

## PRELUDE — DEATH IN NEWTOWN 2012

In December 2012, most of the news stories about the deaths of children and staff at Sandy Hook Elementary School in Newtown, Connecticut were reporting a massacre, a rampage-style shooting with 26 deaths. In fact 27 people died at the school. The one left off some casualty lists was the young man with the gun. He died because he killed himself. A very public suicide. In the USA, among 30 perpetrators, in one survey of rampage-style killings between 2001 and 2012, only 5 survived.<sup>1,2</sup> Almost all died by suicide in public, in the very place they killed the others. A few died in the immediate aftermath at the hands of the police. Most people writing and reflecting about these events have focused on victims and weapons. The starting point for me, perhaps because my perspective takes its position from my work on the endings of wars, is the suicide, the violent self-annihilation that marks the ending of so many of these civilian catastrophes. My purpose in this piece is to bring a new kind of attention to suicide, a largely unexamined element of the USA's intense, commonplace violence. Our suicides, public and private, can only be understood if seen in the context of the nation's seemingly rock hard commitment to gun rights. \*\*

Guns used in murder-suicides, including terror-suicides like Newtown, and guns used in the more ordinary, self-inflicted deaths we all recognize as "suicide" kill about 20,000 Americans every year. This is a phenomenon of our times; a gun story in which killers and their victims (almost always only themselves) are often older, largely male, and mostly white.

I will be arguing that our unique approach to gun rights -- associated as it is with individual power, the entitlement to own a gun and the right to respond with violence when protecting property or honor -- has deep roots, reaching back to the nation's founding documents and social systems. Today's progressive gun politics must include working on these roots, but in new ways. Specifically, we should use rights protected by the First Amendment to set criteria that ensure the right to bear arms, mandated in the Second Amendment, is "well regulated." I will also propose other remedies which, since they echo existing public health strategies, can be enacted locally and in our personal lives.

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\*\* Originally completed in June 2013, this essay was updated in December 2015, to take account of alterations to the collective consciousness about patterns of gun violence in the USA. Ferguson alerted the nation to ongoing gun violence directed by police at African Americans. Newtown means that many more mass shootings are now publicized beyond the region where they occur. These represent changes in national awareness not changes in total numbers of events. Mass shootings — four or more casualties — have been occurring at a high rate for years. [shootingtracker.com](http://shootingtracker.com) gives recent details. It took until Dec. 3, 2015 for the *New York Times* to acknowledge the virtually daily nature of mass shooting trauma.

## THE POLITICS OF PUBLIC SUICIDE

Descendants of slaves know deeply that violence was built into the country at its founding, in whippings and lynchings, and families wrenched apart by an unconstrained slave owning class. Many people in the USA today claim for themselves an analogous power, which they cloak in the Second Amendment, asserting a right to own and use any kind of gun, for any reason, in public or in their own homes, at their own individual discretion. No matter how large the majority in favor of gun controls, this minority is trying to craft and protect virtually unconstrained access to guns.

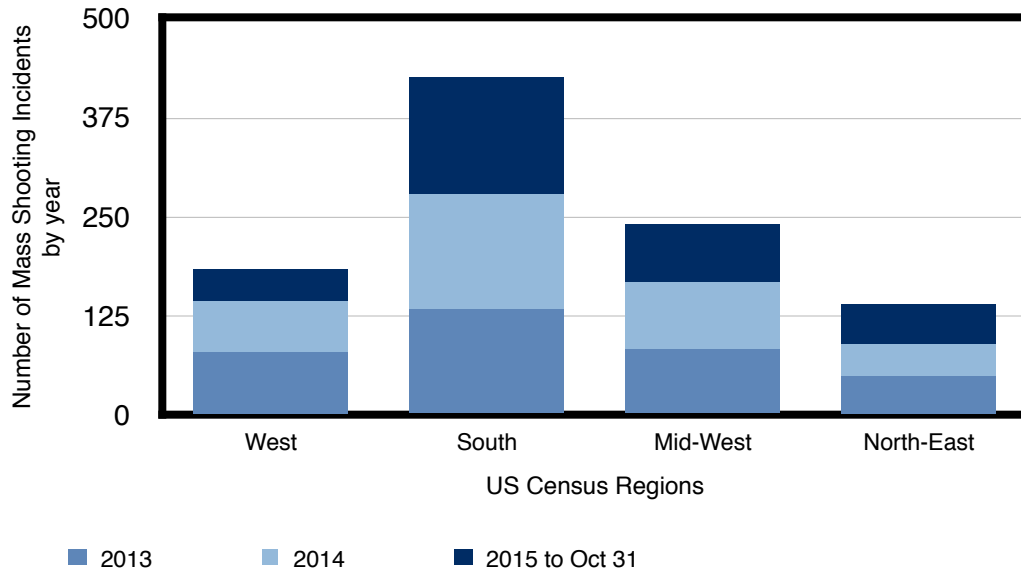
Key features of the origins of all of this lie in the US Constitution, which allocated to the slave states more seats than their share of voters thanks to the 3/5 clause, allowing a fairly small minority disproportionate access to power. The Constitution also made the entire nation complicit in the violence of slavery, via the mandates of the Fugitive Slave clause.<sup>3</sup> Wars against the Indians and the “settling” of the West broadened the original violent tradition, but in the regional differences in current patterns of mass shooter violence, and in regional differences in patterns of suicide today, the USA appears to be experiencing yet another iteration of the legacies of slavery. Both gun suicides and mass shootings in the former Confederacy disproportionately outnumber those in most of the original northern states. Two charts on the next page compare states from the old South with northern states in (1) the number of mass shootings over the last three years by census region and (2) rates of suicide per 100,000 population. The selected states present a particularly dramatic contrast.

This is a long essay. Its earliest versions, distributed in 2013 were “trying something out,” the meaning in the original French of the word essay. Now, with two more years of research and two more years of changes in national consciousness, it has become a formal, and rather extended argument.

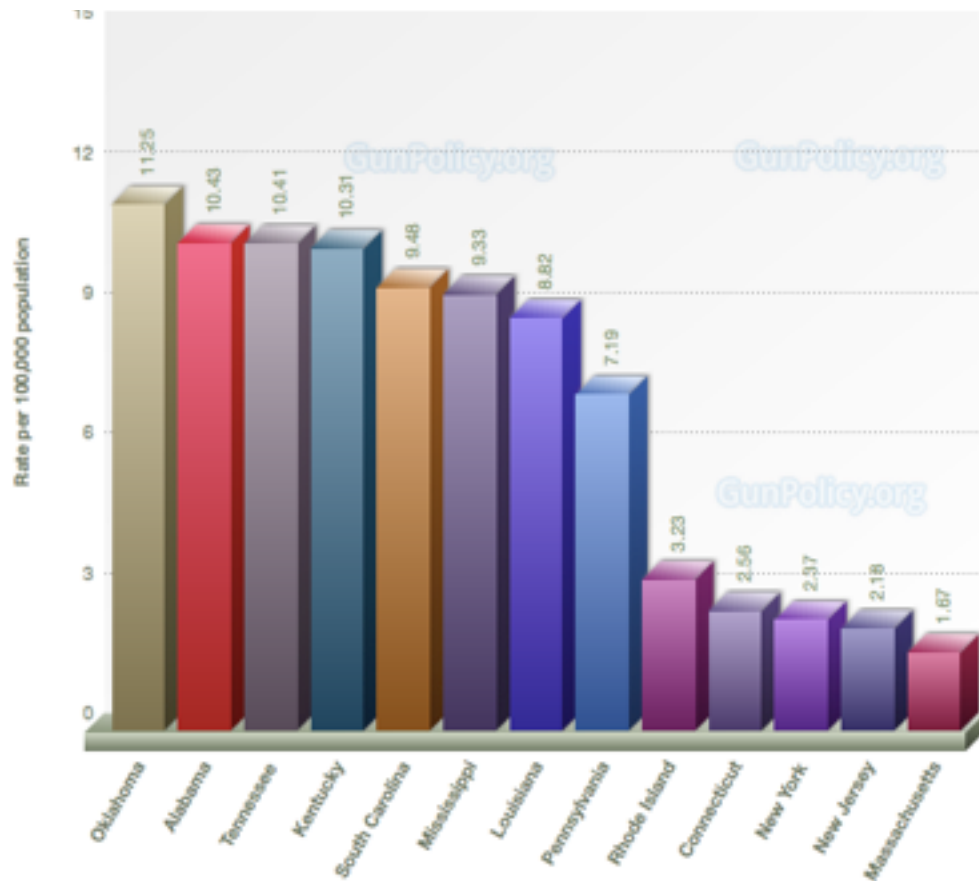
The remedies I propose have nothing to do with endless debates about listing names in national gun registries. Rather they draw on our extensive experience limiting other risky aspects of our social interactions, including driving and smoking. More profoundly, if the individualist rights now claimed as inherent in the Second Amendment are to be “well regulated,” inspiration to do so can be found in this nation’s passion for freedom of speech and assembly. The First Amendment is being threatened by ever increasing number of ways guns are carried into our public lives. The time has come to rise to its defense.

Each suicide and each terror suicide is the work of one or perhaps two people, but their lives unfold in social structures shaped by politics and by values embedded in the culture. This essay focuses on the structures and, despite regional differences, the national consequences are a part of all of our lives. If we can keep the facts about the 20,000 other deaths from gun suicide at the forefront of our minds, even more prominently than the attention we devote to terror suicides, we genuinely have opportunities to start reducing gun damage right now. We can skirt around our obviously dysfunctional elected center, to bring about a more tranquil daily life for thousands of Americans and their families.

Mass Shootings By Census Regions 2013 - 2015<sup>4</sup>



A Comparison Between States showing Rates of Suicide per 100,000 population.<sup>5</sup>



### **Newtown — The Political Context**

Let me sketch briefly some of the political consequences of the Sandy Hook Elementary School crisis in Newtown, in 2012. An immediate display of grief -- intimate and dreadful at the scene, was accompanied by money and toys (because it was near Christmas), flowers and messages of dismay flowing in from all over the country. The flood of private donations quickly became a confusing public problem: how does a community in grief handle so many unsolicited and sometimes unwanted gifts?<sup>6</sup> Bigger, tangible political consequences lay ahead. School officials would have to decide whether and how to rebuild the school, and whether to place armed guards in the buildings. Connecticut State officials took up legislation for sterner gun control, which passed and was signed into law on April 4, 2013. As a wider politico/economic consequence of Connecticut's action, a rush of conservative commentary claimed that this and similar legislation passed after an earlier massacre in Colorado, was "forcing" gun manufacturers to move factories to "greener pastures" including Texas.<sup>7</sup> From grief to interstate economic competition in four short months. Several months later, in Colorado, a special election resulted in the recall of two women senators closely associated with the gun control legislation.

National political options in the face of these events erupted in complex and often hostile public debates. President Obama attended mourning ceremonies in Newtown and vowed, once back in Washington, to pass sterner legislation at the Federal level. He was checked at the very first post. Legislative filibuster rules allowed a bill improving purchaser background checks to be "defeated" by the minority on April 17, 2013, despite having a majority of 54 votes in favor. This seemed to bring the Federal story to a depressing climax. There was more, however. On May 8, a slightly larger majority (56 votes) was also deemed to have been defeated as it tried to do the reverse, to *expand* gun owners rights on Federal land.

That these difficult discussions produce paradoxical definitions of "winning" and "losing" is explained in part by our 225 year old constitutional system. The protections of slavery at the Founding rested on a disproportionate number of seats allocated to the minority of the population living in the Southern States. These days minority positions "win" by relying on Senate rules about filibuster and cloture. The 4 million, hard lobbying pro-gun activists used filibuster to demolish the meaning of "mere" opinion polls showing 90% of the adults in the USA in favor of more stringent gun registration rules.<sup>8</sup> In May 2013, six months after the Newtown deaths, the NRA held its annual convention, and the 4 million celebrated their success at protecting the rights of "true," freedom loving Americans.<sup>9</sup>

The public debates did not end with these Senate votes and one challenge to the NRA position was set out in John Oliver's *Daily Show* stories about Australia, where new gun controls, imposed in response to a gun massacre in the 1990s have been effective and well received.<sup>10</sup> Congresswoman Gabrielle Giffords, a victim of a mass shooting, also tried to challenge pro-gun norms, in a *New York Times* op-ed explaining how NRA threats lead a politician to fear for his/her political future.<sup>11</sup> Her essay confirmed one of John



Oliver's more stunning interviews, in this case with a former aide to Senate Majority leader Harry Reid. The aide, Jim Manley declared on screen that a politician's first goal is "to get reelected." Passing legislation, he agreed, would be no higher than second priority.

Already tracking the very same electoral train of thought, the mainstream news media began speculating on the likely impact of votes on the gun measure by specific senators. Interestingly, given the male centered patterns of gun ownership and use in the USA, the consequences for women senators seemed particularly worth calling into question. Sen. Ayotte of New Hampshire learned that her vote against gun purchaser background checks might hurt. Sens. Landrieu (Louisiana) and Hagen (North Carolina) were probably pleased to hear that they might be gaining supporters from their votes in favor of control despite representing high gun-ownership states.<sup>12</sup> A Senator from North Dakota, Heidi Heitkamp, will not discover until 2018 which way the consequences of her vote will fall. Remember, it was women state senators who were recalled in protest against their gun control votes in Colorado.

The Senate vote was on the smallest of details, improved background checks for gun purchasers. No measures for serious change were proposed, and none were expected. Everyone understood the structural support undergirding the minority's commitments to guns and to the individual right to own them, commitments easily strong enough to override polls showing huge public support for change. Given the Congressional paralysis in Washington, DC in 2013, there was never really any need to consider the possibility that the public consequences of that public terror suicide in the school in Connecticut might change core dynamics in American politics.

### **Newtown — in global context**

When "terrorists" kill themselves while detonating bombs in Kabul, Americans are horrified and also disgusted by their actions. "Suicide bombers" are easily relegated to a space beyond the fringes of human civilization.<sup>13</sup> When Tibetans self immolate in the western regions of China and in Tibet, Chinese officials too relegate them to the fringes, as criminals and terrorists. American observers, by contrast, normally treat Tibetan deaths as human tragedies. We in the USA probably see both groups of activists as motivated by powerful beliefs, although suicides protesting injustices who are Buddhist are described with compassion, while Moslems who seek to glorify Allah through martyrdom are repudiated.<sup>14</sup>

By contrast, we discuss our own, public suicides as though each case were an individual one, an isolated and random event disconnected from any overarching belief system. We search the biography of a single life for the personal traumas and destabilizing experiences that turn a human being into a monster.<sup>15</sup>

## THE POLITICS OF PUBLIC SUICIDE

In this essay I will argue that it is not enough simply to describe America's public suicides as mentally troubled, isolated, monstrous individuals. Rather, each of them also is entangled in a powerful belief system. It rests on guns and on an individual's right to take violence into his, or occasionally, her own hands, a belief system just as powerful and convincing as religious impulses are for Buddhists and Moslems. Furthermore, the political consequences of that belief system recently have been strengthened not weakened by official support for guns and the option to resort to violence.<sup>16</sup> It is that belief system that lies at the heart of this piece. If we are to keep 20,000 people from killing themselves each year in this country, it will not be enough to put through a small increase in mental health spending.

This essay turns now to a brief summary of suicide data for the USA, in three categories: (1) Terror/rampage suicide of the Newtown kind, (2) imitate murder/suicides and (3) individual suicide. Using the National Rifle Association as the archetype, in Part 2 the essay examines the agendas pursued by pro-gun advocates in recent years. In Part 3, these modern efforts are placed in US historical context, in which a pattern emerges of repeated reassertions that true Americans have the right to respond with violence, each reiteration coinciding with a time of significant change in the political status of African Americans. At the end come the recommendations for action.

Part 3 is the most challenging part of my argument, and it may risk distancing the reader from suicide. However, once one understands the magnitude of the suicide risk in the USA, and juxtaposes it with some of the other extremes of US gun exceptionalism, it becomes possible also to identify strategies which can set in motion a downturn in the number of Americans for whom guns are an instrument of self-destruction, instead of the protective devices they are supposed to be.

### **Part 1 – SUICIDE IN THE USA**

The inspiration or more aptly stated, the force which drove me to take up this topic, was learning for the first time shortly after Newtown what many people already knew: in the USA, gun deaths by suicide massively outnumber gun deaths by homicide. In 2010 there were 19,392 successful suicides using guns. There were only 11,078 homicides.<sup>17</sup> In 2012, in total there were 32,288 deaths from firearm violence: 11,622 homicides and 20,666 suicides.<sup>18</sup>

*ONLY 11,622 dead people.* By comparison with suicides, homicide kills half as many, and yet the homicidal variant of gun violence in America is the one that attracts attention.

I could veer off now into international comparisons and bemoan American crime or death rates. I don't propose to do so. For those who want more international statistics, the World Health Organization and a database assembled at the University of Sydney in Australia, ([gunfacts.org](http://gunfacts.org)) provide a rich array of data, showing many distinct patterns of violence, suicide and crime around the world, as well as varying

## THE POLITICS OF PUBLIC SUICIDE

patterns in the use of tools and means.<sup>19</sup> The US is all too well recognized for its relatively high levels of murderous violence, although barely recognized for its comparatively low levels of nonviolent property crime, and surprisingly low levels of assault, at least as self-reported in surveys.<sup>20</sup> This essay is not about violence in the US in general. Nor does it make a comparative analysis of US suicide rates in the international context. It is about suffering and sadness in the USA today.

### 1. Terror suicides 2001-2012

**Suicide fatalities in each episode:** Counts of terror-shootings vary from source to source, but some common patterns appear in the lists. In one tally of cases between 1999 and 2013 — 27 events — 20 perpetrators ended up dead, almost all by suicide.<sup>21</sup> This is similar to the 25 out of 30 who died in the 2012 list *Mother Jones* magazine originally reported.<sup>22</sup> In a more recent tally by CNN of the 29 deadliest mass shootings since 1983, the perpetrators also died in 20 of them.<sup>23</sup>

**Age:** Catastrophes at schools and colleges, and in theaters showing movies aimed at the young lead many to assume that such massacres and their attendant suicides are perpetrated by young men. The following in order, in the *Mother Jones* tally from December 2012 back to 2001, are the perpetrators' actual ages: 22, 36, 40, 24, 40, 43, 59, 42, 32, 22, 34, 37, 41, 39, 45, 27, 52, 25, 19, 20, 17, 23, 32, 28, 44, 16, 44, 25, 48, 66. It is the victims who are young, not the majority of the perpetrators.<sup>24</sup>

**Race/Gender:** In the original 2012 *Mother Jones* list, just one mass killer was a woman. About two thirds were white, the others evenly distributed across different ethnic groups. From such a small total number there is no question of anything even worth investigating as statistically representative of the country, with the possible exception of the difference between men and women. Korean Americans are described by one writer as disproportionately sensitive to the fact that more than one of the perpetrators was Korean.

**Gun purchases:** There was no pattern showing where and how they got their guns, and therefore no particular reason to believe that some single, specific method for regulating gun purchases would change the likelihood of these events. In one study tracking 61 mass shootings since 1982, the guns were purchased legally in 49 cases, illegally in 11 and in one case the source was unknown.<sup>25</sup>

### 2. Intimate Murder - Suicides

Crimes called “murder-suicides” are more commonly small scale events than terror/rampage suicides. Nonetheless they are crimes which also leave more than one person dead, occasionally as many as four or more, hence they are often accurately described as mass killings, rather than fitting the stereotype of the single despairing person we commonly associate with the word “suicide.” Unlike the mass murder-suicides which happen in public places, these disasters usually happen at home, often in the bedroom.

## THE POLITICS OF PUBLIC SUICIDE

Their political consequences therefore are small. Indeed, in many states, it has proven hard to use the courts to get guns out of troubled households, even where there is known to be domestic violence.<sup>26</sup>

**Fatalities each year.** The best available, recent research is a doctoral dissertation completed in 2011, in which the author, for the first time in the USA, created and then validated a nation-wide data-base of murder-suicides. "Seven thousand four hundred forty-six (7,446) murder-suicide events . . . between January 1, 1999 and December 31, 2009. A total of 15,748 individuals died and 1,314 were injured in those events."<sup>27</sup>

**Guns:** Guns were used in 83% of the suicides.

**Age:** Although it was once sentimentally assumed that such deaths result from "pacts" agreed in advance by both partners, it is now clear that the partners who die in murder/suicides are mostly killed without warning, that pacts are rare. The average age of perpetrators is 44 and the distribution is skewed older than in murders in general.<sup>28</sup>

**Gender/Race:** Intimate murder/suicide, because of the suicide, is an overwhelmingly male crime. The data from the 2011 dissertation demonstrate that 93% of all perpetrators are male. More significantly, while 81% of general murder victims are male, in murders that are followed by suicides, 75% of the victims are women. Between 1999 and 2009, 61% of the perpetrators were white, 16% were black and 23% are described as "other." Studies indicate that the suicide rate for husbands who kill their wives is 19-26% while that for wives who kill their husbands is 0-3%.<sup>29</sup>

### 3. Individual Suicides

Statistics on individual suicidal behavior generally have, until recently, been virtually invisible in the public conversation about guns and violence, but the relationship is strong.

**Suicide Demographics:** There are an average of more than 350 gun suicides each week in the USA. That makes around 20,000 a year. Men outnumber women more than 7 to 1. With the exception of American Indians, the overall suicide rate per 100,000 people for whites, both men and women, outnumbers the rates for minorities 3 to 1. Unlike the commonplace trope that a lethal gun is most likely seen in the hands of a young black man, in suicide the hand belongs to a white man, most likely over the age of 35. In 2010 there were 349 suicides among active duty military personnel. There were about 8000 suicides by all methods by military veterans. 69% were over 50. Veterans under 30 seem to be dying in suicide at a slightly lower rate than their non-serving peers.<sup>30</sup>

Young people, probably because they are more impulsive, attempt suicide frequently and fail remarkably often -- 100-200 attempts per success. When they use guns the rate at which they die goes way up.<sup>31</sup>



## THE POLITICS OF PUBLIC SUICIDE

**Impulse, guns and suicide.** Attempted suicide is an impulse action, one that with most methods does not actually end in death. In 2010 there were more than 700,000 hospital admissions for attempted suicides but only about 38,000 who died. Conversely 85% or more of the people who try to commit suicide with a gun do die.<sup>32</sup> For suicide attempts using most other methods, fewer than 10% die.

Most important of all, more than 90% who make a first attempt never die of suicide. The gun as method really matters.

In suicide, it can take only five minutes between losing the human instinct for survival and death.

“The picture people have of suicidal people is that once you're suicidal you remain suicidal, but for a lot of people it's not the case . . . There's a short-term spike, and you really want to get the person through that vulnerable period safely and hopefully figure out a way to bring the misery down. . . .

In a Center for Disease Control survey of those who made a near-lethal suicide attempt, survivors were asked how long it had been from suicidal impulse to attempt. For half, it had been an hour or less. For 24 percent, it was less than five minutes.

Barber says before she started studying suicide, she wouldn't have even thought to put five minutes or less as an option.<sup>33</sup>

Even the smallest physical impediments to the use of one's own gun might make a difference to those 24% who thought for no longer than 5 minutes.

A 1999 study, examining near term results after more than 200,000 people bought a handgun, found that “In the first week after the purchase of a handgun, the rate of suicide by means of firearms among purchasers was 57 times as high as the adjusted rate in the general population.”<sup>34</sup> The group which bought disproportionately more guns for suicide than their numbers in the population was older men 55 and above. However, it was for suicidal women that the recent purchase of a gun was particularly dangerous. It made them nearly three times more likely to die using a firearm.<sup>35</sup>

The mental health problem in relationship to suicide is not illness but impulse. Guns are so dangerous to older white men because most suicides are impulse actions and a loaded gun in the house makes death virtually certain.

### **Two public health analogies**

People smoking put themselves as well as others at risk. Age restrictions on cigarette purchases, instituted decades ago, were followed by advertising restrictions to limit the attractiveness of smoking and significant tax increases to deter newcomers from taking up the habit. Because of more recent studies of the effects of second hand smoke, bans on indoor and workplace smoking have also spread widely

## THE POLITICS OF PUBLIC SUICIDE

across the USA. For those who want to understand how it once was, check out TV programs and movies from the 1950s and before. Smokers are everywhere. They feature hardly at all in current productions.

Likewise, people at the wheel of a car also put themselves and others at risk. In recent decades, the dangers have resulted in seat belt requirements for all front seat passengers, car seat mandates for



children, restrictions on teens driving each other and drink-driving laws to increase margins of safety for all. Car owners are also required to carry liability insurance. As a matter of comparison, the total number of suicides in the USA is almost the same as the total number of deaths on the road. The comedian Louis CK has a wonderful segment in a 2013 HBO special on why these laws are essential for our survival: there are so many ways merely being at the wheel of a car awakens the aggressive and uninhibited in us.<sup>36</sup>

Putting others at risk while putting oneself at risk voluntarily has limits, also, in relation to the First Amendment. In the safety context, Supreme Court rulings place specific limits when speech directly endangers other people: no shouting “fire” randomly in a crowded theater since audience members might get crushed to death running to the exits. In the electoral arena, in recent years this Amendment has been protected to an extraordinary degree. I will be arguing that gun rights urgently need to be “well regulated,” to protect the First Amendment in the many public settings that are also arenas for political speech.

In contrast to the regulations that have *reduced* dangers from cigarette smoking and driving in a car, recent mass killings and public suicides have resulted in concerted, often successful attempts to *increase* dangers of guns to others, to *increase* the accessibility of guns, to *increase* the chances that others will be put at risk by private behavior. Notably in Stand Your Ground laws, gun owners have expanded permissible justifications for firing their weapons, despite the absence of sound, research-based evidence that such changes are benign or beneficial to public health.

Part 2 of this essay examines this conundrum: Protections for gun users and manufacturers have been actively increased for over 30 years. All the while, at least until President Obama countermanded Congressional research “protocols” in 2013, the US government was prevented from collecting sound evidence measuring *the effects* of increasing these gun-owner protections on us, the citizens of the USA.

### Part 2 -- THE NRA, DATA, AND THE LAW

#### The NRA

2012 which ended so horribly in the Newtown killings also began with a highly publicized gun death, this one in Florida. George Zimmerman, on official patrol as “neighborhood watch” in a gated community, shot

## THE POLITICS OF PUBLIC SUICIDE

and killed a 17 year old young man. Trayvon Martin had been walking home, towards the house where he was staying inside the community. Martin, young and black, was wearing a hooded sweatshirt. Laden as both men were with stereotypes about violence in the USA, their fatal encounter was replayed again and again in the media.<sup>37</sup> One recurring theme centered on the fact that Zimmerman was not arrested and charged for nearly six weeks. Many attributed police inaction to the implied permission to kill in the name of “self-defense” that had been extended so broadly in Florida’s 2005 “Stand Your Ground” law.

One organization pushing relentlessly for the passage of Stand Your Ground laws was the National Rifle Association, the NRA, the institution that most clearly embodies rock hard commitment to gun rights in the United States. The NRA’s origins lie back in the Civil War, when military leaders realized that their recruits were appalling marksmen. Its initial purpose was to train men in handling rifles effectively, first for war and later for hunting and sport. Rifles, “long guns” were the NRA’s primary concern. For over 100 years, its programs focused on gun handling and its membership recruitment on recreation.<sup>38</sup> The organization even supported much of the 1968 Gun Control Act, passed by Congress in response to the assassinations of the two Kennedys and Dr. King. But the late 1970s saw major changes in the NRA’s organizing strategies and agenda; an extended internal policy debate ended in the gun “activists” triumph.

The selection as Executive Director of Harlon Carter in 1977 embodied the change. Tensions had been brewing about the organization’s priorities for five years, once Carter became the NRA’s DC lobbyist. As a teenager Carter had been convicted of second degree murder, a conviction later overturned by a ruling of “self-defense.” His life long advocacy for the right to self defense made him willing to argue that weapons in the hands of felons and the mentally disturbed was the price he was willing to pay for the “freedom” of gun owners to take action into their own hands.<sup>39</sup> By 1986 the organization had managed to get Congress to weaken the 1968 Gun Control Act. In 1991, and with the appointment of Wayne La Pierre as Executive Director, the NRA’s trajectory was firmly fixed in the anti-gun-control direction. While the advertisements and language of the 1980s and 1990s linked gun rights to the nation’s crime rate,<sup>40</sup> after 2000 the organization took a more generally antigovernment position, linking up with other single-issue focused groups in the small government movement. In a combination of state laws and litigation, the NRA now argues its “self-defense” agenda virtually entirely through the individual right to bear arms, as laid out in the Second Amendment, to them the core of the US Constitution.

### **Tropes but not much data**

In the US in recent decades, public “opinion” about the value of guns has had to develop with very little evidence-based data to support claims made by anyone. We have lived from sound-bite to trope with perilously little reliable information to temper our emotions or to use as the basis for policy. The NRA more than any other single entity, has determined the structure of public discourse on guns.

## THE POLITICS OF PUBLIC SUICIDE

The absence of a larger body of explicit research into guns and suicide is, like “Stand Your Ground” legislation, a sign of the power of the pro-gun lobby. After Newtown, President Obama finally ordered the Centers for Disease Control to restart government funded scholarly studies of gun injuries, ending a 16 year long ban on the topic. Yes. 16 years ago Congress began a ban on government-funded, civilian research into gun injuries.<sup>41</sup> The NRA drove the 1996 ban, and the restriction has been inserted into each of the annual CDC appropriation bills ever since.<sup>42</sup>

So, what was it that the CDC and National Institutes of Health were not allowed to study? They were not allowed to examine the gold-standard public health question: what can be done to make everyday life safer for everyone. Inside the CDC, injuries are the agenda for the National Center for Injury Prevention and Control. This group studies everything from automobile accidents to elders falling down stairs. **NCIPC has not been allowed to undertake any studies of injuries from guns that might “advocate or promote gun control.”**<sup>43</sup> The ban was imposed in 1996, because by then scholarly research had begun convincingly to demonstrate that merely having a gun in the home increased the risks of both suicide and homicide.

In recent years the ban on CDC research has been extended to other agencies as well, even the Bureau of Alcohol, Tobacco and Firearms and the military. In the aftermath of the shooting of Rep. Gifford, Congress went so far as to prohibit military commanders from discussing private ownership of guns with soldiers under their command.<sup>44</sup>

Encouragingly, the trend towards denial may finally be reversing, and doing so more widely than just in Obama’s White House. In 2012, the ban impacting the military was partially rescinded, allowing discussions with soldiers still in the services and known to be suicide risks. After Newtown, the mainstream media began carrying stories about the lack of research data and the need to determine the correct next steps.<sup>45</sup> Media coverage then, and data showing a steady increase in the number of suicides in the Army and Navy may be encouraging officers to use the 2012 permission to talk to those whom they know to be at risk. The rest of us, however, the NRA still wants to keep in the dark.

In the face of a serious lack of carefully interpreted, widely available data, the USA has been awash in stereotypes and generalizations, masquerading as facts, about who uses guns and why. It is now imperative we become able to hear and recognize differences between the stories we keep telling ourselves, including how we allocated blame, and findings from evidence-based research.

### **Stereotypes**

**1) Blame TV and Film.** In the aftermath of each mass shooting, gun advocates return to the unsupported platitude that if mass violence seems commonplace in the United States today, then film, television and

## THE POLITICS OF PUBLIC SUICIDE

video games are responsible for making violence seem permissible. Since I can barely even watch trailers for violent movie, intuitively to me this claim seems hard to refute. And yet, I also know, the evidence I and my peers gathered in graduate school, working as coders for the earliest US studies on television and violence. We were trying to link mass media violence to high rates of crime in the 1970s, but it proved impossible conclusively to demonstrate that increase in violent incidents on television was causally related to the high levels of violence.<sup>46</sup> A more recent study, of violent criminal behavior on the weekends when there were wide-spread openings of violent movies, found that violence actually decreased on those weekends and that there was no marked increase in the three weeks immediately following.<sup>47</sup>

Above all, despite massive amount of fictional media violence, most mass-murder/suicides have clear personal connections to the people and places they target. It needs only to be added that, fictional shooters almost never turn their guns on themselves. Suicides in both rampage killings and personal action cannot be described as copy-cat versions of the violence on screen on a Saturday night.

### 2) Gun Purchases have increased dramatically in recent years. Well, yes and no.

Each terror suicide and well publicized mass shooting leads to fearsome mass mailings by the NRA that Obama's government is about to restrict gun ownership. Which means that gun owners are often inspired to buy yet another weapon. In fact the percentage of American households which own a gun has been declining steadily.

This chart, made with data from a variety of sources, shows a

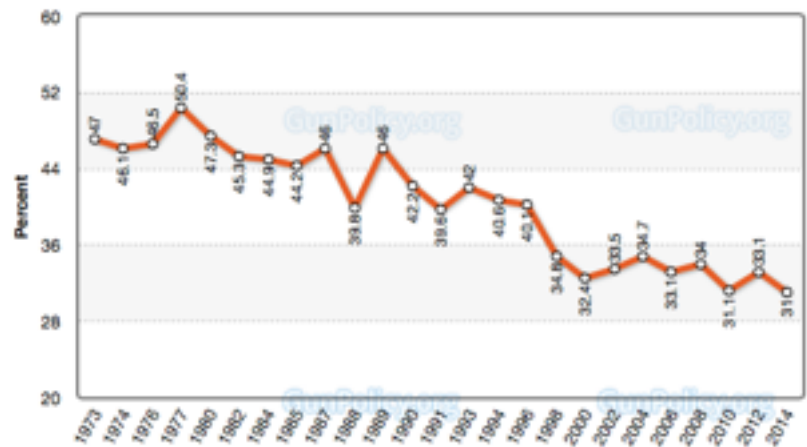
decline even in this era of well

publicized mass shootings.<sup>48</sup> The well respected GSS, the annual, nation-wide social survey by the National Opinion Research Council confirms that the total number of households owning guns has declined to close to 30% from over 50% when the survey began in the early 1970s.<sup>49</sup> The remaining households are therefore stocked with ever more guns.

**3) Women are buying and using more and more guns.** In the arena of gender and gun use, media tropes differ from data quite starkly. One claim gaining momentum is that increasingly women are buying

### United States

#### Proportion of Households with Firearms



Totals and rates are not always drawn from a single publication. To view the source data or to match figures exactly, follow the hover links on each data point

## THE POLITICS OF PUBLIC SUICIDE

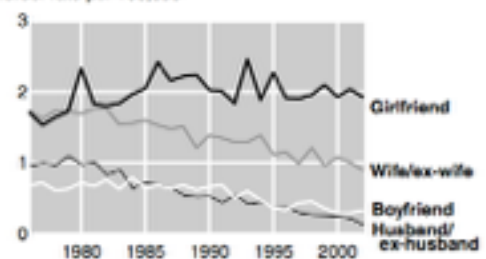
and using guns. A woman's right to the means for self defense is omnipresent in NRA promotions and their website devotes a whole segment just to women. In April 2013, for example, it posted a video with the heading: "Female shooters are one of the fastest growing demographics in the shooting community. Here are some self-defense training tips for women." Put the words "women, self-defense, guns," into a search engine on the web and over 21 million pages will come up in under 30 seconds.<sup>50</sup> The GSS survey released in 2015 paints a much more moderate picture. The percentage of gun owners among women has hardly changed at all since 1980. In 2015 12% acknowledge that they personally own a gun.

**4) Women are dangerous intimate partners.** The opposite trope, that women are violent killers in intimate relations, spent the spring of 2013, when this essay was first being written, prominently in the media, tossed from channel to channel in a feeding frenzy of the kind that that deflects attention from reality, by focusing instead on cases that are the exception. The two trials were of women accused of killing their partners, although guns were never involved. Still the stories serve as classic examples of how difficult it is to keep the data about women's readiness to embrace violent strategies clear.<sup>51</sup> In fact, the number of women killing intimate partners has collapsed dramatically at least since 1976.

A study published by the Department of Justice, compared intimate partner homicides among blacks and whites in the years 1976-2002. The only group whose tendency to kill their partners did not go down steeply was white men. Their numbers were still high because their tendency to kill their girlfriends and ex-girlfriends (though not their spouses) has been rising. By 2002, black men, white women and black women were committing intimate partner murders at numbers 25%-50% below the 1976 rates.<sup>52</sup>

Intimate homicide rate by race, gender, and relationship, 1976-2002

White victims  
Murder rate per 100,000



The gender statistics also pinpoint men in intimate partner homicides-suicides, where adult men aged 55 and older have twice the rate of homicide-suicide that younger people do. There are more than 500 such episodes killing both partners each year. "The greatest at risk is the older couple (ages 75+) who have been married a long time and the husband has a dominant personality . . . Murder-suicides in older people were previously considered to be suicide pacts, mercy killings or altruistic homicide-suicides where both partners were old and sick. . . Almost all homicide-suicides in older persons involve a husband who kills his wife before killing himself."<sup>53</sup>

**5) Most often when guns are used it is for self-defense.** Self defense is the most important trope that has been governing US policy in the new millennium. The right to self-defense will come up again in the section of this essay linking attitudes to guns in 2015 back through US history to the Founders. Today it carries real weight as politicians and citizens argue through the political consequences of terror-suicides.

## THE POLITICS OF PUBLIC SUICIDE

For pro-gun advocates this argument is a “no-brainer,” and the sound bites which have saturated the media in recent years do not easily fade: “the only thing which stops a bad guy with a gun is a good guy with a gun,” is probably the most famous.

Definitive data on the use of guns in self defense is, in reality, extraordinarily hard to document. Scholarly surveys attempting to pin down whether a visible gun was used for hostile purposes or in self defense repeatedly find that hostile uses are more likely. One study favored by gun advocates found a ratio of six hostile displays to a single use for self defense.<sup>54</sup>

These same advocates, publishing *The Gun-Control Fact Sheet* declare that guns are used for self defense millions of times each year:

“Even anti-gun Clinton researchers concede that guns are used 1.5 million times annually for self-defense. According to the Clinton Justice Department, there are as many as 1.5 million cases of self-defense with a firearm every year. The National Institute of Justice published this figure in 1997 as part of “Guns in America”—a study which was authored by noted anti-gun criminologists Philip Cook and Jens Ludwig.<sup>55</sup>

In fact Cook and Ludwig’s study argues that it is hard to estimate how many times guns are used in self-defense. They recognize that 46% of gun owners *believed* they needed the gun for protection, but they conclude that “Evidence suggests that this survey and others like it overestimate the frequency with which firearms were used by private citizens to defend against criminal attack.”<sup>56</sup>

A conservative think tank, the CATO Institute put out a stark challenge to the argument that guns are used millions of times for self-defense. CATO’s study, dated 2012, claimed that self defense using guns was widespread and crossed all segments of society. Having decided that “survey data has severe limitations with respect to defensive gun uses” CATO embarked on “collecting accounts of self-defense as they are reported in news outlets [which] may be a better method of assessing the frequency and nature of self-defense with firearms.” They studied news stories from October 2003 to November 2011 and, despite an 8 year time frame, they identified only 5000 reports of guns used in self defense across the entire USA. Clearly, the millions of “self-defense” actions claimed to result from gun ownership are fantastical, completely out of touch with the ways we actually keep ourselves safe.<sup>57</sup>

### **The Law**

In recent years the NRA has used political coercion — primarily donations and black-lists focused on the defeat of their opponents — to propel changes to the law and important changes in national constitutional priorities.

**Stand Your Ground increased the settings in which shooting in self defense is legal.** The core justification for killing in self defense is age old: facing imminent death or serious bodily harm. In Anglo-American common law two prerequisites were traditionally required: one had a duty to retreat if at all

## THE POLITICS OF PUBLIC SUICIDE

possible, and the only place this duty to retreat did not apply was in one's own home or property. Other cultures rarely take as absolute a view as we have in the US, that one's home is one's "castle." In Japan they have never forgotten the killing of an exchange student, 服部 剛丈 Hattori Yoshihiro, who died in Baton Rouge on Halloween in 1992, trying to Trick or Treat at the wrong house. The Japanese were appalled that home owner, Rodney Peairs was acquitted because he had posted a notice (not easily understood by a Japanese speaker) warning visitors not to walk up to the house.

Florida and other states with Stand Your Ground legislation have extended the "no requirement to retreat" dramatically, to include wide areas, for example one's car and even places one is "entitled" to be: sidewalks, parks, hotels, airports. Trayvon Martin was shot on a side-walk. After Florida, 25 other states passed similar laws within six years.<sup>58</sup> The *Wall Street Journal* reports: " 'Justifiable' homicides nearly doubled from 2000 to 2010 . . . . The data, provided by federal and state law enforcement agencies, showed a sharp increase in justifiable homicides."<sup>59</sup>

**Businesses engaged in gun sales are now exempt from many lawsuits.** 2005 saw another important new law, this one Federal, extending the likely uses of a gun, by curtailing liability law suits over deaths involving guns. The legislation, named The Protection of Lawful Commerce in Arms Act, guaranteed gun makers and gun dealers exemption from civil lawsuits whenever, as in terror-suicides and murder-suicides, the gun was used to commit a crime: "We prohibit causes of action against manufacturers, distributors, dealers, and importers of firearms or ammunition products, and their trade associations, for the harm caused solely by the criminal or unlawful misuse of firearm products or ammunition products by others, when the product functioned as designed and intended." Unlike the tobacco industry which was ultimately forced to pay compensation for all smoking damage, even that from cigarettes bought or sold illegally, the gun manufacturers and dealers are safe from suits whenever a criminal uses a gun -- as long as their weapons functioned as "designed and intended." Though criminal, using a gun to kill another person is conforming to the manufacturer's design intentions, hence the industry is exempt from responsibility.

Suicide, however, is not a crime, and the remedies I propose at the end of this essay include using civil courts to challenge the way guns remain too readily available to people in anguish who commit suicide privately.

**Expanding "Open Carry" Laws Including Opposing School-yard Gun Free Zones.** Associated with the extension of the right to self defense in public places, the NRA opposes all "gun free zones." The Newtown shooting proved yet another opportunity to challenge this particular kind of restriction. Just days after the children died, Wayne La Pierre blamed the government for the deaths:

"Politicians pass laws for Gun-Free School Zones. They issue press releases bragging about them. They post signs advertising them.



## THE POLITICS OF PUBLIC SUICIDE

And in so doing, they tell every insane killer in America that schools are their safest place to inflict maximum mayhem with minimum risk.”

“When it comes to the most beloved, innocent and vulnerable members of the American family — our children — we as a society leave them *utterly defenseless*, and the monsters and predators of this world know it and exploit it. That must change now!

The *only* thing that stops a *bad* guy with a gun is a *good* guy with a gun. Would you rather have your 911 call bring a good guy with a gun from *a mile* away ... or *a minute* away?” . . .

“The NRA is going to bring all of its knowledge, dedication and resources to develop a model National School Shield Emergency Response Program for every school that wants it.”<sup>60</sup>

By spring 2013 the Newtown school board had come to agree that ending “gun free” was a good idea so it voted to put armed guards in the schools. Perhaps to its surprise, just a few weeks later the citizens of Newtown voted down the budget to pay for those guards.<sup>61</sup> In the three years since Newtown, the NRA agenda has also been focused on increasing, state by state, the settings in which it is legal to carry a concealed weapon, which now include college campuses, bars and even airports.

A mid-point summary -- gun use in the USA is widely permissible. Furthermore, recent legislation enacted under pressure from the NRA has broadened the standards for “self defense” significantly, making gun use yet more widely permissible. Gun makers can no longer be sued in civil court for their role in making crime into violent crime. The USA has suffered 16 years of research silence into gun deaths. On the hopeful side, events since 2012, including the new scrutiny of shootings by police since Ferguson appear to have energized private researchers and the media as well as the FBI and Dept. of Justice. It is becoming possible to see rather more clearly how often guns result in gun deaths, even if we are still short of controlled research to explain patterns of cause and effect.

### **PART 3: LEGALIZING VIOLENCE: SELF DEFENSE, POWER AND THE SECOND AMENDMENT**

This essay now takes an important turn, one which earlier readers have told me is challenging and perhaps incomplete. I recognize the concern and yet I remain convinced that the powerful race-based structures that have shaped this country since its Founding are, today, an important element in the view prevalent among gun owners, even terror-suicides, that they have a personal right to take up violence whenever they chose. An African American in the White House, head to head with intransigent gun politics is a key part of the context today, and it is where this last part of my argument begins.

I am not alone in seeing the threat of violence underlying Obama’s presidency as distinctive, because of his race. People of many political persuasions here and abroad seem to have known, deeply known, that President Obama’s African heritage made him a target, way beyond the already huge, often lethal risks faced by previous Presidents. Still, if ending President Obama’s life seemed an all-too-obvious risk, it turned out to be equally easy to raise doubts about its beginning, at least for Donald Trump and the “birther” movement. To them Obama’s origins remain indeterminate, making him ineligible to be President. Politics everywhere brings out the odd and uncomfortable, but the deep craziness of the birther

## THE POLITICS OF PUBLIC SUICIDE

movement, the delegitimization of a sitting President, on the basis that his Africanness rules out his fundamental Americanness, echoes all too easily the notion, still in the Constitution written out for all to see, that Africans who came as slaves could not participate in public life.

Recently it has not been difficult to uncover linkages between a passion for gun rights and intense racism. Jim Porter, First Vice-President, since 2009 and NRA board member since the late 1950s, has been among the most explicit: “I get so sick and tired of all these people with this fake president that we got who wants to say, ‘Well, you know he hasn’t done anything bad for gun owners.’ I say, let me tell you something bad that he’s done. His entire administration is anti-gun, anti-freedom, anti-Second Amendment.” In this particular speech Porter went on to describe then U.S. Attorney General Eric Holder, as “rabidly un-American” and he linked Holder to “trying to kill the Second Amendment at the United Nations.”<sup>62</sup> Valerie Jarrett, Domestic Advisor in the White House was linked to the notion that Obama’s people wanted “revenge,” even though Porter offered no evidence of what revenge might be for. What do the officials Porter connects to the urgent need to protect the Second Amendment have in common? They are African Americans.<sup>63</sup>

At least three key standpoints make up the racial context that underlies our accommodation in the USA to high levels of gun violence. (1) Strong protections for violence, with expansions which coincide over historical time to changes in patterns of race relations (2) Disproportional allocations of political power so as to benefit the proponents of the right to resort to violence, which originated in the allocation of disproportionate political power to slave states and (3) Extremist positions extrapolating from particular language in the US Constitution, which now and once before in the past have coincided with a crisis over race and power. Each of these confronts us again today. We are also now, once again, in a position to protect or to dismantle the structural violence that has marred the United States since its Founding.

### **(1) “Correction” and Self-Defense**

Violence, of course, was embedded in master/slave relationships from the very beginning. It was understood that only the risk of dreadful violence hovering over themselves and their families kept slaves on the plantations, and at work. Originally, this kind of violence was sanctioned in a series of state laws which, while making it a crime to “murder” a slave, made exceptions for violence that occurred if the slave was undergoing “correction.” Slave owners, naturally, described this “corrective” violence as a form of self-defense, a vital strategy to protect their homes and their property from slacking workers at a minimum and from slave revolts at the extreme. For example, Georgia’s Constitution, 1798, explicitly mentions insurrection as a justification for killing a slave.<sup>64</sup>

The ending of the Civil War saw the ending of slavery but not the end of legal arguments affirming that unusual violence was legally justifiable, arguments based on ever expanding redefinition of aggressive violence as self defense. In the latter part of the 19th Century, Supreme Courts in several states and finally the US Supreme Court made rulings which repudiated the traditional basis for self defense — that

## THE POLITICS OF PUBLIC SUICIDE

one had a “duty to retreat” when under attack, until “ones back was against a wall.” State rulings confirming the right to attack when threatened peaked in the mid 1870s, the very same years that whites in the Confederate states were violently rolling back Reconstruction politics, stripping African Americans of their rightful access to governing power. The US Supreme Court’s succession of rulings that reclassified murder convictions as “self-defense” were made just before and just after 1895, the year segregation was ratified in the infamous Plessy v. Ferguson case. In 1921 Oliver Wendell Holmes, (*Brown v. United States*) wrote that it was not even necessary to be attacked: “Detached reflection cannot be demanded in the presence of an uplifted knife.” In this single line, Holmes declared that all a killer needed was fear itself.

Expanding the characterization of violent action as “self defense” is, of course at the core of the current enthusiasm for Stand Your Ground laws. By the 1870s, it had been deemed reasonable not to retreat, especially at home. By 1920 it was deemed reasonable to kill if one feared for one’s life. By 2012, when Michael Zimmerman was acquitted of killing Trayvon Martin, just because he was walking down the street, fear no longer had to be based on clear evidence of danger. A “true” man (1876), a “reasonable” man (1895), and a man with no law enforcement training at all should be entitled to stand and fire in self defense or to prevent crime “in public places” (2005), including public colleges, airports and bars (2015).<sup>65</sup>

### **Allocating Political Power**

In the sequence of events since the Founding which led us to this present, another reality is that certain rights can be deemed so pivotal they need special protection. At the Founding, owning slaves was such a right. Its protection was written into the Constitution in the 3/5s clause, because by counting the slaves those states were allocated more seats than they had citizens. The original mechanism was simple: Setting the rules in the census, mandated by the Constitution, to include 3/5 of each slave as the basis for representation in Congress. In 1793, slave states had 47 of the 105 members but would have had only 33 if no slaves were counted. In 1802 they held 64 seats instead of 50, in 1812, 76 out of 143 instead of 59, in 1820 they had 82 instead of 70 and in 1833, 98 out of 240 instead of 73.<sup>66</sup>

This power impacted the selection of the Speaker, the confirmation of judges to the Supreme Court and critically the Electoral College. Between 1789 and 1837, all Presidents owned slaves while serving as President, except John Adams and John Quincy Adams who each only managed one term. No-one was elected to a second term who was not a slaveholder.<sup>67</sup> A brief interlude of equality after the end of the Civil War faded once Reconstruction collapsed, returning the country to its prior condition: whites disproportionately over-represented in political power in the former Confederacy, by means of a combination of biased voter registration laws and violent intimidation including lynching.

Troublingly, the issue of who is to be counted to determine the allocation of seats is appears to be about to receive a major reassessment. US Census counts have always included non-voters and non-citizens

## THE POLITICS OF PUBLIC SUICIDE

— originally this meant women, children and indentured adults as well as 3/5 of every slave in the south. However, with the exception of slaves, the Constitution never explicitly mandated counting those who are not and cannot become eligible to vote. A case before the US Supreme Court this year, in the 2015-16 term, is set to determine whether this tradition of an inclusive count will continue, or whether representation will be allocated according to registered or eligible voters. The pro-gun advocates want to restrict the range of people included, because this too would result in their disproportionately greater representation. Here the rationale is that excluding immigrants reduces representation from high immigrant states, in particular the anti-gun havens of New York and California. It also reduces representation of cities where immigrants tend to congregate, and so biases in favor of rural, gun-centered regions.<sup>68</sup>

### **The Second Amendment**

In recent years, however, the pressure for gun rights has moved beyond mere statutory affirmations of particular rights under particular circumstances, to return once again to the Founders. The NRA and their like-minded allies see in the Second Amendment an ideal that endows any American with an inalienable, individual right to own guns, of whatever kind, carried wherever he wants, to be used whenever he feels the need. The Second Amendment is explicit (if not clear): “the right of the people to keep and bear arms shall not be infringed.” When the Supreme Court ruled against a total ban on handguns in private homes, which had gone into effect in Washington DC, it was easy to be sorry but hard to be surprised. That ruling was issued in 2008.<sup>69</sup> Two years later the Court ruled on guns again,<sup>70</sup> this time basing its decision on the amendment I personally consider to be the single most important one in the US Constitution: the 14th. “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.”<sup>71</sup> The 14th Amendment is one of the keys to balancing the “states rights” momentum inherent in the Constitution, one of just a few features of the Constitution that make Federalism enforceable. It is the Constitution, of course, which makes this problem a Federal problem, a national problem. It is not merely regional. It is the Constitution which makes us all complicit in the violence.

Second Amendment claims, which intensify our national complicity in today’s violence, find a parallel in 19th century decisions to enhance the Fugitive Slave clause, also a part of the original Constitution. Nationwide legislation, passed in a “compromise” package in 1850 went in two directions. On the one hand an increase in the number of slave states was blocked. On the other hand a new Fugitive Slave Law tried to spread slavery’s reach nationwide. The law mandated formal Conscription of Americans across the non-slave, northern states into posses formed to capture escaped slaves. An instant backlash against such explicit complicity drove many more northerners into a decisive repudiation of slavery. Outrage expressed by, among other things *Uncle Tom’s Cabin*, never faded again. While the law also impelled about 20,000 African Americans to move to Canada to escape capture, thousands of other slaves

## THE POLITICS OF PUBLIC SUICIDE

continued to escape. Furthermore, particular cases from Cincinnati to Boston, from Albany to Pittsburgh, found Federal Marshals overseeing the return of captured slaves in the middle of a political and legal storm. Few captured African Americans managed to avoid “rendition” back into slavery, but slavery as an institution came under attack as never before all over the north.<sup>72</sup>

These days Second Amendment victories in the Supreme Court are widely publicized. But there are also countervailing energies. Since that first Second Amendment ruling in 2008, over 1000 law suits have been filed by gun advocates making challenges to local gun regulations on Second Amendment grounds. The advocates have lost in 96% of the cases.<sup>73</sup> In Dec. 2015, with a fanfare of considerable publicity, the Supreme Court also ignored the advocates, refusing even to review a local ban on private ownership of specific varieties of assault weapons.<sup>74</sup>

If the US continues as it has for more than 200 years, then the violence and the racialisms which underpin violence will continue. So will the terror-killings. Four more highly publicized cases, three ending in suicide, happened in the last six months.

**December 2, 2015** - at an office holiday party in San Bernardino, CA: 14 killed, the two killers also committing suicide.

**October 1, 2015** - An Community College in Roseburg, Oregon. 9 dead, with the killer shot by police, but the coroner ruled his death a suicide.

**July 16, 2015** - At a military recruiting center in Chattanooga, Tennessee, 5 dead with the killer shot by police.

**June 17, 2015** - At the a historic African American Church in Charleston South Carolina. 9 dead and the killer confesses saying he wanted to start a race war.

A further 12 cases in which four or more people died happened between June 1 and November 1, but never made it onto the national news. Meanwhile at average rate of 350 a week, perhaps as many as 10,000 people died by suicide using a gun. It is time to consider remedies.

## CONCLUSIONS AND PROPOSALS

The best parts of the relationship in the USA between guns and people are to be found among serious hunters, women as well as men, who come from a wide variety of ethnic backgrounds. These are the people who own rifles, who go out for “their” deer/turkey/duck for food, as well as for sport. People in all parts of the USA learn marksmanship by shooting tin cans as targets. Guns can fit into modern America responsibly and ecologically. Sadly, there is also grief and horror in the relationship with guns. If I am correct that our violence and our history as a slave-based nation are embedded in current cultural and social structures, then attempts to modify patterns of gun usage will continue to face huge challenges. It is hard for any nation to take ownership of the deepest shadows in its history. We will have to take a path back through the Constitution itself as well as along the local avenues where all remaining powers not in the Constitution can still be found.

**(1) Guns and the Constitution.** Even granted a tradition of Presidents assassinated, when we assume and say out loud that an African American in public office is in more danger than any of his predecessors, we have to recognize the deep linkage between guns and race, a linkage which is particularly pernicious in politics. It is a reminder of the time when black men were slaves, that today gun owners can publicly describe a duly elected President as “fake,” that they can decide to attend public meetings challenging the very Americanness of his birthright, proudly carrying guns into the room. In Mississippi in 1874, black elected officials were destroyed by white gun owners, using egregious violence to strip them of their civic rights. We are not there now, but the history from which we have emerged should not be forgotten. In recent years for example we have endured the spectacle of political activists carrying guns into constituent Town Hall meetings, to protest the passage of the 2010 Health Care Reform Act. Surely the freedom to bear arms needs to be limited when free speech, whether political or academic is the object of a gathering. The Texas legislature certainly saw things that way when they defeated a bill that would have allowed guns inside government buildings although they have forced public colleges and universities to accept them.<sup>75</sup> **National civil rights organizations, for example the ALCU, could be working for a legal decision that attempts to reconcile the First and Second Amendments, to extend the ban on guns in the halls of Congress, to bans whenever or whenever elected officials or others hold a public discussion about public issues.**

**(2) Guns and Terror Suicide** The urge to act, to DO something is a powerful one in this country, and often beneficial. After a rampage killing, however, it is all too likely that the wrong kind of help and more help than it can absorb, is trying to flow into a newly devastated community. Furthermore, the consequences of each action spread beyond the immediate impact area. My own campus changed its policies for arming the police after 9/11. These days it engages in “active shooter” training more often than it should have to. There are opportunities to be constructive in response to any given attack in virtually every part of the USA. The help, however, needs to be given at the right time. Though the urge to act will be instant; understanding the smart thing to do takes all of us some time. **Before sending aid to some other region, give active and visible support for something in your own region which, in the light of recent public suicides, now has reason to wonder whether it too is a target: A university or local school with new worries about security. An abortion provider in your state. A minority congregation. The mental health center nearby which never has enough resources.**

**(3) Guns and Individual Suicide** Families affected by suicide are generally invisible compared to the hundreds of people impacted by guns at a political meeting or to news coverage of the untimely deaths in a school yard, but there are the thousands and thousands of people, beyond the actual victims, affected by the 20,000 gun suicides each year. Ultimately it will be emotionally quite easy for some group of lawyers to advocate publicly for a grand reconciliation of two key amendments to the Constitution, or for saving a child

## THE POLITICS OF PUBLIC SUICIDE

from causing an accidental death. Somehow it seems much more unlikely that families affected by guns and suicide will want to be in the public spotlight.

Nonetheless, there is already a disparate community of people actively and increasingly concerned with the notion that merely having a gun makes much more likely a suicide that otherwise would not have happened. *Means Matter*, a special program at the Harvard School of Public Health Program in Suicide Prevention focuses entirely on guns.<sup>76</sup> The former Mayor of New York City, Michael Bloomberg, and others in *Mayors Against Gun Violence*<sup>77</sup> have also begun to speak out on the linkages between guns and suicide as have newspapers including the *New York Times*.

And gun enthusiasts are also concerned. For example, the New Hampshire Firearms Safety Coalition is working with gun dealers to spread awareness about the risks of guns in the hands of suicidal people.<sup>78</sup> In collaboration with the former head of an injury prevention center at Dartmouth University, they have distributed brochures and posters to gun shops and they report that: “Most of the gun shop folks had really never thought about firearm suicide in a systematic way. Almost everybody had a pretty direct experience with suicide by firearms, but they didn't realize how widespread and they didn't know that guns were the leading method.”<sup>79</sup> By 2013 the New Hampshire Coalition was working in four other states. This seems like a genuinely encouraging move in the direction of suicide prevention. To the collection of action options from the New Hampshire coalition I would add another: **States should require gun owners to carry liability insurance just the way car owners do, an insurance with an explicit exclusion if the gun was used to commit suicide.**

### **A few last words**

Many people probably wonder whether we have reached the end of the line. The guns are here. Expression of political and racial hostilities is often intense. The courts too often seem to protect the extremes of gun ownership. Congressional legislation still curbs knowledge and a minority of strenuous advocates successfully silence or distort careful debate. The deeply engrained violence that was born in slavery endures. Gun owners have political power and they certainly have fire power to protect their right to kill. It is easier and easier for death and injury to wreak havoc on all kinds of very innocent bystanders.

### AND YET

The Second Amendment uses the words “well regulated.” Various pathways for change offer genuine opportunities for meeting that standard “well regulated.” And there are 20,000 newly grieving families every year to press for change.

For suicide prevention in general the tools already exist: trigger locks, and gun safes, and the gathering recognition among gun owner groups that they ought to be interested in helping their members stay alive.

## THE POLITICS OF PUBLIC SUICIDE

We also have a legacy of valuable traditions -- the NRA began as an organization whose purpose was to train people to use guns effectively. They could refocus their energies and public role on that once again.

With the exception of a court case that would juxtapose the First and Second Amendments, so as to find a humane way to host our public speech, the other remedies I have suggested ask no more than that we deal with guns the way we have dealt with smoking and car safety. It does not seem likely that we can make change using Federal legislation. It is also probably easier to elect a local prosecutor interested in gun deaths, to get a state health insurance commissioner to approve the rejection of payments for gun injuries without supplemental coverage, and for public interest groups to use existing negligence statutes to guide social services towards protecting the young from guns. These are local remedies which means every community can begin to get a grip on its own gun tragedies.

It took a lot of work by Mothers Against Drunk Driving to shift legal standards about drunkenness and cars across the entire nation. Since many suicides are older, their mothers are unlikely to be the core of any momentum for change. Furthermore, suicide is still considered shameful enough that it will take courage for the grieving to speak out. If we are lucky, this era of social media may make it possible for them to develop a community solidarity quietly before becoming a public advocacy group.

And to return once again to the beginning of this essay, to public suicides: terror killers can count on the fact that the police will try to kill them. Of 25 who died between 2001 and 2012, five, that is 20% were killed by the police. Hence as a means to deter rampage suicides, the police may need to try to devise a protocol that injures but avoids killing the perpetrator. This is not to suggest such a strategy would be at all easy to achieve. It's an open question for me, though, not a closed one with an obvious answer.

Encouragingly, in the two years since this piece first went public, it has begun to seem possible that the intense challenges of the era 1979-2015 are being reoriented towards more positive directions. For African Americans, previously sanctioned police violence is now under continuous scrutiny and challenge, and incarceration rates for African American men begin to be reversed. For suicides, a single piece of research by Princeton scholars Anne Case and Angus Deaton shone enough public and media light on the deaths of older white men that this issue, too, may begin to receive new attention.<sup>80</sup>

I cannot predict a change. I just hope it could happen. Among the saddest patterns of gun usage in the USA today is the 20,000 deaths by suicide. My core proposals are inspired by them.

We waste an awful lot of time and money in this country on proving blame for the sake of accountability. The Constitutional provisions set out in this essay make it clear that each one of us is responsible. The time has come to work together, to use our traditions and our better selves, in aid of wiser and longer lives for us all.



## Appendix 1. – LOCAL OPTIONS TO REDUCE GUN DEATHS

“Among the saddest patterns of gun usage in the USA today is the 20,000 deaths by suicide. My core proposals are inspired by them, but there are also some recommendations for actions that address gun concerns in other arenas.”

That sentence was written in 2013. On Dec. 12, 2015, the *New York Times* published an editorial headlined “Despair Over Gun Deaths Is Not an Option,” which took up three of the conclusions reached in this essay: the need for more research, for increased home safety and for insurance requirements.

The following proposals are suggestions of ways to implement change that address two other kinds of gun tragedies.

**(1) Guns in crime.** Since Ferguson it is has become commonplace to demand an investigation with likely charges each time a person is killed simply because an armed policeman or civilian saw what they assumed was a crime being committed. In medieval Europe thieves could be executed but not without some kind of trial. In 21st century America thieves were often executed, usually by police though sometimes by civilians without even being arrested. This has been particularly true if the alleged thief is young, black and male. Community approbation for someone who uses a gun to kill a thief before he has been arrested bears a striking resemblance to the acceptance of lynching in the last two centuries. This topic has become urgent since I first wrote, given a new consciousness of the frequency of police shootings of this kind. Surely anyone who uses a gun to kill should invariably be put through an investigation and a trial himself, even if his victim is a thief? Every time, without exception. **Community action to demand a trial does not depend on State or Federal Laws. If trials end in acquittals based on one or another justification, so be it. The deaths are local and decisions to prosecute are local. Changes to mandate a trial can become a local issue too.**

**(2) Guns and children** There is barbarism in a society where very small children repeatedly find guns visible and accessible in their homes and, firing them “by accident,” end up having killed or maimed someone else, often someone even younger than they are. Two stories from April and May 2013: <sup>81</sup>

A five-year-old American boy accidentally shot and killed his two-year-old sister with a rifle he got for his birthday, officials in Kentucky said. Caroline Starks' death follows two other incidents in recent months involving young children shooting others . . .

A four-year-old boy in Tennessee shot and killed a 48-year-old woman in early April, and just days later, a six-year-old boy was killed in New Jersey after being shot in the head by his four-year-old playmate.

In a society where neither the parents, nor the person who bought the gun, nor the grandfather who left a loaded gun unlocked in his house, nor the manufacturer selling guns especially for small children is held accountable for this truly untimely death something is dreadfully wrong. But police call it an accident.

"It's just one of those nightmares - a quick thing that happens when you turn your back," Kentucky State Police Public Affairs officer Billy Gregory.

All those who lobby against a stricter regime in private homes for the responsible handling of guns, who advocate voluntary rather than compulsory trigger locks and gun safes in the name of more freedom and privacy are implicated in these children's deaths. There are advocates challenging gun rights advocates on this issue now, in particular the Law Center to Prevent Gun Violence. One option available to them or to any other interested party is **to bring a tort case about gun salesmen and states encouraging negligent methods for handling guns. The particular legal tort standards, which apply to anyone who has “special skills,” is a standard that could be applied to hold people responsible if the weapons they own are misused. And since these children did not die during a crime, gun manufacturers can also be sued.**

## Appendix 2. — SELF DEFENSE: THE DOCTRINE EVOLVES IN THE USA

Segments taken from Epps, Garrett. 1992. "ANY WHICH WAY BUT LOOSE: INTERPRETIVE STRATEGIES AND ATTITUDES TOWARD VIOLENCE IN THE EVOLUTION OF THE ANGLO-AMERICAN "RETREAT RULE" *Law and Contemporary Problems*. Chapel Hill NC. Duke University.

The duty to retreat, and leave the law to vindicate injuries, fit poorly into a political ideology that saw individuals as possessing natural rights, including the right to violent recourse even against the state if it exceeded the bounds allotted to it by political theory. In addition, chance-medley, with its implication of mixed fault, was difficult to harmonize with nineteenth-century doctrines of individualism. Accordingly, post-revolutionary American courts began to weave their interpretive nets more finely in order to find one party at fault and the other faultless.

In 1855, the Georgia Supreme Court overruled a trial judge who had instructed the jury in orthodox terms about the difference between justifiable and excusable homicide. The judge had further instructed that "[i]f [the defendant] could have retreated and did not, in the opinion of the Court, this is not justifiable homicide."

...

The concept of fault in the encounter, too, was recast in terms of precise legal rights and obligations: "The slayer, too, must be faultless; he must owe no duty to the deceased; be under no obligation of law to make his own safety a secondary object; otherwise, he is answerable to the law of the land, without any immunity under the shield of necessity."

Twenty-one years later, the North Carolina Supreme Court reversed a conviction of manslaughter in which the trial judge had ruled that there was no construction of the facts by which the jury could have found that the defendant acted in self-defense. . . . But the court used the defendant's property right in the store as the grounds for holding that he had not provoked the incident in a way that would have triggered the common-law duty of retreat.

...

Also in 1876, the Ohio Supreme Court extended the logic of Haynes in a decision that became the leading American case on the right to stand one's ground. . . .

"The law, out of tenderness for human life and the frailties of human nature, will not permit the taking of it to repel a mere trespass, or even to save life, where the assault is provoked; but a true man, who is without fault, is not obliged to fly from an assailant, who, by violence or surprise, maliciously seeks to take his life or do him enormous bodily harm."

...

Similar reasoning prevailed in a Mississippi case in 1876, in which the conviction was reversed in part because the court had instructed the jury that the defendant had the duty to retreat.

...

A year later, the Supreme Court of Indiana recognized that American jurisprudence had not simply interpreted the common-law rules on self-defense, but altered them:

"The tendency of the American mind seems to be very strongly against the enforcement of any rule which requires a person to flee when assailed, to avoid chastisement or even to save human life, and that tendency is well illustrated by the recent decisions of our courts, bearing on the general subject of the right of self-defence. The weight of modern authority, in our judgment, establishes the doctrine, that, when a person, being without fault and in a place where he has a right to be, is violently assaulted, he may, without retreating, repel force by force, and if, in the reasonable exercise of his right of self-defence, his assailant is killed, he is justifiable."

### Appendix 3. — A PERSONAL BIBLIOGRAPHICAL ESSAY

America came into being both as a culture of liberty, up to and specifically including endowing gun owners with rights, and as a culture of slavery to enable and sustain a social system of exploitation and violence.\* And having spent devoted a good deal of this essay to legal forms and sociological data and their impact on public dialogue today, it is now time to turn to a different kind of evidence. In coming to the vision of the USA laid out here, three contemporary books have had an enduring impact on the analysis. Each changed how these issues made sense to me and the changes were at a visceral, as well as an intellectual level. There is no way reproduce their effect here, nor indeed to guarantee that these particular resources will do the same for others, but each of them makes part of the case for recognizing the connection between untrammelled violence and the limitations of judicial process in race relations in the USA. And for me, as for many others, gun violence has visceral as well as cerebral consequences.

We have all heard of, and too many have experienced the terrible costs paid by people of African descent in this country. Many, if not most will have seen their understanding grow in part through Maya Angelou's *I Know Why the Caged Bird Sings*, either reading it in school or perhaps seeing the film. Its story is personal, autobiographical -- a child engulfed in violence, both social -- white on black, and personal inside her own family. Silenced by it at first, she finally learned once again to talk and in time Angelou became one of this country's best known writers. Maya Angelou was ultimately silenced by a violent catastrophe in the privacy of her own home, but the dangers she faced first began in public in the South. She was a spectator to the terrors to which whites in her community subjected her beloved family, and she learned very young that in the USA, despite our intricate constitutional structures, the legal system offers no guaranteed recourse in the face of violence.

Angelou grew up well before the 1950s and 1960s, when the US finally began to come to grips with the dreadful constitutional and social costs of the forcible segregation known familiarly as "Jim Crow." The very name almost seems to assign responsibility for their exclusion to the blacks themselves.\*\* Nicholas Lemann's *Redemption: The Last Battle of the Civil War* lays out how, in an orgy of public, gun violence directed at electoral politics, the Klu Klux Klan and its allies regained the government of Mississippi for the white minority in the mid 1870s. In less than five years, the black-dominated, post Civil War Republican leadership was driven out of power by a white "Democratic" governing party, a party that kept total grip on political power for nearly 100 years. Indeed, despite a majority black population and having more black elected officials than any other state in the US, Mississippi has not elected an African American politician to statewide office since 1874. Lemann's narrative is not particularly new but the intensity of the arrogance and the violence is startling. Jim Crow began towards the end of the 19th century which means the legal framework we need to undo today, if we are to diminish US racialisms, may have more in common with the violent founding of segregated South Africa than with the USA in the 18th century or John Locke's ideals of liberty.\*\*\*

Another book which looks fearlessly at the American tradition of public violence and adds important dimensions to it, describes the history of the cruel practice of lynching, primarily though not only in the southern states. Michael Pfeifer's book *Rough Justice: Lynching and American Society 1874–1947*, leaves one devastated, and beyond events that are widely known, it demonstrates that lynching was a part of life also in the Midwest and the far western states. In talks about this gun essay, the conversation often turns to the trappers and miners and railroad owners in the American West as making up another strand in our history of violence. And rightly so. Even more important, the devastation of Native American tribes across the entire country from east to west would have to be a significant segment, were this a comprehensive description of public violence in the USA. But it is not. I am writing about a limited spectrum in the relationship between guns and personal violence, and I single out lynching here because it is lynching that links social protections for public violence to the idea of justice itself. Not that Pfeifer calls, or would consider calling lynching justice, but he makes a convincing argument that lynching's perpetrators believed themselves rightfully to be taking the law into their own hands. For those who carried out the lynchings, Constitutional protections for liberty like due process, unreasonable search and

## THE POLITICS OF PUBLIC SUICIDE

arrests based on evidence were deemed needlessly laborious. "Reasonable Men," "True Men." knew what ought to happen and often they had a group of neighbors strong enough to bring about the necessary result quickly, and just as publicly as any courtroom trial. Pfeiffer's characterization of the ways communities legitimated lynching is a remarkably prescient "prequel" to the the ways pundits today shred constitutional protections of careful judicial process in response to public terror.

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\* A brilliant book describes three different founding frameworks in the USA, the most southern focused on importing workers found them in slaves. Though chattel slavery has disappeared, the exploitation of labor has not. Martin, Susan. *A Nation of Immigrants*. New York: Cambridge University Press. 2011

\*\* The name is from the song, "Jim Crow," as it appeared in sheet music written by Thomas Dartmouth "Daddy" Rice. Rice was a struggling black face "actor." This and much more about the depth, damage and pervasiveness or racist stereotyping can be found at the website for the Jim Crow Museum at Ferris State University.  
<http://www.ferris.edu/htmls/news/jimcrow/index.htm>

\*\*\* Union of four provinces into South Africa in 1910 rested on a constitution that allowed both racial segregation and the denial of political rights to blacks. The discriminatory regulations were imposed even before the creation of the Union -- the impetus for Gandhi's civil rights campaigns beginning in 1906. Restraints on black freedoms continued to grow in the USA. Decades ago I was astonished when I learned that Federal departments in Washington DC were resegregated by "liberal," "internationalist" Woodrow Wilson. By late 2015, his role was becoming an issue for current students at Princeton who were wondering that a man with his record was still being honored by his alma mater.

## Notes and References

<sup>1</sup> As of an article in Mother Jones in early 2013. <http://www.motherjones.com/politics/2012/07/mass-shootings-map?page=2>.

The first version of this paper was completed in June 2013 at which time those numbers represented “reality.” In the following four months there were three more mass killings, in Santa Monica, in Hialeah, Florida and in Washington DC. Equally important, on at least one widely reported occasion, a woman working in the front office of a school in Georgia talked a young man out of killing and also out of dying himself. As far as I can tell, no-one collects data about such crises being averted by negotiation and compassion.

<sup>2</sup>Update 2015. Data collection by private groups, particularly shootingtracker.com, mean it is now possible see patterns more clearly.

<sup>3</sup> Article 4, Section 2.: No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, But shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

<sup>4</sup> Data from <http://www.shootingtracker.com>. Chart created by Helena Meyer-Knapp. Dec. 2015

<sup>5</sup> Alpers, Philip, Amélie Rossetti and Daniel Salinas. 2015. *Guns in the United States: Proportion of Households with Firearms*. Sydney School of Public Health, The University of Sydney. GunPolicy.org, 23 November. Accessed 13 December 2015 at [http://www.gunpolicy.org/firearms/compare/292/rate\\_of\\_gun\\_suicide/295,305,306,309,312,318,320,324,326,327,328,330](http://www.gunpolicy.org/firearms/compare/292/rate_of_gun_suicide/295,305,306,309,312,318,320,324,326,327,328,330)

<sup>6</sup> “Officials said Wednesday that they would detail the best ways to help the community after the ‘warehouses full of items’ are processed.” USA Today, Dec. 29, 2012. <http://www.usatoday.com/story/news/nation/2012/12/26/newtown-sandy-hook-school-shooting-halt-gifts/1792553/>

<sup>7</sup> April 29, 2013. “Gun Makers Leave for Greener Pastures as States Pass New Firearms Laws.” <http://www.foxnews.com/politics/2013/04/29/gun-manufacturers-start-leaving-states-that-passed-new-gun-control-laws/>

<sup>8</sup> Cloture - The only procedure by which the Senate can vote to place a time limit on consideration of a bill or other matter, and thereby overcome a filibuster. Under the cloture rule (Rule XXII), the Senate may limit consideration of a pending matter to 30 additional hours, but only by vote of three-fifths of the full Senate, normally 60 votes. [http://www.senate.gov/reference/glossary\\_term/cloture.htm](http://www.senate.gov/reference/glossary_term/cloture.htm)

<sup>9</sup> The word “true” entered rulings about violence in the 1870s, when Judges began to rule that “true” Americans were not bound by the duty to retreat but could respond more actively and still rely on self-defense to justify their actions.

<sup>10</sup> <http://thedailyshow.cc.com/topics/John%20Oliver> The episodes aired from April 24, 2013 for three days.

<sup>11</sup>Giffords, Gabrielle. “A Senate in the Gun Lobby’s Grip.” April 18, 2013. <http://www.nytimes.com/2013/04/18/opinion/a-senate-in-the-gun-lobbys-grip.html>

<sup>12</sup>In the 2014 elections, Landrieu was ousted with ease and her 2013 was the highlight of the NRA campaign against her. Melinda Deslatte “Gun rights a flashpoint in Louisiana Senate race” *Shreveport Times*, September 30, 2014

<sup>13</sup> By December 2015, as a result of the Syrian refugee crisis and a mass shooting in San Bernadino, Donald Trump’s presidential campaign found it astonishingly easy to relegate all Moslems to the fringes as ineligible for entry into the USA.

<sup>14</sup> I use the word “martyrdom” on purpose. WHO statistics demonstrate clearly that Arab moslem states as a group have the lowest suicide rates in the world — about 2% of the rate in South Korea for example.

<sup>15</sup> After Newtown, this privatized, individualistic image may for once have a positive political consequence in that, for the first time in decades, the US Congress talks as though it could appropriate more money for mental health services, instead of continuing its decades long practice of cutting financial support for that kind of care. This notion resurfaced in the fall of 2013 after it became clear that two public suicides almost within earshot of the US Capital were both associated with known cases of mental illness. The House of Representatives having “shut down” the government in a dispute over the debt ceiling, nothing happened in the immediate aftermath.

## THE POLITICS OF PUBLIC SUICIDE

<sup>16</sup> This earliest version of this essay was distributed in mid-2013. Events in 2014 and 2015 have begun to challenge the rights of the police to use violence in their official capacity. Recognition of the huge place suicide occupies in the spectrum of US violence had to wait until November 2015 when the publication of the Deaton/Case research into rising mortality among older whites took the media and pundits by storm. Case, Anne and Angus Deaton (2015) "Rising morbidity and mortality in midlife among white non-Hispanic Americans in the 21st century" Proceedings of the National Academy of Sciences. [www.pnas.org/cgi/doi/10.1073/pnas.1518393112](http://www.pnas.org/cgi/doi/10.1073/pnas.1518393112)

<sup>17</sup> Guns account for about 2/3 of all homicides and about 50% of all suicides. About 75,000 people a year get treated in hospitals in the USA for gunshot wounds. CDC statistics.

<sup>18</sup> Garen J. Wintemute. "The Epidemiology of Firearm Violence in the Twenty-First Century United States" *Annual Review of Public Health* 2015. 36:5–19

<sup>19</sup> The World Health Organization provides a comprehensive list of suicide rate by country. [http://www.who.int/mental\\_health/prevention/suicide\\_rates/en/](http://www.who.int/mental_health/prevention/suicide_rates/en/)

<sup>20</sup> Zimring E.F. and G. Hawkins *Crime Is Not the Problem: Lethal Violence in America*. New York Oxford University Press, 1997. "The analysis reveals that rates of most categories of nonviolent crime such as burglary and theft are comparable or lower in the United States than in other industrialized countries." Fifteen years later this still holds true. For assault data, see Wintemute (2015) p.15.

<sup>21</sup> Shen, Aviva, (2012) "61 in 30 Years: A Timeline of Mass Shootings in America," *Think Progress*. This article gives an accurate impression as far as it goes but is not current.

<sup>22</sup> Mark Follman, Gavin Aronsen, and Deanna Pan, "A Guide to Mass Shootings in America," *Mother Jones*. Wed Feb. 27, 2013. This has now been updated and the age data has been removed.

<sup>23</sup> <http://edition.cnn.com/2013/09/16/us/rampage-killings-fast-facts/index.html>

<sup>24</sup> In the 1990s, the stereotypes linking terror suicide and older men lined up with reality. Petee et. al, "Debunking the Stereotype: an examination of mass murder in public places." *Homicide Studies* 1997. Vol. 1 317. <https://www.ncjrs.gov/App/publications/Abstract.aspx?id=172681>.

<sup>25</sup> Shen, Aviva, (2012) "61 in 30 Years: A Timeline of Mass Shootings in America," *Think Progress*. This article gives an accurate impression as far as it goes but is not current. Data now available, thanks to *The Guardian* among others, is more complete than it was in 2012.

<sup>26</sup> Frattaroli Shannon and Jon S. Vernick. "Separating Batterers and Guns : A Review and Analysis of GunRemoval Laws in 50 States." *Evaluation Review*. 2006 30: 296 <http://www.ncbi.nlm.nih.gov/pubmed/16679498>

<sup>27</sup> Kramer, Katherine Willah Otermat. (2011) *Murder-suicide in the United States: 1999-2009*. Ames IA. PhD Dissertation. pp.26-27

<sup>28</sup> Kulbarsh, Pamela. (2012) *When Killing Yourself is Not Enough*. <http://www.officer.com/article/10744560/murder-suicide-when-killing-yourself-isnt-enough>

<sup>29</sup> Kramer. pp.26-27 and 92.

<sup>30</sup> Veterans Administration report Feb 1. 2013. <http://www.va.gov/opa/docs/Suicide-Data-Report-2012-final.pdf>

<sup>31</sup> National Association of School Psychologists, *Youth gun violence fact sheet*, [http://www.nasponline.org/resources/crisis\\_safety/Youth\\_Gun\\_Violence\\_Fact\\_Sheet.pdf](http://www.nasponline.org/resources/crisis_safety/Youth_Gun_Violence_Fact_Sheet.pdf)

<sup>32</sup> Harvard School of Public Health works towards suicide prevention. its website -- Suicide: Means Matter; is <http://www.hsph.harvard.edu/means-matter/means-matter/case-fatality/>. <http://lostallhope.com/suicide-methods/statistics-most-lethal-methods> is a website covering suicide generally. It references JJ Card, "Lethality of suicidal methods and suicide risk: Two distinct concepts," *Omega* 5, 1974 — suicide by guns as 91.6% effective, Farberow and Shneidman, 1983 book *The Psychology of Suicide* have it as low as 84.7%. The Hawaii Department of Health (1990) had it even lower at 73%.

## THE POLITICS OF PUBLIC SUICIDE

<sup>33</sup> Quoted in Bennlon Kate, “More guns, more suicides? Protecting a population at risk” *Deseret News* Mar 29 2013. <http://www.deseretnews.com/article/865577022/More-guns-more-suicides-Protecting-a-population-at-risk.html?pg=all>

<sup>34</sup> Wintemute, Garen J. et. al. “Mortality among Recent Purchasers of Handguns.” *New England Journal of Medicine* 1999; Vol: 341, p.1583. <http://www.nejm.org/doi/full/10.1056/NEJM199911183412106>

<sup>35</sup> *ibid*

<sup>36</sup> <http://www.youtube.com/watch?v=x8062QEFk5g>

<sup>37</sup> Pew Research Center <http://www.people-press.org/2012/04/17/murder-charge-in-trayvon-martins-death-top-story/>

<sup>38</sup> [http://www.salon.com/2013/01/14/the\\_nra\\_once\\_supported\\_gun\\_control/](http://www.salon.com/2013/01/14/the_nra_once_supported_gun_control/). Rosenfeld, Stephen. “The NRA once supported Gun Control.” accessed August 13 2013.

<sup>39</sup> Quoted in a history of the National Rifle Association as published on line by the Violence Policy Center. <http://www.vpc.org/nrainfo/chapter2.html>

<sup>40</sup> Gilson Dave. “This Collection of NRA Ads Reveals Its Descent Into Crazy,” *Mother Jones* Accessed Apr. 10, 2013. <http://www.motherjones.com/politics/2013/03/national-rifle-association-ads-history>

<sup>41</sup> Of course the Pentagon has been funding certain kinds of research the entire time. It would be unconscionable to send soldiers into harm’s way without preparing for their recovery, should they be injured, and military treatment models have civilian uses. Their new trauma protocols were among the most successful medical interventions for the injured in Boston after the Marathon bombing.

<sup>42</sup> An MSNBC history of the 1996 ban: <http://tv.msnbc.com/2013/01/14/blackout-how-the-nra-suppressed-gun-violence-research/> An NPR story about President Obama proposing to lift the ban in 2013: <http://www.npr.org/blogs/health/2013/02/06/170844926/debate-rages-on-even-as-research-ban-on-gun-violence-ends>

<sup>43</sup> Stephanie Pappas Live Science section of Fox News on January 19, 2013. Obama had lifted the ban three days earlier. <http://www.livescience.com/26253-government-stifled-gun-research.html>

<sup>44</sup> The Israeli military, having become concerned about suicides among enlisted soldiers, changed policy and prohibits serving soldiers from taking their weapons home on weekend. The suicide rate dropped markedly as a result. Ezra Klein “Mythbusting: Israel and Switzerland are not gun-toting utopias” *Wonkblog*. December 14, 2012

<sup>45</sup> “Lack of Data Slows Studies on Gun Control and Crime.” <http://online.wsj.com/article/SB10001424127887324731304578191531343495520.html>, Dec 21, 2011

<sup>46</sup> Gerbner, G. and Gross, L. (1976), “Living With Television: The Violence Profile.” *Journal of Communication*, 26: 172–194. 1976.

<sup>47</sup> Gordon Dahl and Stefano DellaVigna. “Does Movie Violence Increase Violent Crime?” *The Quarterly Journal of Economics* (2009) 124 (2): 677-734.

<sup>48</sup> Alpers, Philip, Amélie Rossetti and Daniel Salinas. 2015. *Guns in the United States: Proportion of Households with Firearms*. Sydney School of Public Health, The University of Sydney. GunPolicy.org, 23 November. Accessed 13 December 2015. at: [http://www.gunpolicy.org/firearms/compareyears/194/proportion\\_of\\_households\\_with\\_firearms](http://www.gunpolicy.org/firearms/compareyears/194/proportion_of_households_with_firearms)

<sup>49</sup> Tom W. Smith and Jaesok Son. “General Social Survey: Trends in Gun Ownership in the United States, 1972-2014.” *National Opinion Research Center* Chicago IL. 2015

<sup>50</sup> <http://www.google.com/search?client=safari&rls=en&q=women+self+defense+guns&ie=UTF-8&oe=UTF-8>.

<sup>51</sup> A devastating article condemned the media’s obsession with women as killers: “Sexism and the Single Murderess.” <http://www.nytimes.com/2013/05/05/opinion/sunday/bruni-sexism-and-the-single-murderess.html?pagewanted=all> Frank Bruni, *New York Times* May 4, 2013. *The Daily Show* was equally blistering in its commentary on CNN coverage. <http://www.thedailyshow.com/watch/thu-may-9-2013/nancy-grace---the-jodi-arias-trial>



## THE POLITICS OF PUBLIC SUICIDE

<sup>52</sup> <http://www.bjs.gov/content/pub/pdf/vi.pdf> One of a number of Bureau of Justice reports on total numbers of intimate partner deaths in a variety of demographic patterns. Sorenson, Susan B. placed the DOJ data into a context in the paper “Firearm Use in Intimate Violence: A Brief Overview” in *Evaluation Review*, Vol. 30 No. 3, June 2006 229-236, Chart on page 231. See also <http://www.bjs.gov/content/pub/pdf/htus02.pdf> for broader homicide stats.

<sup>53</sup> Kulbarsh, Pamela. (2012) *When Killing Yourself is Not Enough*. <http://www.officer.com/article/10744560/murder-suicide-when-killing-yourself-isnt-enough>

<sup>54</sup> Hemenway, David and D. Azreal “The Relative Frequency of Offensive and Defensive Gun Uses; Results From a National Survey.” *Violence and Victims*, Vol. 15, No. 3, 2000. p.269. <http://www.ncbi.nlm.nih.gov/pubmed/11200101>. Above all scholars emphasize how difficult it is to pin point, using distinctions in the physical actions of those wielding guns, where the difference lies between self-defense and hostile action.

<sup>55</sup> Gun Control Fact-Sheet 2004 / From Gun Owners Foundation quoting data from a 1997 Justice Department survey available at <https://www.ncjrs.gov/txtfiles/165476.txt>

<sup>56</sup> Philip J. Cook and Jens Ludwig “Guns in America: National Survey on Private Ownership and Use of Firearms.” *National Institute of Justice*, Washington DC 1997. Sidebar, page 2.

<sup>57</sup> Cramer, Clayton E. and David Burnett. *Tough Targets: When Criminals Face Armed Resistance from Citizens*. Washington DC. CATO Institute. February 2, 2012. Pdf available free online: <http://www.cato.org/sites/cato.org/files/pubs/pdf/WP-Tough-Targets.pdf>

<sup>58</sup> *Mother Jones Magazine* <http://www.motherjones.com/politics/2012/06/stand-your-ground-map> offers a year by year timeline of states passing Stand Your Ground Laws.

<sup>59</sup> Palazzo, Joe. “Study shows ‘Stand your Ground Laws’ Increase Homicides.” *Wall Street Journal*, June 11 2012.

<sup>60</sup> The entire Wayne La Pierre press conference after Newtown is on youtube: <http://www.youtube.com/watch?v=iusoultZYs>, Dec. 21 2012.

<sup>61</sup> <http://www.wtnh.com/dpp/news/politics/newtown-rejects-more-school-security-budget#>. UZefVuD8Ek8. Story by Mark Davis: Newtown rejects more school security budget

<sup>62</sup> <http://www.youtube.com/watch?v=opjdxnag3TE&feature=youtu.be>. A long list of comments by Porter and other NRA leaders is available at <http://nraontherecord.org/jim-porter/>.

<sup>63</sup> Tony Rizzo, “US Gun Sales Hit a Record High Since Obama’s Election.” *Kansas City Star* January 12, 2013: “To the nation’s gun lobby and gun rights advocates, the Obama administration is public enemy No. 1. Yet the president has proven to be a boon for gun sales. . . . December 2012 saw a record-shattering number of requests for criminal background checks on prospective gun buyers — more than 116,000 of those from Kansas and Missouri alone. “Since Obama was re-elected,” said Gary Jessup of UT Arms in Kansas City, Kan., “it’s been off the chart.”

<sup>64</sup> The language of the constitution of Georgia, art. iv, sec. 12, is as follows:  
Any person who shall maliciously dismember, or deprive a slave of life, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person, and on the like proof, except in case of insurrection by such slave, and unless such death should happen by accident in giving such slave moderate correction.

<sup>65</sup> It has been quite easy for opponents of expanding gun rights to satirize the idea that the new rules are rational. See an episode of *The Daily Show with Trevor Noah*: Jordan Klepper Good Guy With a Gun Parts 1 and 2. Dec. 10 2015 — a hilarious episode culminating Klepper failing dismally in a simulated “active shooter training.” For serious evidence on how the events the FBI studied ended see J. Pete Blair, Ph.D., M. Hunter Martaindale, M.S., and Terry Nichols, M.S “Active Shooter Events from 2000 to 2012.” *FBI Law Enforcement Bulletin*, Feb 2014.

<sup>66</sup> Some of these numbers are from Wikipedia. Some I calculated from Census figures in government archives. [https://en.wikipedia.org/wiki/Three-Fifths\\_Compromise](https://en.wikipedia.org/wiki/Three-Fifths_Compromise) retrieved Nov. 17 2015.



## THE POLITICS OF PUBLIC SUICIDE

<sup>67</sup> <http://pres-slaves.zohosites.com> lists Presidents who owned slaves both while President and at other times.

<sup>68</sup> According to the 2015 GSS survey on guns well under 20% of households living within the 100 largest metropolitan areas own guns whereas 55% of rural households own them,

<sup>69</sup> *District of Columbia v. Heller*, 554 U.S. 570

<sup>70</sup> *McDonald v. Chicago*, 561 U.S. 3025

<sup>71</sup> It is the 14th which protects the citizenship rights of the children of undocumented immigrants born on US soil.

<sup>72</sup> A 2010 lecture by University of Virginia Historian Elizabeth Varon gives a succinct and clear description of the consequences of the 1850 law. <http://www.c-span.org/video/?295797-1/fugitive-slave-laws&start=31>

<sup>73</sup> <http://smartgunlaws.org/protecting-strong-gun-laws-the-supreme-court-leaves-lower-court-victories-untouched/#more-24060>

<sup>74</sup> These days, there are some for whom this one element of the Constitution is much the most important in the entire document. In a 2013 *Daily Show* segment about coverage of the Boston rampage shooting on Fox News, Fox's core group of commentators Hannity, Coulter, Bolling et al., were placed side by side in a series of clips, each one stripping away Dzhokhar Tsarnaev's rights. Gone were Miranda rules and the constitutionally guaranteed protection against self-incrimination, gone were restraints on cruel and unusual punishment, on search and seizure, and on avoiding self incrimination. The commentators even eliminated protections for free speech. There was only one right left intact : the Second Amendment.

The segment aired April 25, 2013 and was online Dec. 2015 at <http://www.occupydemocrats.com/jon-stewart-gives-fox-news-a-lesson-on-the-u-s-constitution-video/> A good deal of the transcript is available on <http://www.alternet.org/media/watch-jon-stewart-lambastes-constitution-obsessed-fox-news-turning-constitution>

<sup>75</sup> The *Dallas Morning News* reports that In April 2013, the Texas House of Representatives defeated bill 103-38 that would have allowed elected officials to carry concealed weapons in government buildings. Currently Texas bans guns in schools, federal buildings, bars and sporting events. The bill would have penalized cities and counties that prohibited guns in government buildings. <http://www.dallasnews.com/news/politics/headlines/20130526-house-members-angrily-reject-provision-to-expand-legislators-gun-carrying-rights.ece>

<sup>76</sup> <http://www.hsph.harvard.edu/means-matter/>.

<sup>77</sup> [everytown.org/mayors](http://everytown.org/mayors)

<sup>78</sup> <http://theconnectprogram.org/firearms-safety-coalitions-role-nh-suicide-prevention>

<sup>79</sup> "More guns, more suicides? Protecting a population at risk." <http://www.deseretnews.com/article/865577022/More-guns-more-suicides-Protecting-a-population-at-risk.html?pg=all>

<sup>80</sup> Case, Anne and Angus Deaton (2015) "Rising morbidity and mortality in midlife among white non-Hispanic Americans in the 21st century" Proceedings of the National Academy of Sciences. [www.pnas.org/cgi/doi/10.1073/pnas.1518393112](http://www.pnas.org/cgi/doi/10.1073/pnas.1518393112)

<sup>81</sup> NZ One News, May 2 2013, <http://tvnz.co.nz/world-news/five-year-old-kills-little-sister-birthday-gun-5424798>. Two studies, publicized since the first version of this essay was completed in 2013, help fill out the segments about Child deaths and guns: from the Children's Defense Fund 2013 — <http://www.childrensdefense.org/child-research-data-publications/data/protect-children-not-guns-2013.pdf> *Protect Children not Guns*, and about Suicide and Guns from the Annals of Internal Medicine — <http://annals.org/article.aspx?articleid=1814426&resultClick=3> 21 January 2014. *The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members: A Systematic Review and Meta-analysis* by Andrew Anglemeyer, PhD, MPH; Tara Horvath, MA; and George Rutherford, MD.