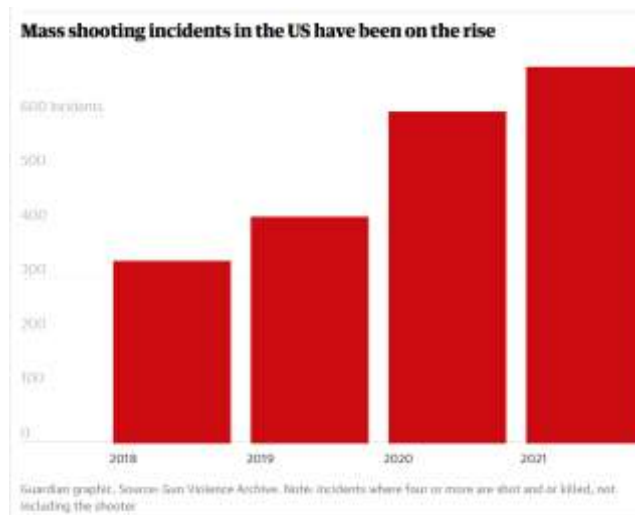


## Gun Crime is a Major Issue in America



- In 2022, there have been 213 mass shooting-incidents in which 4 or more people have been shot at or killed as a result of the shooting.
- In 2021, there were 692 recorded mass shootings.
- In 2020, there were 610 mass shootings. (Source: [Guardian](#))

These shootings are usually followed by widespread protests- especially when they occur at a school. But there's been no substantial change – the USA citizens still have an apparently unimpeachable “right to bear arms”, a right that is protected by the executive, legislative and judicial system.

They can change the law - the Senate has the power to do so. Yet they have not. Instead, they have done the opposite- instead of allowing the law to change, they have not passed a legislation that safeguards lives by placing limits gun ownership.

*“Since the 2012 massacre of 20 children and four staff members at Sandy Hook Elementary School in Newtown, Connecticut, legislation introduced in response to mass killings has consistently failed to pass the Senate.”* ([The Conversation](#))

And recently, a Supreme Court ruling struck down a New York law that imposed licensing requirements for the possession of concealed firearms — this effectively makes it harder for other states and cities to impose their own restrictions on weapons.

### Why has the USA not placed more restrictions?

There were other countries who were previously inspired to give their citizens the right to bear arms - including Bolivia, Costa Rica, Colombia, Honduras, Nicaragua, Liberia, Guatemala, Mexico, and the US. With the exception of the US, Mexico and Guatemala, they have since rescinded this right.

In Switzerland, after seeing how gun crime became more widespread when they increased their citizens' gun rights, they added more provisions to their laws (placing an increasing number of limits on gun ownership in the country).

- The Swiss authorities on a local level decide whether to give people gun permits, and they keep a record of those who own a gun in their region (though hunting rifles and some semiautomatic long arms are exempt from the permit requirement)

- People who have been convicted of a crime or have an alcohol or drug addiction aren't allowed to buy guns in Switzerland.

- The law also states that anyone who "expresses a violent or dangerous attitude" won't be permitted to own a gun.

So why does the USA resist change?

### **There's a lack of political will for change**

*"Lawmakers have not tightened federal gun laws meaningfully since 1994. If they pass legislation now it will be modest. Although a narrow (and shrinking) majority of Americans want tougher restrictions, ambitious measures are off the table."* ([The Economist](#))

In 1994, following a series of shootings, there was an effort to create restrictions on assault weapons at the federal level. The ban restricted the ownership of "semiautomatic assault weapons" and "large capacity ammunition feeding devices. The 10-year ban has now expired.

But after the bill passed, the legislators who voted for it lost their seats in the election that year. And some republicans reportedly received threats of violence.

*"GOP Rep. Fred Upton of Michigan said he 'had to have police protection for six months' after voting in 1994 for an assault weapons ban."*

Since then, despite attempts to strengthen gun laws, the bills (like one to expand background checks) failed to overcome a Senate filibuster (which allows law makers to stall or prevent a vote on a bill), as most Republicans and some Democrats oppose the legislation.

One of the reasons for this lack of action is the fact that there isn't a push from the US public. In fact, research has shown that, following events of mass shootings, the desire to maintain their "right to bear arms" strengthens.

*"In the all-too-frequent moments when the nation's attention is fixed on a mass shooting are the least likely time for people to be able to think rationally about how to regulate and control guns. In those moments, gun owners feel threatened and they flock to gun shops to buy still more guns..."*

*Research has shown that over the past decade there has been a statistically significant proportional spike in sales ... in the months immediately following every single deadliest mass shooting event...*

*And in pro-gun states, Republican lawmakers have sometimes followed mass shooting events with a loosening of gun laws."* ([Politico](#))

The focus on the need to change the law (following a crisis) is usually fleeting, and doesn't translate into electoral votes. At election time, the public's focus is on the economy and health care, amongst other things, and gun laws slip through the cracks.

### **The NRA (the National Rifle Association) is at the center of all of this**

*"After the bill (to expand background checks) was defeated, then President Barack Obama delivered a fiery speech blaming the failure on the National Rifle Association, which vehemently opposed the legislation and vowed to campaign against any senator supporting it."* ([Guardian](#))

The NRA is a group founded back in 1871, by a group of Union Officers who wanted to improve their troop's marksmanship. And in 1934, they actually testified in support of the first

federal gun law in 1934, which cracked down on the machine guns beloved by Bonnie and Clyde and other bank robbers.

*“When a lawmaker asked whether the proposal violated the Constitution, the NRA witness responded, “I have not given it any study from that point of view.” The group lobbied quietly against the most stringent regulations, but its principal focus was hunting and sportsmanship: bagging deer, not blocking laws.” (Source: [Brennan Centre](#))*

But then in 1977, following a change in the organization’s leadership, activists from the Second Amendment Foundation and the Citizens Committee for the Right to Keep and Bear Arms pushed their way into power. Since then, the lobby placed the Second Amendment at the heart of its concerns.

### **Adapting the Second Amendment Law**

Today, people focus on a specific phrase within the Second Amendment of the United States Constitution rather than the entire statement, which reads:

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

There is much debate surrounding the Amendment’s ‘intended’ scope, as the focus on the latter part of the phrase “the right of the people to keep and bear Arms” creates an individual constitutional right to possess firearms, and restricts the legislative bodies’ ability to prohibit firearm possession (as it would be unconstitutional). While the Amendment in its entirety simply restricts Congress from legislating away a state’s right to self-defense, thus ensuring the effectiveness of the military.

Until the 21<sup>st</sup> century, the US Constitution didn’t give individuals an unimpeachable right to bear arms. In fact, they had gun laws.

*They governed “everything from where gunpowder could be stored to who could carry a weapon—and courts overwhelmingly upheld these restrictions. Gun rights and gun control were seen as going hand in hand. Four times between 1876 and 1939, the U.S. Supreme Court declined to rule that the Second Amendment protected individual gun ownership outside the context of a militia.”*

This changed in 2008, when the Supreme Court revisited the issue in another case and chose to adopt the understanding the citizens had that an individual has the right to bear arms. They stated that the 1939 ruling was an exception, under which Americans weren’t allowed to possess a specific fire arm and they suggested that the US Constitution would not disallow regulations prohibiting criminals and the mentally ill from firearm possession.

*Apart from showing the flaws in man –made law, a study into the issue has shown how the NRA worked in the background to change the USA’s approach to the Second Amendment Rights- on every level.*

### **The NRA began with the education and research.**

Up until 1960, the law review articles concluded that the Second Amendment did not guarantee the individual right to a gun. A William and Mary law student argued otherwise in 1960, citing an article in the NRA’s *American Rifleman* magazine. After that, the number of submissions that echoed this sentiment grew; aided and encouraged by the NRA who also provided \$1 million to endow the Patrick Henry professorship in constitutional law and the Second Amendment at George Mason University Law School.

All of this had an impact, which filtered through to the government agencies.

In 1981, Republicans took control of the U.S. Senate for the first time in 24 years. Utah Sen. Orrin Hatch became chair of a key Judiciary Committee panel and he commissioned a study on “The Right to Keep and Bear Arms”.

*“What the Subcommittee on the Constitution uncovered was clear—and long lost—proof that the second amendment to our Constitution was intended as an individual right of the American citizen to keep and carry arms in a peaceful manner, for protection of himself, his family, and his freedoms.”*

This declaration was preceded by a proclamation by the GOP platform in 1980, and the NRA’s first ever presidential endorsement to Ronald Reagan.

*The GOP Platform declared that “We believe the right of citizens to keep and bear arms must be preserved. Accordingly, we oppose federal registration of firearms.”*

Then later in 2000, the gun activists strongly backed Governor George W. Bush of Texas. After his election, the new attorney general, John Ashcroft, further supported this stance when he reversed the Justice Department’s stance, making it clear that

*“The text and original intent of the Second Amendment clearly protect the right of individuals to keep and bear firearms.”*

These are just a few key examples which show how the NRA has lobbied the government to support its agenda. They have funded lawmakers, mostly Republicans, on Capitol Hill and in statehouses across the U.S., with the intent of thwarting efforts to tighten gun control laws.

*“The NRA maintains a large, deep-pocketed lobbying arm in Washington that’s involved in pressuring members of Congress to resist any legislation that might be construed as even mildly anti-gun. In the first quarter of 2022, for example, the NRA spent well over US\$600,000 (nearly £500,000) on lobbying. That number is only expected to increase in the second half of this year amid the 2022 midterm elections as well as renewed demands for gun reform by liberals.”* (Source: [France24](#))

And they have spent millions of dollars to influence the elections of state Supreme Court judges and attorneys general nationwide. As a result, the NRA has influence over life- seats on the federal bench.

*“Tax records and campaign filings show the NRA “has funneled millions of dollars to a front group that spends its money electing judges”* (Source: [NBC](#))

Other than that, they have also shown the sway that they have over public opinion.

*“In 1959, according to a Gallup poll, 60 percent of Americans favored banning handguns; that dropped to 41 percent by 1975 and 24 percent in 2012. By early 2008, according to Gallup, 73 percent of Americans believed the Second Amendment “guaranteed the rights of Americans to own guns” outside the militia.”* (Source: [Brennan Center](#))

This sway has allowed them to unseat incumbent politicians at the ballot box.

*“If Republicans (or moderate Democrats) waver on the gun issue, the NRA will – particularly in the primaries – pour money and resources into the campaigns of opponents who back more lax gun mandates. Even the threat of that challenge is often enough to intimidate many politicians from defying the NRA’s agenda.”* (Source: [France24](#))

This evidence of the NRA’s influence over US policy doesn’t absolve the politicians or the law makers of responsibility for those who are being hurt or killed as a result of gun violence in America. It just shows the extent of the corruption within the system, and the

flaws within man made law.

Especially, when you consider the fact that the reason that the Right was included (along with the other amendments to the Constriction) was a result of political pressure.

*“On June 8, 1789, James Madison—an ardent Federalist who had won election to Congress only after agreeing to push for changes to the newly ratified Constitution—proposed 17 amendments on topics ranging from the size of congressional districts to legislative pay to the right to religious freedom.”* (Source: [Brennan Center](#))

### **The corruption is inherent to the Capitalist system**

Corruption is an accepted problem in the capitalist democratic system- a politician’s focus is on ensuring that they remain in power, even if this is achieved at the expense of the citizens wellbeing.

Businesses work to exploit this flaw, spending vast amounts of money to ensure that it is within a politician’s interest to support their company’s interests and legislate laws that benefit them.

This problem is not specific to the gun lobbies within America- the corruption exists across the entire world and examples can be found in every industry. They all consistently put material benefit and profit over the protection and needs of the people.

Supporters of this system will argue that we need to become more democratic, and that will reduce the corruption – it won’t. Politicians, and businesses that work within this system will simply adjust the way that they operate, garnering public opinion and ensuring that they continue to profit off the people.

In Islam, companies will not be given this level of access to the Ummah’s resources, or be able to influence the law in this way. Their power and influence will be limited, through the implementation of Allah’s laws. This will help us to avoid the corruption that is inherent to manmade law, and protect the people in every aspect of their lives.

Al-Ghazali reported: Hatim al-Asamm, may Allah have mercy on him, said, “The believer commands and prohibits for the sake of governance and he sets things right. The hypocrite commands and prohibits for the sake of power and he causes corruption.”

(إِنَّمَا الْإِمَامُ جُنَّةٌ يُقَاتِلُ مِنْ وَرَائِهِ وَيُنَقَّى بِهِ، فَإِنْ أَمَرَ بِتَقْوَى اللَّهِ وَعَدْلٍ، فَإِنَّ لَهُ بِذَلِكَ أَجْرًا وَإِنْ قَالَ بغيره فَإِنَّ عَلَيْهِ مِنْهُ)

**“The Imam is a shield, behind whom you fight and you protect yourself with, so if he orders by taqwa and is just then he has reward for that, and if he orders by other than that then it is against himself.”** (Muslim)

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