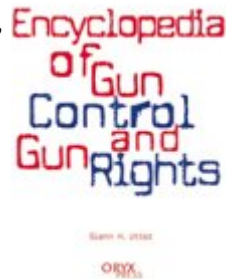




Glenn H. Utter. *Encyclopedia of Gun Control and Gun Rights*. Phoenix, Ari: Oryx Press, 2000. xxiii + 376 pp. \$65.00, cloth, ISBN 978-1-57356-172-3.



Reviewed by Michael Bellesiles

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"I don't know anyone here that's been killed with a handgun." -- Rep. Avery Alexander (D., New Orleans) during a debate on gun control in the Louisiana assembly.

Few issues arouse such passion, such fervor, and such idiotic failures of logic and intellectual consistency as the debate over gun regulation. Sometimes it seems as though the participants are discussing different subjects; witness the diversity of readings of the Second Amendment's single sentence. If nothing else, a glossary of terms would prove very helpful. Professor Glenn H. Utter of Lamar University's Political Science Department has provided such a judicious and useful guide to the current controversy.

Professor Utter does an excellent job getting at the specifics of the debate over gun regulation, providing information on the key issues, players, and organizations, as well as several recent high-profile shootings. The reader who spends time with this volume will be rewarded with a wealth of information. For instance, for some twenty years I have been hearing that there are 20,000 gun laws in America. There may be, though I have

never seen the evidence for this statement. Utter offers a table tracing the development of federal gun laws in the United States. By the end of 1995 a total of 231 sections had been added to the federal statute law concerning guns, 56.3 percent of these during the period 1930 to 1970. (Perhaps someone can provide a citation for the remaining 19,769 state laws.) It is worth knowing that the domestic production of firearms in the US in the twentieth century exceeded 210,000,000, that more than two million guns a year were imported in the mid-1990s, and that there are 838,286 firearms registered under the National Firearms Act (military and "gangster"-type weapons like machine guns and sawed-off shotguns). Utter does an admirable job chronicling a marvelous array of advocacy groups, such as Arming Women Against Rape and Endangerment, Firearms Owners Against Crime, Doctors for Responsible Gun Ownership, and my personal favorite, Academics for the Second Amendment. He also provides the web sites for most of these organizations -- a very practical feature.

In addition, Professor Utter presents clear summaries of competing research on the impact of gun use. However, he fails to note the successful efforts of the National Rifle Association (NRA) and its adherents to silence research with which they disagree. Thus there is no reference to the Centers for Disease Control (CDC) and their initial findings on the impact of gun violence as a public health issue, nor to the 1996 Congressional ban on any further gun-related research by the CDC. Likewise the Washington state legislature was so concerned over the statistical evidence that gun ownership increased the likelihood of being shot that it placed its police files off-limits to epidemiologists. These are facts of some significance when weighing the nature of the often bitter argument over the meaning of current research.

Professor Utter delivers on his promise to present "both sides of the gun control debate" (p. vii). But many readers may share my view that there are more than two sides in this debate. And Professor Utter does note in passing that "[a]lthough many organizations are on the same side of the gun control question, they do not necessarily hold the same views on the issue" (p. vii). This is not a minor linguistic point. Advocacy groups strive to create the impression that gun regulation is an either/or situation. But it is not now, and never has been the case that the United States either has no regulation or it outlaws all firearms. Regulatory legislation in America begins with the first European settlements and continues through to this day, and yet there appears to be no shortage of firearms. Any hunter can tell you that state and federal regulation of that sport has long been in place and is probably better than unregulated, year-round hunting. One such unrestricted season would sweep many areas of all game.

Another problem with the polarized vision of the gun debate is that it implies that there is little room for discussion or compromise. But American politics rarely works that way in reality. Where, after all, do we put the large number of

political and civic leaders who strive for various kinds of legislation which will more precisely regulate firearms' production and ownership in the United States without interfering with an individual's right to own guns? Consider the growing number of Republican governors and mayors who have stood up to the NRA in the past year and called for what they see as "reasonable regulation." It is also evident, as recent events indicate, that the NRA has an astounding ability to alienate friends and opponents alike. If we reduce the debate to just two sides, where do we put the senior George Bush? During the 1988 election, Bush, a life member of the NRA, pulled out a plastic gun that could pass through metal detectors and demanded legislation forbidding its sale in the United States. The NRA named him "Person of the Year" anyway and donated \$1.5-million to his campaign. The very next year Bush came out in favor of the assault weapons ban, which cost him NRA support in the 1992 election. In 1995, Bush resigned from the NRA for Wayne La Pierre's characterization of federal agents as "jack-booted thugs" who behaved like Nazis. Bush courageously spoke out against this "vicious slander on good people" in his letter of resignation. Is he therefore "anti-gun"?

Professor Utter refers to many of these events but leaves it to the reader to draw any conclusions. This objectivity is of course the correct standard for an encyclopedia, but it does not preclude historical analysis. What meaning should we attach to these matters? Is there not here evidence of a hardening of attitudes on the part of the NRA and a refusal to consider alternative opinions, even from within their own organization? The encyclopedic style obscures a number of important points. In this instance, Utter's failure to mention that the NRA attempted to expel Bush in 1989 draws attention away from what Robert Spitzer calls the NRA's "politics of purity."^[1] It is highly significant that the NRA would be willing to throw a sitting President out of their organization rather

than admit that a gun rights advocate may think it rational to hinder access to automatic weapons.

Sometimes Professor Utter is just a little too terse. For instance, he notes that the Bureau of Alcohol, Tobacco, and Firearms (BATF) "escaped President Ronald Reagan's attempt to disband it" (p. 46), but fails to mention that this escape was the result of a sudden about-face by the NRA. The NRA had called for the termination of the BATF for years, but when Reagan recommended bringing its duties under the purview of the Secret Service, the NRA reversed direction and condemned the plan. As Robert Spitzer has written, "Instead of keeping gun control in the hands of a beleaguered, low-prestige agency, the new proposal would lodge this authority in the hands of the highly respected, efficient, and fully computerized Secret Service." [2] The NRA had to ask what would happen if such an agency gained responsibility for enforcing federal gun regulations. They did not like the answer. Representative John Dingell (D., Michigan, the NRA's point-man in the House who oddly does not appear in this encyclopedia), went from calling BATF agents "evil" and deserving of jail terms, to fighting to save the agency. It was quite a show, worthy of attention.

On a few occasions, Professor Utter gives keen insight to the reality of gun legislation in America. His discussion of the Undetectable Firearms Act is particularly interesting. This 1988 act began as a response to then-Vice President Bush's call for the outlawing of plastic guns. Senator James McClure (R., Idaho) quickly hijacked the bill, amending it to allow for the production of guns that were mostly plastic -- so long as a little metal was included. Faced with the opposition of every major police organization in the country, the Reagan administration worked out a "compromise" that set a minimum level of 3.7 ounces of metal in every gun. Utter writes that "when the NRA was assured that no existing gun would be banned under this standard, the organization dropped its opposition to the measure" (p. 305) --

in short, a gun law that changed nothing. Those interested in the Byzantine workings of Congress when faced with gun laws would be well advised to read Lord Windlesham's *Politics, Punishment, and Populism*. [3]

Every entry in this volume is framed within the contemporary debate. This is, of course, the author's intention, so it would be unfair of me to fault Professor Utter for this approach. However, for an historian, it is vital to treat a subject within its precise context. Doing so allows us to get beyond the images to the underlying historical realities. Examining the way that the Second Amendment is used in current debates is valuable, but so is a careful study of the exact conditions of its proposal and ratification. Similarly, attitudes toward an issue today tells us a great deal about an organization, but it would be interesting to examine the changing attitude toward firearms legislation of gun organizations over time; the NRA, for instance, has not always opposed regulation.

Mind you, there are those who hold that historical research is irrelevant. Post-modernists like Akhil Amar, Charlton Heston, and William Van Alstyne have stated that the historical context of the Second Amendment is irrelevant to constitutional law, and that the image of the past is far more important than the reality when it comes to gun ownership [4]. But given the way that an imagined past drives so much of the debate over gun regulation, it is important to get it right. Thus Professor Utter notes that "[g]un rights advocates point with pride to the role that average Americans played in the Revolutionary War, especially because of the skill they demonstrated with firearms against an intimidated British force" (p. ix). An historian would like to know what the evidence is for this assertion, which any military historian would find laughable. One can say that America was a land of rugged marksmen who rushed into the service of their country, but finding evidence for the statement may prove difficult. Certainly George Washington and every oth-

er military leader during the Revolution had rather different experiences. Currently, those who oppose the registration of firearms find an insurrectionary heritage in the American Revolution -- no guns, no freedom. Yet 85 percent of the guns used by the Americans came from France and the Netherlands, a standing army won the war, and, as Utter cleverly observes, guns did not help the Loyalists in resisting the tyranny of the state governments.

Again, I mean no criticism of this work for not being more historical. It accomplishes its stated purpose with great efficiency. Still, most readers would probably like to see a little more engagement with the subject, the asking of hard questions, and the comparison of research. How would Arthur Kellermann recommend individuals protect themselves? Does Handgun Control, Inc., really trust the government to implement a fair national registration system? How would gun control advocates respond to recent police shootings of unarmed civilians? If Gary Kleck is right and "firearms ownership can reduce violent crime" (p. 161), then why isn't the crime rate lower now than it was in the 1950s? What explains the failure of more guns to translate into fewer crimes? Answers to these and similar questions must be attained through further reading. I recommend Robert Spitzer's outstanding *Politics of Gun Control* as a good starting place. Another helpful source is the glossary at <www.jhsph.edu/gunpolicy>.

Finally, any encyclopedia is going to leave out some obvious subjects. For instance, there is no entry on the self-proclaimed "Standard Model" (of the Second Amendment's original meaning) and its critics. Professor Utter includes several biographies of key figures in the development of modern firearms technology, such as Samuel Colt and John M. Browning. I was a little disappointed, though, that there is no entry for David Marhsall Williams, inventor of the M-1 and one of the most fascinating figures in modern arms production.

(Some of you may recall "Carbine Williams," with Jimmy Stewart playing the lead role.) But then the mark of a good book is often the great number of questions it raises.

This book ends with an appendix containing all current state constitutional gun rights provisions and a large chart on current statutory and constitutional provisions relating to firearms. This chart raises one interesting question that I could not find addressed in the book and still baffles me. The majority of states allow for the carrying of concealed weapons even while prohibiting the carrying of guns openly. Why is that? Perhaps it is just one of many legal anomalies resulting from America's gun culture.

NOTES

[1]. Spitzer, *The Politics of Gun Control* (2d ed.; New York: Chatham House, 1998), p. 83.

[2]. Spitzer, *The Politics of Gun Control*, p. 130.

[3]. Lord Windlesham, *Politics, Punishment, and Populism* (New York: Oxford University Press, 1998).

[4]. See, for instance, Chris Mooney, "Liberal Scholars are Supporting the Right to Bear Arms," *Lingua Franca* [Feb. 2000], pp. 27-34.

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