado, the N.R.A. stayed in D.C., where a new motto was displayed: “The Right of the People to Keep and Bear Arms Shall Not Be Infringed.”

Ronald Reagan was the first Presidential candidate whom the N.R.A. had endorsed. David Keene ran Reagan’s Southern campaign. Reagan’s election, in 1980, made it possible for conservatives to begin turning a new interpretation of the Second Amendment into law. As the legal scholar Reva B. Siegel has chronicled, Orrin Hatch became the chair of the Subcommittee on the Constitution, and commissioned a history of the Second Amendment, which resulted in a 1982 report, “The Right to Keep and Bear Arms.” The authors of the report claimed to have discovered “clear—and long-lost—proof that the Second Amendment to our Constitution was intended as an individual right of the American citizen to keep and carry arms in a peaceful manner, for protection of himself, his family, and his freedoms.”

In March of 1981, John Hinckley, Jr., shot Reagan, the White House press secretary, James Brady, a D.C. policeman, and a Secret Service agent. He used a .22 that he had bought at a pawnshop. A month later, the *Times* reported that Harlon Carter, then the N.R.A.’s executive vice-president, had been convicted of murder in Laredo, Texas, in 1931, at the age of seventeen. Carter had come home from school to find his mother distressed. She told him that three teen-age boys had been loitering nearby all afternoon, and that she suspected them of having been involved in stealing the family’s car. Carter left the house with a shotgun, found the boys, and told them that he wanted them to come back to his house to be questioned. According to the trial testimony of twelve-year-old Salvador Peña, Ramón Casiano, fifteen, the oldest of the boys, said to Carter, “We won’t go to your house, and you can’t make us.” Casiano took out a knife and said, “Do you want to fight me?” Carter shot Casiano in the chest. At Carter’s trial for murder, the judge, J. F. Mullally, instructed the jury, “There is no evidence that defendant had any lawful authority to require deceased to go to his house for questioning, and if defendant was trying to make deceased go there for that purpose at the time of the killing, he was acting without authority of law, and the law of self-defense does not apply.” Two years later, Carter’s murder conviction was overturned on appeal; the defense argued that the instructions to the jury had been improper.

When the *Times* broke the Casiano murder story, Carter at first denied it, saying the trial record concerned a different man with a similar name. He later said that he had “nothing to hide” and was “not going to rehash that case or any other that does not relate to the National Rifle Association.”

James Brady and his wife, Sarah, went on to become active in the gun-control movement, but neither the assassination attempt nor Carter’s past derailed the gun-rights movement. In 1986, the N.R.A.’s interpretation of the Second Amendment achieved new legal authority with the passage of the Firearms Owners Protection Act, which repealed parts of the 1968 Gun Control Act by invoking “the rights of citizens . . . to keep and bear arms under the Second Amendment.” This interpretation was supported by a growing body of scholarship, much of it funded by the N.R.A. According to the constitutional-law scholar Carl Bogus, at least sixteen of the twenty-seven law-review articles published between 1970 and 1989 that were favorable to the N.R.A.’s interpretation of the Second Amendment were “written by lawyers who had been directly employed by or represented the N.R.A. or other gun-rights organizations.” In an interview, former Chief Justice Warren Burger said that the new interpretation of the Second Amendment was “one of the greatest pieces of fraud, I repeat the word ‘fraud,’ on the American public by special-interest groups that I have ever seen in my lifetime.”

The debate narrowed, and degraded. Political candidates who supported gun control faced opponents whose campaigns were funded by the N.R.A. In 1991, a poll found that Americans were more familiar with the Second Amendment than they were with the First: the right to speak and to believe, and to write and to publish, freely.

“If you had asked, in 1968, will we have the right to do with guns in 2012 what we can do now, no one, on either side, would have believed you,” David Keene said.

Between 1968 and 2012, the idea that owning and carrying a gun is both a fundamental American freedom and an act of citizenship gained wide acceptance and, along with it, the principle that this right is absolute and cannot be compromised; gun-control legislation was diluted, defeated, overturned, or allowed to expire; the right to carry a concealed handgun became nearly ubiquitous; Stand Your Ground legislation passed in half the states; and, in 2008, in *District of Columbia v. Heller*, the Supreme Court ruled, in a 5–4 decision, that the District’s 1975 Firearms Control Regulations Act was unconstitutional. Justice Scalia wrote, “The Second Amendment protects an individual right to possess a firearm unconnected with service in a militia.” Two years later, in another 5–4 ruling, *McDonald v. Chicago*, the Court extended *Heller* to the states.

Nevertheless, Keene says that all of these gains are fragile, because President Obama—who in his first term has not only failed to push for gun control but has signed legislation extending gun rights—has been hiding his true convictions. (From 1994 to 2002, Obama served on the board of the Chicago-based Joyce Foundation, which funds pro-gun-control advocacy and research.) “If this President gets a second term, he will appoint one to three Supreme Court justices,” Keene says. “If he does, he could reverse *Heller* and *McDonald*, which is unlikely, but, more likely, they will restrict those decisions.”

This issue has been delivering voters to the polls since 1970. Conservatives hope that it will continue to deliver them in 2012. Keene, in his lifetime, has witnessed a revolution. “It’s not just the conservative political victories, the capture of the Republican Party, the creation of a conservative intellectual élite,” he said, “but the whole change in the way Americans look at government.” No conservative victories will last longer than the rulings of this Supreme Court.

One in three Americans knows someone who has been shot. As long as a candid discussion of guns is impossible, unfettered debate about the causes of violence is unimaginable. Gun-control advocates say the answer to gun violence is fewer guns. Gun-rights advocates say that the answer is more guns: things would have gone better, they suggest, if the faculty at Columbine, Virginia Tech, and Chardon High School had been armed. That is the logic of the concealed-carry movement; that is how armed citizens have come to be patrolling the streets. That is not how civilians live. When carrying a concealed weapon for self-defense is understood not as a failure of civil society, to be mourned, but as an act of citizenship, to be vaunted, there is little civilian life left.

In 2002, Keene’s son David Michael Keene was driving on the George Washington Memorial Parkway when, in a road-rage incident, he fired a handgun at another motorist. He was sentenced to ten years in prison for “using, brandishing, and discharging a firearm in a crime of violence.” I asked Keene if this private tragedy had left him uncertain about what the N.R.A. had wrought. He said no: “You break the law, you pay the price.”

I asked Keene if any public atrocity had given him pause. He explained that it is the N.R.A.’s policy never to comment on a shooting.

I asked him how he would answer critics who charge that no single organization has done more to weaken Americans’ faith in government, or in one another, than the N.R.A.

“We live in a society now that’s Balkanized,” Keene said. “But that has nothing to do with guns.”

On Monday, March 26th, thousands of students rallied in Atlanta, carrying signs that read, “I am Trayvon Martin,” and “Don’t Shoot!” One week later, in Oakland, a forty-three-year-old man named One Goh walked into Oikos University, a small Christian college. He was carrying a .45-calibre semiautomatic pistol and four magazines of ammunition. He grabbed Katleen Ping, a receptionist, and dragged her into a classroom. Nearby, Lucas Garcia, a thirty-three-year-old E.S.L. teacher, heard a voice call out, “Somebody’s got a gun!” He helped his students escape through a back door. Dechen Yangdon, twenty-seven, turned off the lights in her classroom and locked the door. She could hear Ping screaming, “Help, help, help!” “We were locked inside,” Yangdon said later. “We couldn’t help her.”

Goh ordered the students to line up against the wall. He said, “I’m going to kill you all.”

They had come from all over the world. Ping, twenty-four, was born in the Philippines. She was working at the school to support her parents, her brother, two younger sisters, and her four-year-old son, Kayzzer. Her

husband was hoping to move to the United States. Tshering Rinzing Bhutia, thirty-eight, was born in Gyalshing, India, in the foothills of the Himalayas. He took classes during the day; at night, he worked as a janitor at San Francisco International Airport. Lydia Sim, twenty-one, was born in San Francisco, to Korean parents; she wanted to become a pediatrician. Sonam Choedon, thirty-three, belonged to a family living in exile from Tibet. A Buddhist, she came to the United States from Dharamsala, India. She was studying to become a nurse. Grace Eunhea Kim, twenty-three, was putting herself through school by working as a waitress. Judith Seymour was fifty-three. Her parents had moved back to their native Guyana; her two children were grown. She was about to graduate. Doris Chibuko, forty, was born in Enugu, in eastern Nigeria, where she practiced law. She immigrated in 2002. Her husband, Efanye, works as a technician for A.T. & T. They had three children, ages eight, five, and three. She was two months short of completing a degree in nursing.

Ping, Bhutia, Sim, Choedon, Kim, Seymour, and Chibuko: Goh shot and killed them all. Then he went from one classroom to another, shooting, before stealing a car and driving away. He threw his gun into a tributary of San Leandro Bay. Shortly afterward, he walked into a grocery store and said, "I just shot some people."

On Tuesday night, a multilingual memorial service was held at the Allen Temple Baptist Church. Oakland's mayor, Jean Quan, said, "Oakland is a city of dreams." A friend of Choedon's said, "Mainly, we're praying for her next life, that she can have a better one." In Gyalshing, Bhutia's niece, Enchuk Namgyal, asked that her uncle's body be sent home to be cremated in the mountains above the village, across the world from the country where he came for an education, religious freedom, and economic opportunity, and was shot to death.

Kids in Chardon High are back in school. Nickolas Walczak is in a wheelchair. There are Trayvon Martin T-shirts. Oikos University is closed. The N.R.A. has no comment.

In an average year, roughly a hundred thousand Americans are killed or wounded with guns. On April 6th, the police found One Goh's .45. Five days later, George Zimmerman was charged with second-degree murder. In May, T. J. Lane will appear at a hearing. Trials are to come. In each, introduced as evidence, will be an unloaded gun. ♦

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