

Gun Politics

Political Science 590.01

Call #16844-6

Winter Quarter, 2006

“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”

--The Second Amendment

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Introduction

Few schisms in American life run as deep or as wide as the divide between gun rights and gun control advocates. Awash in sound and symbol, the gun regulation debate has largely been defined by forceful rhetoric rather than substantive action. Politicians shroud themselves in talk of individual rights or public safety while lobbyists on both sides make doom-and-gloom pronouncements on the consequences of potential shifts in the status quo.

--From dust jacket, J. Jacobs. 2002. *Can Gun Control Work?*

The phrase “gun politics” refers to the views of different people within a particular country as to what degree of control (increased gun rights vs. greater gun control) should be enforced upon the private ownership and usage of firearms, to what extent firearms ownership influences crime, and how best to achieve a balance of power between the individual and the state.

In America today there are between 250 and 300 million firearms in private hands, amounting to one weapon for every American. Two in five American homes house guns. On the one hand, most gun owners are law-abiding citizens who believe they have a constitutional right to bear arms. On the other, a great many people believe gun control to be our best chance at reducing violent crime.

This course will examine gun control through historical, legal, sociological, and public health lenses. Upon completion of the course students will have a better understanding of how truly multi-faceted and complex the issue is and, thus, why consensus is so difficult to achieve.

Course Readings

Required Books:

The difficulty of selecting readings for a course such as this is that there exists an enormous amount of “junk” on the subject. While there are many “good” books, I must limit the list. They are available at amazon.com, half.com, or the bookstore. Copies have also been placed on reserve at Main Library.

- James W. Gibson. 1994. *Warrior Dreams: Paramilitary Culture in Post-Vietnam America*. New York: Hill & Wang. [\$1.93 at Amazon.com; \$1.97 at half.com]

NOTE: There are two editions of this book, each with a different subtitle. The hardcover book is subtitled *Paramilitary Culture in Post-Vietnam America* (ISBN

0809096668); the paperback version is subtitled *Violence and Manhood in Post-Vietnam America* (ISBN 0809015781). Either edition will work.

- Morris Dees. 1996. *Gathering Storm: America's Militia Threat*. New York: Harper Collins. ISBN 0060927895 [19 cents at Amazon.com...quite a bargain]
- James B. Jacobs. 2002. *Can Gun Control Work?* New York: Oxford. Paperback ISBN 0195176588; Hardcover ISBN 0195145623 [from \$5.10 at Amazon.com]
- Robert J. Spitzer. 2004. *The Politics of Gun Control*, 3d ed. Washington, D.C.: CQ Press. ISBN 1889119873 [from \$10 at Amazon.com]
Available as a Web Ebook via the library: search by call number HV7436.S68 1998eb

Required Articles:

The following articles are available via the internet at the specified addresses:

- Sanford **Levinson**. 1989. "The Embarrassing Second Amendment"
<http://www.firearmsandliberty.com/embar.html>
Also at Lexis-Nexis, "Legal Research" then "Law Reviews," or 99 Yale L. Jur. 637
- George J. **Thomas**. 1999. "The Brady Act, The Tenth Amendment, and America's Gun Cult."
Lexis-Nexis or 30 U. West. L.A. L. Rev. 23
- Akhil Reed **Amar**. 2001. "Leary Lecture: The Second Amendment: A Case Study in Constitutional Interpretation."
Also at Lexis-Nexis or 2001 Utah L. Rev. 889
- Guy **Smith**. 2004. "Gun Facts Version 4.0." Available at
<http://www.gunfacts.info/pdfs/gun-facts/4.0/GunFacts4-0-Print.pdf>
- Gary A. **Mauser**. Nov., 2003. "The Failed Experiment: Gun Control and Public Safety in Canada, Australia, England and Wales." The Fraser Institute. Available at
<http://www.fraserinstitute.ca/admin/books/files/FailedExperiment.pdf>

Required Cases:

The following cases are available from Lexis-Nexis Academic Universe (via the Library website): **[note: search by case citation!!]**

- *U.S. v. Miller*, 307 U.S. 174 (1939)
- *United States v. Timothy Joe Emerson*, 46 F Supp. 2d 598 (1999)
- *U.S. v. Emerson*, 270 F.3d 203 (5th Cir. 2001), *cert. denied*, 536 U.S. 122 (2002)
- *Klein v. Leis*, 146 Ohio App.3d 526, 2002-Ohio-1634
- *Klein v. Leis*, 99 Ohio St.3d 537, 2003-Ohio-4779

Required Videos:

The following videos will be shown in class.

- *Waco: The Rules of Engagement* (1997, New Yorker Video; 136 mins.)
- *New Face of Terrorism* (1996, A&E Home Video; 50 mins.)**
- *Bowling for Columbine* (MGM, 2002; 119 mins.)**

**VHS copies are on 2 hour reserve at Main Library.

Optional Reading:

I have also placed the following books on reserve at Main Library if you would like **additional reading:**

- James D. Tabor and Eugene V. Gallagher. 1995. *Why Waco?* Berkeley: University of California Press. Web Ebooks call number BP605.B72 T33 1995eb
- Mark S. Hamm. 1997. *Apocalypse in Oklahoma: Waco and Ruby Ridge Revenged.* Boston: Northeastern University Press.
- Carl T. Bogus, ed. 2000. *The Second Amendment in Law and History.* New York: The New Press.
- Robert J. Cottrol, ed. 1994. *Gun Control and the Constitution: Sources and Explorations of the Second Amendment.* New York: Garland.

Formal Course Requirements

Reaction Papers [Instructions follow]

4 papers @ 10 points each

- 2 papers are due by Feb. 2; final 2 are due by March 7

Term Paper [Instructions follow]

- Thesis = 5 points due by Jan. 17
- Annotated bibliography = 10 points due by Feb. 2
- Abstract = 10 points due by Feb. 9
- Draft = 20 points due by Feb. 23
- Final paper = 50 points due by Mar. 14

Grading Scale – out of 135 possible points

A 127 and above	B- 108 - 112	D+ 88 - 93
A- 121 - 126	C+ 104 - 107	D 81 - 87
B+ 117 - 120	C 100 - 103	E 80 and below
B 113 - 116	C- 94 - 99	

Marks (Rule 3335-7-21)

A, A- The instructor judged the student to have satisfied the stated objectives of the course in an excellent manner. The student's performance was judged to be **in this range** of high quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

B+, B, B- The instructor judged the student to have satisfied the stated objectives of the course in an above-average manner. The student's performance was judged to be **in this range** of above-average quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

C+, C, C- The instructor judged the student to have satisfied the stated objectives of the course in an average manner. The student's performance was judged to be **in this range** of average quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

D+, D The instructor judged the student to have satisfied the stated objectives of the course in a low but acceptable manner. The student's performance was judged to be **in this range** of below average but acceptable quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

E The instructor judged the student not to have satisfied the stated objectives of the course. Credit for a course in which the mark of "E" has been received can be obtained only by repeating and passing the course in class. (See rules 3335-7-23 to 3335-7-28 of the Administrative Code.)

Class Participation

It is expected that students will have read the assigned material *prior* to the date it is scheduled to be discussed.

Student Conduct

I am embarrassed to have to include a statement concerning student conduct but, given the often emotionally-charged issues relevant to this course, I must stress that incivility toward ANYONE in class WILL NOT BE TOLERATED.

Out of respect for others, students must turn off cellular phones or pagers prior to class.

Policy on attendance

It is expected that students will attend each class session. Attendance will be taken daily and will be considered when dealing with grades that are borderline. **Following university Rule 3335-7-33, students will be disenrolled from the course if they are absent the first week of classes and do not notify the instructor of their intention to remain enrolled.**

NOTE: If you are forced to miss class on the day an assignment is due you **MUST telephone** me **PRIOR** to class time and make me aware of your pending absence. The assignment, then, **MUST** be turned in **TO ME** by noon of the following day. I will deduct two points automatically for lateness. I **WILL NOT** accept assignments submitted electronically.

Academic Integrity

All of the work you do in this course is expected to be your own. *Cheating or plagiarism will not be tolerated.* Cases of academic misconduct will be reported to the university committee on academic misconduct (COAM) and handled according to university policy. Penalties can include failing this class and/or expulsion from the university. For further information, please visit <http://www.osu.edu/offices/oaa/procedures/1.0.html>
For additional information regarding plagiarism, please visit <http://oaa.osu.edu/coam/prevention.html>

Students with Disabilities

If you have any condition, such as a physical, psychiatric/emotional, medical or learning disability, that will make it difficult for you to carry out the work as outlined in this syllabus, please notify the instructor as soon as possible so that appropriate arrangements can be made. **You must also contact the university's Office of Disability Services (292-3307) to receive appropriate documentation. All information and documentation of disability are confidential.** For further information, consult the ODS website at <http://www.ods.ohio-state.edu/ods/students/handbook/>



Course Schedule

Established due dates are changeable only by me. Individual exceptions are granted ONLY in cases of medical or family emergency **documented to my satisfaction**. Unexcused late assignments or papers will result in a score of zero.

Tuesday, January 3	Introduction Quiz Read for discussion: Levinson (1989), "The Embarrassing Second Amendment"
Thursday, Jan. 5	Video: <i>Bowling for Columbine</i> (2002)
Tuesday, Jan.10	Finish <i>Columbine</i> if necessary; discussion Gun Ownership in America Read for discussion: Spitzer, Chapt. 1
Thursday, Jan. 12**	Open discussion
Tuesday, Jan. 17 <u>Paper thesis due by today</u>	The Myth of the Second Amendment Read for discussion Spitzer, Chapt 2 and Smith, 55-59 and Amar (2001), "The Second Amendment: A case study in constitutional interpretation."
Thursday, Jan 19**	Continuation of our Second Amendment discussion The 1994 Assault Weapons Ban Read for discussion: Guy Smith (2004), "Gun Facts," pp. 1-5 and p. 62 <i>United States v. Miller</i> , 307 U.S. 174 (1939) and <i>United States v. Timothy Joe Emerson</i> , 46 F Supp. 2d 598 (1999) and <i>U.S. v. Emerson</i> , 270 F.3d 203 (5th Cir. 2001), <i>cert. denied</i>
Tuesday, Jan. 24	Continuation of our Second Amendment discussion The 1994 Assault Weapons Ban Read for discussion: Guy Smith (2004), "Gun Facts," pp. 1-5 and p. 62 <i>United States v. Miller</i> , 307 U.S. 174 (1939) and <i>United States v. Timothy Joe Emerson</i> , 46 F Supp. 2d 598 (1999) and <i>U.S. v. Emerson</i> , 270 F.3d 203 (5th Cir. 2001), <i>cert. denied</i>
Thursday, Jan. 26	Guest Speaker: Attorney Michael Royse Moran Read for discussion: <i>Klein v. Leis</i> , 146 Ohio App.3d 526, 2002-Ohio-1634 and <i>Klein v. Leis</i> , 99 Ohio St.3d 537, 2003-Ohio-4779 and "Ohio's Concealed Carry Law," (Attny General publication)
Tuesday, Jan. 31	Guest Speaker: Laura Deal, Owner/Operator of Laura's Pistol Shooting Bring to class: "Ohio's Concealed Carry Law," from Thursday's class
Thursday, February 2 <u>Annotated bibliography and</u> <u>First two reaction papers due</u> <u>by today</u>	Children and Gun Violence Read for discussion: Smith, 20-25

- Tuesday, Feb. 7 Guest Speaker: Dr. Ken Steinman, Assistant Professor, The Ohio State University School of Public Health: “*Epidemiology of Youth Violence (and touch on how it relates to the current debates in gun politics)*”
Guns and Crime
Read for discussion: Spitzer, Chapt. 3 and Smith, 29-31 and 39-46
- Thursday, Feb. 9**
Paper abstract due by today **America’s “Gun Culture”**
Read for discussion: Thomas (1999), “The Brady Act, The Tenth Amendment, and America’s Gun Cult.” And Gibson (1994), *Warrior Dreams*, Part I (chapters. 1 to 6)
- Sat/Sun Feb. 11 & 12**
Tuesday, Feb. 14 **REMINDER – PRO GUN SHOW**
Continuation of America’s “Gun Culture”
Read for discussion: Gibson (1994), remainder.
- Thursday, Feb. 16 **Video:** *New Face of Terrorism* (1996)
Read for discussion: Dees (1996), *Gathering Storm*, entire.
Begin *Waco: The Rules of Engagement* (1997)
Tuesday, Feb. 21 **Continue** *Waco: The Rules of Engagement*
- Thursday, Feb. 23**
Paper draft due by today **Finish** *Waco*; discussion
- Tuesday, Feb. 28 **Can Gun Control Work?**
Read for discussion: Spitzer, Chaps. 5 and 6 and Jacobs (2002), *Can Gun Control Work?* (Chaps. 1 – 7) and Smith, 6-19, 26-28, 32-38, and 52-54
- Thursday, March 2 **Read** for discussion: Jacobs, remainder.
- Tuesday, Mar. 7**
Final two reaction papers due by today **Read** for discussion: Mauser (2003), “The failed experiment.” And Smith, 47-51
- Thursday, Mar. 9 **Parting shots**
- Tuesday, Mar. 14** **Final paper due by 12 noon**



Useful Internet Sites

ACLU Policy #47 – Gun Control

<http://www.lectlaw.com/files/con11.htm>

Brady Campaign to Prevent Gun Violence

<http://www.bradycampaign.org/index.php>

Concealed Carry

<http://www.packing.org/>

Gun Cite

<http://www.guncite.com/index.html>

Gun Facts version 4.0

<http://www.gunfacts.info/pdfs/gun-facts/4.0/GunFacts4-0-Print.pdf>

Gun laws, gun control, and gun rights

<http://jurist.law.pitt.edu/gunlaw.htm>

Gun safety, gun control, and other firearms information including Handgun FAQ

<http://www.tincher.to/guntips.htm>

Lexis-Nexis Academic Universe (from any campus computer)

http://web.lexis-nexis.com/universe/form/academic/s_guidednews.html

➤ Under “Academic Search Forms” select “Legal Research”

National Rifle Association

<http://www.nra.org>

Ohio Attorney General’s Office – Concealed Carry

http://www.ag.state.oh.us/web_applications/concealcarry/About.asp

OSU’s Second Amendment Research Center (at the Glenn Institute)

<http://secondamendmentcenter.org/>

Sane Guns – A sane policy for gun control

<http://www.saneguns.org/>

Second Amendment Links

<http://www.afn.org/~ncfsa/2nd-amend.htm>

Second Amendment Yellow Pages

<http://www.ulster.net/~jperz/yellow.htm>

Sources on the Second Amendment and Rights to Keep and Bear Arms in State Constitutions

<http://www1.law.ucla.edu/~volokh/2amteach/sources.htm>

Violence Policy Center

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

Reaction Papers

[Note: I will not accept any assignments sent electronically.]

You are required to submit four (4) reaction papers during the quarter. These papers are intended to allow you to voice your thoughts and feelings regarding the readings, the videos, or the guest speakers.

The reaction papers can be submitted at any time, but I must institute deadlines or else all of the reaction papers will be turned in the final week of the quarter.

Two reaction papers are due by Thursday, Feb. 2. **Papers must be turned in IN CLASS.** You can write on any two (2) of the following:

Bowling for Columbine
Speaker Laura Deal

Speaker Michael Royse Moran
Rifle Class observation

The final two reaction papers are due by Tuesday, March 7. **Papers must be turned in IN CLASS.** You can write on any two (2) of the following:

New Face of Terrorism
Waco: Rules of Engagement
Speaker Dr. Ken Steinman

Gathering Storm
PRO Gun Show

Format:

Reaction papers must be typed and double-spaced using a standard font and black ink. Students should use one-inch margins. Pages must be secured with a staple. Papers should run no longer than three (3) pages.

What to write:

Reaction papers are just that, a *reaction* to something. How did it make you feel? Did it provide you with any new information? Did it confirm/disprove previously held ideas? Was anything missing (i.e., could the author/director/speaker have gone into more detail regarding certain topics?). As it is *your* reaction, you may write in the first person; do not be afraid to use "I," "me," or "my."

All assignments submitted for credit MUST be typed. Handwritten work WILL NOT be accepted.

Term Paper

The term paper provides an opportunity for you to organize your thoughts and clarify your position on a particular issue relevant to this course.

The term paper is worth 80 points, and will be evaluated in five stages.

1. In the third week (Jan. 18), students will submit a thesis statement that will be worth 5 points. The thesis statement must be a concise sentence stating the objective of the paper.
2. At the course meeting for February 2, an annotated bibliography is due, worth 10 points.
3. An abstract of the paper is due at our class meeting during the seventh week (Feb. 15), worth 10 points. Abstracts should run no longer than 250 words.
4. A draft of the research paper is due during week eight; it is worth 20 points. A draft should resemble the final paper as much as possible.
5. The final position paper, worth 50 points, is due by noon on Tuesday, March 15.

Papers should be approximately 15 pages at a minimum, but no longer than 25 pages. Papers that significantly deviate from this length will be penalized.

Please see my “Tips” on writing a good paper on page twelve below.

The position paper must have proper source citations, and the **bibliography must be annotated**, single-spaced, with double-spacing between entries. The bibliography will have a minimum of eight “valid” entries, two of which may be from the assigned readings. “Valid” entries are those resources generally recognized as credible college-level research materials. Professor David Lincove, Political Science Bibliographer, is accessible via his e-mail address: Lincove.1@osu.edu. Professor Lincove encourages students to contact him for direction with respect to particular research topics, relevant indices, computer-assisted searches, and so forth.

Late papers will NOT be accepted. Papers submitted electronically will NOT be accepted. As many as 5 points will be deducted from papers that significantly deviate from length specifications. Papers must be typed and double-spaced, with one-inch top, bottom, and side margins, have numbered pages, and display a reasonable font size. A cover sheet with the paper’s title, the student’s name, and the date is required. Papers must be stapled—NO binders. Excessive grammatical and/or spelling errors will adversely affect your grade on the assignment.

All assignments submitted for credit MUST be typed. Handwritten work WILL NOT be accepted.

Policy on Plagiarism

Much of your college education will involve learning what others have written and then integrating those ideas into your own thinking. However, in academic writing any ideas or words not credited to another are assumed to be those of the author. The problem of plagiarism comes in when you fail to give credit for those ideas that are not original to you. The word *plagiarism* (from the Latin for “kidnapping”) refers to the unacknowledged use of another’s words, ideas, or information. Your instructor will introduce you to strategies to avoid plagiarism, the conventions for using and acknowledging sources, and good procedures. Your instructor will also help you to gain confidence in your own writing so that you do not feel a need to borrow the ideas and/or words of others without acknowledging that “borrowing.”

The following is a guide to help you avoid plagiarism.

What need *not* be acknowledged?

- Common knowledge. If most readers would likely know something, you need not cite it.
- Facts available from a wide variety of sources. If a number of textbooks, encyclopedias, or Almanacs include the information, you need not cite it.
- Your own ideas and discoveries.

What *must* be acknowledged?

- Any direct quotation. The **exact** words quoted must be placed in quotation marks.
- Paraphrases and summaries of others’ ideas and/or words that provide background information, Present facts not commonly known, and explain various positions on your topic.
- Arguable assertions. If an author presents an assertion that may or may not be true, cite the source.
- Statistics, charts, tables, and graphs from **any** source. Credit all graphic material even if you Create the graph.

The Ohio State University considers the purchase of research papers or the employment of a person or agency to prepare such papers to be academic misconduct. In addition, though you may get help in writing your paper, there are limits to the amount of help you can honestly receive. For instance, others may read over your paper and point out weaknesses, but they must not rewrite the paper for you.

A problem can also occur if you want to submit a paper for one class that you have already submitted to another instructor for another class. To avoid this problem, discuss the paper with your current instructor before handing it in.

The penalties for plagiarism range from a reduced grade for the assignment to failure in the course to suspension from the university. Please consult the Office of Academic Affairs, Committee on Academic Misconduct online at <http://oaa.osu.edu/coam/prevention.html> for further information.

Here are some of MY tips on writing a good paper:

1. Do not split infinitives: **Correct:** To go happily. **Incorrect:** To happily go.
2. Capitalize political party names, Congress, Senate, and House.
3. Avoid ending verbs with “ing.” Avoid the verb “to be.” Never use “being.”
4. Do not use “a lot.” Use “much” or “many.”
5. Avoid run on sentences.
6. Avoid one-sentence paragraphs.
7. Do not use the phrase “kind of.”
8. Do not use the word “basically.”
9. Learn how to use the apostrophe to indicate possession, especially in regard to plural possessive (put apostrophe *after* the “s”).
10. “It’s” is a contraction for “it is” or “it has”; “its” is possessive.
11. Do not end sentences with prepositions.
12. Never use contractions in formal writing.
13. Avoid redundancy. Examples: “baby kittens,” “incumbent running for re-election.”
14. Do not use the word “feel” when you mean “think” or “believe.”
15. Do not write “people that.” It is “people who.”
16. For the numbers zero to nine, write out their name. For 10 or more, write the number.
17. Never begin a sentence with a number. Always write out the name.
18. Italicize the names of publications, television programs, movies and CDs.
19. Learn to differentiate among: there, their, and they’re; then and than; further and farther; principle and principal; capital and capitol; who and whom.
20. Avoid using et cetera (“etc.”). If you run out of things to list, then STOP!
21. Please put page numbers on all pages except the first one.
22. The paper should have one-inch margins on the top, bottom and sides and appear in 12-point size font.
23. Cite sources by putting the last name of the author of the work and the year it was published in parentheses in the actual text of the paper [add page number(s) if using a direct quote], then put a list of the sources alphabetically (by last name of the author) at the end of your paper.
Examples: (Jackson 2002)
(Jackson 2002, 23) [for a direct quote taken from page 23 of the original]

Statement of Student Responsibility*

**Political Science 590.01
Winter, 2006**

- I state that I have read and understand the procedures and requirements as outlined in the syllabus for this course. I understand that upper division college courses are taught at a pace that requires considerable work and I am prepared to complete the assignments as required and take responsibility should I fail to comply with the guidelines for the course. I agree to abide by the Code of Student Conduct and understand that failure to do so will result in university academic misconduct proceedings.

- I agree to respect others and conduct myself in a manner befitting a student at The Ohio State University.

- I understand that if I need assistance with materials throughout the term the instructor is available to guide me, but that ultimately I am responsible for my own work and for notifying the instructor if I do have problems.

Signature

Date

Print Name: _____ Hometown: _____

Year in School: _____ Major/Minor: _____

E-mail Address: _____ Phone #: _____

Prior Political Science Course(s): _____

Reason(s) for Taking Course: _____

Course Expectations: _____

Special Considerations (i.e., disability, graduating senior): _____

Interesting Tidbit About Myself: _____

* Due in class on Thursday, January 5, 2006