One Thought on the Uniqueness of America: With Special Reference to the Problems with Guns and “Stand Your Ground” Laws

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I Introduction

When I look at today’s American society and think of “what is America?”, the problems related to gun possession and gun control easily come to my mind. Despite the recent tragedies caused by terrible gun shooting sprees, American society and its people cannot reach agreement on how to successfully resolve this problem.

The United States of America is unique in the sense that it was the first independent country that did not have the common prerequisites for nationhood, such as natural territorial boundaries and its members descending from common ancestors or sharing the same religion (Mann 1987). Although Canada, its closest northern neighbor, is another country made up of immigrants, it seems quite different from the United States in many ways. In this short paper I would like to examine and think about the source of its uniqueness, which has always intrigued me, and try to deepen my understanding of America and Americans.

It would be agreed upon by many that the United States is, for better or for worse, the most powerful country in the world. It has been undergoing various difficulties and changes, while producing innovative movements and experiments in social phenomena. How do Americans perceive themselves? What is the self-image held by Americans? Self-image would indicate how you see yourself; how others look at you;
and how you think others see you.

Americans seem to be very optimistic, looking at themselves rather positively all the time. They like to think they are good people and they want others to think of them that way. They might not be sure that others think about them as they think of themselves, but they wish others would think about them as they do.

II The Land of Freedom

The most important image of America for Americans, I think, is that the United States is the land of freedom. Freedom has been a key-word to describe the United States, since the first earlier settlers from Europe came to the New World in quest of religious and political freedoms. It is natural to assume that the freedom for the Americans first meant anti-colonial liberation, being liberated from British political control, or from the Old World, which the American founding fathers perceived as a bundle of evils. Freedom meant liberation from old traditions and customs and from monarchy, making democracy the key concept for American people.

The Meaning of Freedom

The United States was the new Promised Land that was made up of immigrants, and attracted people who wanted to start over from all over the world. However, the word freedom could be interpreted in a wider range of meanings over time. For some immigrants it means that people can do whatever they want in this new country of freedom. However, freedom should go with obligation and those two, freedom and obligation, are mutual concepts that should work together. Even one's freedom to behave as s/he wishes has to be regulated to a certain extent depending on the social framework of a given society. Particularly for some newcomers to the United States, however, the word freedom could be a magical word to justify their self-centered or selfish behavior.

I remember several incidents when I was living in an apartment in
Los Angeles as a graduate student (Yagasaki 2011). One day my next-door neighbor in my apartment building was listening to loud music while I was studying for my exams. After a while, I could not stand it any longer and went to his door to explain the situation, asking him very politely to turn down the volume. He apparently was annoyed by my request and shut the door, saying, "It is America, it is a free country, I can do anything!" From his English and mannerism, he was obviously an immigrant or a nonnative, who seemed to be a Chinese newcomer working in town. "Freedom" in the United States could be appreciated most by those who come from countries where there is strong government control. There were other incidents in my experience about the selfish behavior of Americans, who considered freedom to mean being allowed to do whatever they wanted.

**Resistance to Gun Control**

Deep-rooted objection to gun control among Americans, I think, is related to the belief that freedom is justified for the benefit of an individual. Guns were definitely necessary to protect people back in the pioneer days in the western frontier. I think that people do not need them in modern civilized society, whereas the American tradition of relying on guns seems to die hard.

The legal grounds for Americans to possess guns is based on the second amendment to the United States Constitution about bearing arms, which says "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."

Simply stated, there are two interpretations of this amendment as to what right this amendment protected, i.e., bearing arms as an individual right or state right. In 2008 the Supreme Court clearly decided in the case of District of Columbia v. Heller that the Second Amendment protected an individual's right to possess a firearm unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home. This decision was a milestone concerning the debate between gun control and gun rights. People are
allowed to possess, carry and even use deadly weapons to protect themselves.

III Guns and American Society

The United States is famous for its conspicuously high rate of gun ownership among its people. News reports of shooting rampages at schools or other places are not a rare thing that surprises us anymore.

Shooting of Yoshihiro Hattori

The death of a Japanese exchange student in 1992, who had been sponsored by the American Field Service to Baton Rouge, Louisiana, shocked people in Japan. That was the incident that made people in Japan come to realize that society and culture in the United States were completely different from their own.

Yoshihiro Hattori, a 16-year-old high school student from Nagoya, was gunned down by the owner of the property, when Yoshi and his homestay brother mistakenly visited the wrong house to attend a Halloween party. Rodney Peairs, the property owner, yelled "Freeze," to Yoshi Hattori, pointing a loaded gun at him, but Hattori did not understand the meaning of the word. Because Hattori did not freeze and walked toward the house, Peairs fired the gun at him. Peairs and his wife did not come out of their house until the police arrived around 40 minutes after the fatal shooting of Hattori.

Peairs was released after being questioned briefly by the local police and was not charged with any crime, because they thought he shot Hattori as an intruder, which was justified. It was not until the Consul-General of Japan in New Orleans and the Governor of Louisiana protested, that Peairs was charged with manslaughter. At the criminal trial, Peairs testified that Hattori had an "extremely unusual manner of moving," which made him scared and he had no choice but to shoot him (The New York Times, May 21, 1993). His wife too testified that Hattori was coming real fast and she thought he was going to hurt them.

The jurors deliberated for three and a quarter hours, deciding to
acquit Peairs. Later at the civil trial, forensic evidence showed that Hattori was moving slowly or not moving at all, and his arms were away from his body, which meant Yoshi was no threat to them (Yoshi Coalition 1992). Those accounts were contrary to Peairs' and his wife's testimony. In any case, dead people cannot defend themselves and Hattori did not have a chance to tell his version of what happened on that Halloween night in 1992.

**Shooting of Trayvon Benjamin Martin**

On a cold rainy night on February 26, 2012 in Sanford, Florida, just after 7 pm, Trayvon Martin, a 17-year-old African American high school student in a hooded sweatshirt, who was unarmed, was shot and killed by an armed 28-year-old self-appointed vigilante, George Zimmerman, who was doing neighborhood watch. Trayvon was walking home in a residential area from a nearby convenience store after buying a can of iced tea and a bag of skittle candy, talking with his girlfriend on his cell phone.

Zimmerman was at first reported as a white man, probably assumed from his name, but in reality he turned out to be a Hispanic with a white father of German descent and a Peruvian mother with some black ancestry from her maternal grandfather. Zimmerman was not white, but from the beginning, this incident was discussed from a racial perspective and as a hate crime.

Zimmerman called the Sanford police to report that he had spotted a suspicious man and was following him. At that time, there were many reports of attempted break-ins in that area and the residents decided to organize a neighborhood watch program and Zimmerman volunteered as a vigilante. Neighborhood watch volunteers were not encouraged to carry weapons, but the local police chief said that Zimmerman had a legal and Constitutional right to carry his firearm, since he had been licensed to carry a gun. The reasons why Zimmerman considered Trayvon a suspicious character, however, seemed rather questionable. The circumstances were that Trayvon Martin was a young African-American male wearing a hoodie, "a costume of menace" (Steele 2012),
causing his face to be hidden, and that he was walking leisurely on a rainy night in a residential area. In spite of the police dispatcher's instruction over the phone not to follow him, Zimmerman chased the suspicious Trayvon, catching up with him and shooting him dead after a short struggle.

The Sanford police department questioned Zimmerman for about five hours. Zimmerman said that he yelled for help many times while he was struggling with Trayvon. Trayvon's body was placed in the morgue as a John Doe, since he did not have any identification with him, until his father filed a missing person report. Zimmerman told the local police that it was self-defense and they believed him. Dead men cannot defend themselves and Trayvon, the party gunned down, could not tell his version of what happened between the two on that cold rainy night in February, 2012.

**Zimmerman's Trial**

Zimmerman was not arrested initially, but many high-profile people spoke up about this incident to ask for further investigation, including President Barack Obama. President Obama expressed his sympathy for Trayvon and his parents and said on March 23, 2013, to reporters, “I can only imagine what these parents are going through,” and “When I think about this boy, I think about my own kids.” Obama also said, “If I had a son, he would look like Trayvon.” (USA Today, March 23, 2013) More than six week later, forty-five days after Trayvon’s death, Zimmerman was arrested, on April 11, 2012, on a charge of second-degree murder for the fatal shooting of Trayvon Martin.

In Florida, juries consist of six people; twelve jurors are required only for criminal trials involving capital punishment. Zimmerman's jury was composed of six members and four alternates. The composition of the selected jury at Zimmerman's trial was really homogeneous, which is rather controversial; all of the six members were women, five were considered white, and one was considered non-white, or mixed black and Hispanic. All of the alternates were white, two males and two females, although one male alternate might have been considered His-
panic. It is said that at trials in the United States, jury selection is a very important factor, almost deciding the forthcoming verdict. On July 13, 2013, after sixteen hours of deliberation, the six jurors reached a verdict of not guilty for both second-degree murder and the lesser included charged of manslaughter. Zimmerman was acquitted.

There was a heated racial debate for over one year about Trayvon’s murder and the non-guilty verdict on Zimmerman, although Zimmerman was not really a “white,” but a mixed Hispanic. Some people blamed Zimmerman for profiling the unarmed 17-year-old Trayvon as a suspicious young black male, while others insisted that Trayvon Martin should be blamed as the aggressor, which justified Zimmerman’s fatal shooting in self-defense. Martin’s family attorney, Benjamin Crump, said, “It was the defense team representing Zimmerman who brought up race in the case,” and “I honestly believe nobody knows whether George Zimmerman did this for whatever reason, but what we do know is that he profiled Trayvon Martin.” (The Huffington Post, July 14, 2013)

A Problem of Race

Although it was not clear how racial factors were involved in this incident, civil rights leader Reverend Jesse Jackson and Reverend Al Sharpton made public comments about this case. Steele (2012), who has a black father and a white mother like President Obama, writes that those civil rights leaders want to make a movement out of an anomaly and so many black leaders, along with the media, have jumped in to exploit the death of Trayvon for their own purposes. Steele (2012), who considers himself a “black conservative,” says that the poetic truth, not literal truth, of white racism and black victimization is easily invoked so that the actual truth becomes dismissible.

Two white men, who tortured and killed a 14-year-old black boy, Emmett Till, in 1955 in Mississippi, because he whistled at a white woman, the wife of one of the killers, were acquitted. This injustice motivated the African-American civil rights movement later in the 1960s. O. J. Simpson, an African-American professional football star,
who was charged with murdering his white ex-wife and her white friend, by contrast, was found not guilty and acquitted in the highly controversial trial in 1995, because his attorney described him as a victim of racism. According to Steele (2006), the age of white supremacy has given way to an age of white guilt, neither of which has been good for African Americans.

The fact that Zimmerman was not “white” in the strict sense makes this issue complicated, which was not expected to be one concerning black-white conflict. The case of Trayvon vs. Zimmerman makes us think about the widely held American concept of whiteness, and the definition of “white” race or people.

IV “Stand Your Ground” Law

Although George Zimmerman’s legal team did not use a defense based on the “Stand Your Ground Law” during the trial, a heated debate developed in the news media before the verdict on Zimmerman was brought in. The consequent not-guilty verdict provoked a controversy over this law in the local and national media.

Florida’s Controversial Law

The “Stand Your Ground Law” is a kind of self-defense law, which was first adopted in Florida in 2005 by then Republican Governor Jeb Bush, the younger brother of former President George W. Bush. It is a law that gives individuals the right to use deadly force to defend themselves without any requirement to evade or retreat from a dangerous situation. Although Florida already had laws on self-defense, the Stand Your Ground law further eliminated an individual’s legal requirement to retreat from an assailant and affirmed the use of deadly force in any place s/he has a right to be. It was the first law to extend the right of self-defense to firing weapons in public places. This law was passed by Florida Republicans, whereas all twenty votes against this bill were cast by Democrats (Huffpost Miami, July 15, 2013).

Usually, an ordinary citizen has a duty to retreat when confronted
with what they perceive to be deadly force or imminent danger. The Stand Your Ground law, which is sometimes referred to as the "Shoot First" law, however, changed the legal definition of self-defense in that sense. This seems to be a terrible law, in the eyes of people, like us, outside of the United States, and gives an impression of American society as being like the Wild West.

Florida's Stand Your Ground law provides a self-defense shooter with immunity from criminal prosecution and civil action for justifiable use of deadly force. Since the Stand Your Ground law was enacted on October 1, 2005, this law has been cited in more than 200 cases in Florida where charges were dismissed or defendants were acquitted or not charged at all (NBC News, July 18, 2013). The Stand Your Ground law spread rather quickly to other states after it was first passed in Florida in 2005. Since then, many states have adopted almost identical or similar laws. They have enacted "Stand Your Ground" laws that remove the duty to retreat before using deadly force in self-defense.

The Castle Doctrine

The Stand Your Ground law has its origins in the Castle Doctrine, or Castle Law or Defense of Habitation Law, which comes from seventeenth century English common law that assumes an Englishman's home is his castle. One's home is equivalent to one's castle. It became American legal doctrine and based on this if an intruder enters a person's house, the invaded one does not need to retreat before deadly force can be used for self-defense. Each state differs in its operation of the doctrine and there are some states that demand people retreat when threatened. According to Pursuit Magazine (2012) there are twenty-five states adopting "Castle Doctrine," nineteen states adopting the "Stand Your Ground laws," and six states that require people to "retreat when threatened" in the United States.

States with the "Castle Doctrine" are Alaska, California, Connecticut, Delaware, Hawaii, Idaho, Illinois, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, South
Dakota, West Virginia, Wisconsin, and Wyoming. States with "Stand Your Ground laws" are Alabama, Colorado, Florida, Georgia, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Montana, Nevada, New Hampshire, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, and Washington. States that require you to retreat when threatened are Arkansas, Iowa, Nebraska, New Mexico, Vermont, and Virginia (*Pursuit 2012*).


**Duty to Retreat When Threatened**

There are some states with laws that impose a duty on a person to retreat when threatened. A duty to retreat signifies that you are not allowed to use deadly force in self-defense unless you are facing serious danger, such as being cornered or knocked down, where you would be authorized to resort to deadly force in self-defense. If you can run away or safely avoid the risk of death or harm, it is primarily your duty to retreat, not to use deadly force in self-defense. According to one source (*FindLaw 2013*), there are nineteen states that impose some form of duty to retreat before deadly self-defense is authorized. Those states are Arkansas, Connecticut, Delaware, Hawaii, Iowa, Maine, Maryland, Massachusetts, Missouri, Minnesota, Nebraska, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, Wisconsin, and Wyoming.
Laws concerning self-defense vary from state to state and each state has its own way of applying them. The differences vary from slight to crucial among states depending on the language used and application of their laws. Probably that is one of the reasons why the categorization of those states concerning self-defense laws is different according to the people and sources that interpret their laws. Usually variations specify where individuals have the right to defend themselves. Some states make it mandatory for a person to be in his/her home or car, while other states widen it to include the streets. The state of North Carolina prohibits the use of deadly force against law enforcement officers. The state of Wisconsin does not stretch it to public spaces.

Stand Your Ground laws have definitely affected crime statistics. In 2010, five years after the first Florida’s stand your ground law was enacted, cases of “justifiable homicide,” a self-defense killing by civilians using firearms, doubled in states with stand your ground laws and doctrines, whereas the number remained almost same in the states without them (Global Grind 2013).

The Right of Self-Defense

The fact that George Zimmerman followed Trayvon Martin on a rainy night against police instructions indicates that Trayvon had been stalked by Zimmerman. Zimmerman’s claim that there was a struggle between the two and he did not start the fight was a key issue. Zimmerman asserted that he was threatened with death by Trayvon, which was the ground on which Zimmerman’s fatal shooting of Trayvon was justified as self-defense. With Trayvon dead and long gone, however, no one really knows what actually happened between the two.

Twenty-eight-year-old Zimmerman was armed with a gun and much larger and stouter than seventeen-year-old Trayvon, who was unarmed. Some big unknown man following him in the rain at night must have been a serious threat to Trayvon as a teen. Trayvon did not know Zimmerman, the stalking stranger, was armed and when Trayvon
was forced to confront Zimmerman, it seemed natural for Trayvon to defend himself, although all he had with him was iced tea, skittle candy and a cell phone.

If Zimmerman's right to defend himself is justified, what happened to Trayvon's right to defend himself? Suppose Zimmerman had provoked Trayvon into starting a fight between the two, which could be a possible theory. In that case, shouldn't Trayvon's right of self-defense have been guaranteed? However, all we can hear now is what Zimmerman tells us, which could be false. Dead men cannot talk, making the whole picture and the trial very one-sided and unfair.

If "Stand Your Ground" laws are valid on all occasions, very cunning people could kill others rather easily in the name of self-defense. This seems to be a horrible possibility for people who are from gun-free countries.

V The National Rifle Association of America

In the photograph of then Florida Governor Jeb Bush signing Florida's "Stand Your Ground Law" in 2005, there was one woman standing beside Governor Jeb Bush smiling with others. Her name is Marion Hammer, a former NRA (National Rifle Association) president, and the association's chief Florida lobbyist. Ms. Hammer is credited with writing and pushing through Florida's Stand Your Ground Law (Rachael Maddow 2013).

The NRA and Stand Your Ground Laws

The NRA gave major support to the endorsement of this controversial stand your ground law in Florida. This is very important, because, as is mentioned, many states followed Florida, removing the citizen's duty to retreat before resorting to deadly force in self-defense. It authorized a person to use a gun against someone else not carrying a gun in a confrontation.

The National Rifle Association of America (NRA), founded in 1871, is a nonprofit organization that promotes civilian firearm ownership
and fights against gun control. The premise of their claim is that fire-
arm ownership is a civil right protected by the Second Amendment of
the United States Constitution, the Bill of Rights. As mentioned before,
in 2008, in the case of District of Columbia vs. Heller, the Supreme Court
made it clear that the Second Amendment protected an individual's
right to possess a firearm, which could be used for self-defense. The
NRA is politically very active, being noted for its forceful and influen-
tial lobbying for firearm possession and against gun control legislation.

The NRA has a strong connection with conservative politicians,
who mostly belong to the Republican Party. Governor Jeb Bush is a
Republican just like his father, the 41st U.S. President George H. W.
Bush, and his older brother, the 43rd U.S. President George W. Bush.
Actually, most of the states with Stand Your Ground laws or doctrines
are Republican-controlled states. States with rather lenient gun laws
tend to endorse stand your ground laws (Global Grind 2013).

After the not guilty verdict on Zimmerman and his acquittal on
July 13, 2013, heated debates occurred over the Stand Your Ground laws.
Many people, including liberal Democratic politicians, criticized the
"Stand Your Ground" self-defense laws, demanding that "Stand Your
Ground" laws should be repealed. Republican politicians and lawmak-
ers, such as Arizona Governor Jan Brewer, Florida Governor Rick Scott,
and Georgia Governor Nathan Deal, strongly objected to this repeal
demand.

The NRA and Gun Control

Trayvon Martin's mother, Sybrina Fulton, called for the repeal of
"Stand Your Ground" laws after her son's shooter, George Zimmerman,
was acquitted on July 13, 2013. She joined an African-American lawyers
organization to keep the pressure on legislators to repeal or overhaul
"Stand Your Ground" self-defense laws and continues fighting (An-
derson 2013).

The Hattoris, Yoshihiro Hattori's parents, won their civil suit
against the acquitted shooter in Baton Rouge, Louisiana, who killed
their son on the ground of self-defense. With the $45,000 compensation
from the civil trial they established the “Yoshi's Gift Award” in order to help active civil movements to become powerful lobbyists against the NRA.

Yoshi's Coalition, which was formed by Yoshihiro's parents to support the gun control movement in the United States after Yoshihiro Hattori was shot to death on October 17, 1992, contributed to passing the Brady Handgun Violence Prevention Act. It is informally known as the Brady Bill and was named after James Brady, the White House press secretary who was seriously injured in the 1981 assassination attempt against then President Ronald Reagan. The Brady Bill is a federal statute, which was signed into law by President Bill Clinton on November 30, 1993, and went into effect on February 28, 1994. It aimed at a stronger control over handgun sales, establishing a national system for checking the background of a prospective handgun purchaser.

Sullivan (2013) says that after the first Florida's “Stand Your Ground” law was adopted in 2005, the same or similar laws spread to more than thirty other states and in most of those states, the GOP (Grand Old Party), or Republican Party, controls the legislature, where any changes must be enacted. Even in the states that are not so right wing, repealing the law will be difficult. The GOP and people's preference for a conservative political stand prevent the “Stand Your Ground” laws from being repealed.

As was mentioned before, the NRA strongly supported and was deeply involved in establishing the Florida's “Stand Your Ground” law. It could be said that “Stand Your Ground” law is “an NRA-backed law that passed with NRA support” (Sullivan 2013). Obviously, the NRA's active lobbying and their enthusiasm to protect and expand an individual's right to possess and use firearms prevent the “Stand Your Ground” laws from being repealed.

Stop-and-Frisk and Racial Profiling

Some people think that more should be done than just repealing “Stand Your Ground” laws. The acquittal of Zimmerman, who shot Trayvon Martin to death in alleged self-defense, shocked many people,
particularly African Americans, because the verdict reminded them of how African Americans were “viewed as a threat to be eliminated rather than members of a national community to be protected (Rolnick 2013).”

There is an ethnic stereotype that young African American males are potential criminals and therefore dangerous. This stereotype is closely related to the fact that young African American males are the most likely to be stopped and frisked by police officers when they are just walking on the street, doing nothing illegal. The stop-and-frisk practices carried out by law enforcement officers are based on the racial profiling of African American males.

Young African American males are disproportionately targeted in comparison with other ethnic groups for this stop-and-frisk activity, which is institutionalized into the American criminal justice system. This kind of racial profiling is different from criminal profiling, which is based on actual behavior or on information about the characteristics of unknown criminal subjects. Racial profiling based on race or ethnicity is discriminatory and unfair to certain people.

VI Gun Violence and the Gun Industry

Gun-related violence and murder have always been a serious topic in American society. We remember the Columbine High School massacre (thirteen people killed) in 1999 in Colorado, the Virginia Tech massacre (thirty-two people killed) in 2007, which is the deadliest mass murder by a single gunman in U.S. history, the Aurora movie theater massacre (twelve people killed) in 2012 in Colorado, and the Sandy Hook Elementary School massacre (twenty-six, including twenty small children, killed) in 2012 in Connecticut, to name a few.

Difficulty of Gun Control

After the Sandy Hook Elementary School mass shooting, President Obama swore that he would make gun control a priority issue, which was agreed by many people, while others went in a different direction.
The NRA asked the United States Congress for appropriate funds for hiring armed police officers in every public school in America to protect students. The national news reported ordinary schoolteachers swarming to shooting ranges to practice firing guns. Something seems to be seriously wrong in the eyes of people from gun-free societies. However, people in the United States want to believe that they have a right to protect themselves.

They tend not to rely on the authorities, choosing to fight against those that could be harmful and dangerous. It seems to be an American tradition derived from the Frontier spirit. American people may not be able to change much when it comes to this self-protection mentality.

**Gun Business and Firearms Industry in the US**

One of the reasons why guns cannot be banned so easily is that the gun business and firearms industry bring forth huge amounts of money into American society. The firearms industry produces a huge amount of money from gun sales. Velasco (2012) provides figures, which are indicators of the gun industry’s prosperity in recent years in the United States. According to the National Shooting Sports Foundation, the US firearms industry made $31.8 billion in 2012, which increased from $27.8 billion in 2009. This created jobs and brought in sales taxes.

The economic impact derived from the firearms industry is tremendous. According to the National Institute of Justice, there are about 310 million firearms circulating in the United States, including 114 million handguns, 110 million rifles, and 82 million shotguns. The US gun and ammunition manufacturing industry contributed about $6 billion to national revenue in 2012. According to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), about 5.5 million firearms were manufactured in the United States in 2010. The mean annual salary of an employee in the firearms industry, according to First Research, is $140,000.

According to a Gallup poll in 2011, 47 percent of Americans were reported to have at least one gun in their home. Sixty-two percent of Americans said that they owned more than one gun. The reasons they
gave for owning guns was for self-defense (67 percent), for hunting (58 percent), and for target shooting (66 percent).

The number of retail gun dealers in the United States is 50,812, as of October 2012. Actually, the largest firearms retailer in the United States is Walmart, a popular American discount supermarket. Walmart is America’s largest multinational retail corporation and is the largest retailer in the world. It is hard for people from gun-free countries to believe that deadly firearms are sold casually along with food and diapers at a popular supermarket where you can buy toys for your children.

**Bulletproof School Supplies**

On the American national news (*NBC Today*, Sept. 11, 2013), which was covering the twelfth anniversary of the terrorist attack of 9/11 in 2001, it reported a surprising new trend that some go-back-to-school supplies went bulletproof to keep school children safe at school. Those school supplies were designed to help children learn and also keep them safe. A number of bulletproof school supplies are now hitting the market.

Bulletproof clipboards are sold for $109, protective whiteboards for $299, and entire classroom door protectors from $1499. There is an armored backpack with a bulletproof insert. They come in different sizes and even colors. Those armored supplies can stop major firepower. The technology was originally designed for military and law enforcement, but now it is brought into school and classroom for the protection of young children.

Although it is welcoming for parents, because children feel safer, it does not necessarily mean that they are actually safe. Such bulletproof school gear is selling quite well among families and schools, particularly after the recent school mass shootings like the Sandy Hook Elementary massacre on December 14, 2012. One school spent more than $60,000 for 200 bulletproof whiteboards in order to equip every classroom with an armored board.

American society as a whole gets profit from gun-related business.
It brings about money and jobs. Some people make money from manufacturing and selling guns, while others get rich by making and selling bulletproof products. Gun-related business in the United States is really lucrative. Once people have tasted the profitable nature of it, it is not easy for them to let it go.

Profitable gun-related business will continue to exist, I think, unless some drastic measures are taken, initiated by the authorities, which furthermore should be supported by public opinion. Although the public voice to support stricter gun control is getting stronger than ever before after the Sandy Hook Elementary massacre, it seems exceedingly difficult at this point to toughen gun laws, let alone carry out the disarmament of civilians in the United States.

**Obama's Failed Gun Control Measures**

Obama's gun control measures to strengthen background checks on gun purchasers were rejected by senators on April 17, 2013, four months after a single gunman murdered twenty children and six staff members at the Sandy Hook Elementary. An attempt to ban assault-style rifles as well as high-capacity ammunition magazines failed.

The background check measure gained a majority, 54-46, in the Senate, but that did not reach the required 60-vote threshold. Out of one hundred senators, 41 Republicans and 5 Democrats from pro-gun states voted against the measure. Powerful pressures from the NRA lobbies were behind the failure of this common-sense legislation. President Obama criticized the NRA and those senators who voted against the measure. Considering polls that showed 90 percent support for stricter gun control measure, President Obama said, “This was a pretty shameful day for Washington” (*Human Events*, April 18, 2013).

Gabrielle Giffords, a Former United States Democratic Representative from the state of Arizona, was the target of an attempted assassination by a single gunman, who was fixated on her. She was shot in the head by him in a mass shooting on January 8, 2011 in Tucson, Arizona, where six people were killed, including a nine-year-old girl. Giffords, however, miraculously escaped death. She is still undergoing speech
and physical therapy, but is working hard to reduce gun violence.

Giffords and her husband Mark Kelly, an astronaut, founded Americans for Responsible Solutions, which is a political action committee focusing on gun violence. Giffords (2013) says that senators fear the NRA and the gun lobby and she criticizes their cowardice. She writes that American people "cannot allow the status quo — desperately protected by the gun lobby so that they can make more money by spreading fear and misinformation — to go on."

Although American public opinion seems to be changing in recent years due to a number of cruel mass shootings, people do not seem to want to renounce the freedom and right to possess and use firearms. At present, 0.40 caliber bullets, which were used in the 2012 Aurora movie theater mass shooting in Colorado, can be purchased online for 24 cents per round. James Holmes, the Aurora massacre gunman, bought more than 6,000 rounds of ammunition online before the shooting, which cost him less than $2,000. Green (2012) states that bullets should be much more expensive. Cigarettes are taxed to help pay for anti-smoking programs, and further create a disincentive for smoking, but bullets are not taxed. Bullets should be taxed to help create a disincentive for mass slaughter (Green 2012).

Guns and Common Sense

It was reported on American national news that some recreational hunter from a rural area sent a letter to them, saying that the total number of bullets he consumed in his life of forty something years so far was much smaller than the total number of the bullets a gunman used in a single mass shooting.

This hunter wondered if so much ammunition is necessary for ordinary people in their normal life. He therefore did not object to some kind of restriction on ammunition purchase. I think it is a very important point. People's freedom and right to purchase firearms and ammunition could be and should be limited depending on common sense.

The Obama administration, President Obama and Vice President Biden, four months after their gun control attempt failed in Congress,
announced new steps to seek to restrain gun violence in America on August 29, 2013. One of the new gun control measures is to ban the re-importation of military surplus firearms to private entities in order to cut off a source of inexpensive firearms to the public in the United States. The other is to make the transfer process of the NFA (National Firearms Act) items, which are dangerous and destructive firearms and devices such as machine guns, short barrel rifles, silencers, short barrel shotguns, etc., stricter in order to keep them out of the wrong hands, and by expanding criminal background checks.

The Obama administration keeps fighting for more gun control. There are various opinions and views about gun control, but I think that it is high time for American people to think and act in a common sense way about this controversial problem.

According to the CNN report (Sept. 17, 2013) about the Navy Yard mass shooting in Washington, D.C., in the United States, there is a heated debate on America's battle over guns. The suspect's "anger management" issue was discussed, since his "anger" targeted the military. However, would it be right and forgivable for angry people to have easy access to guns and to use them to mitigate their own anger? I doubt it. Could we consider people's right to have easy access to guns and to use them in the name of self-defense as part of American freedom?

VII Conclusion

In the United States as the land of freedom, people's rights of gun possession and self-protection seem to have gone too far. Unlike simple guns possessed and used in the pioneering days in the Old West, firearms in contemporary American society have become much more powerful, lethal and dangerous.

Some say that guns are not bad, people who use them wrongly are bad, or that guns don't kill people, people kill people. This kind of thinking makes people want to possess more firearms and even more sophisticated and powerful firearms like machine guns to protect them-
selves whenever a high profile mass-shooting spree occurs. People do not need high capacity magazine and machine guns to protect themselves. Or do they want more than self-defense? Something is not right. Considering the frequent occurrence of random mass shootings in recent years, the United States needs to urgently find a way to solve this serious problem. It is high time, I think, for people in American society to reconsider their attitudes toward gun possession as well as self-defense, and act with common sense.

Americans admit that the United States has been acting as a world policeman about world issues. It has given them a great cause to intervene in wars outside their country. They want to consider the United States as an anchor of world security. That is the reason why President Obama decided to intervene in the war in Syria after the Assad regime crossed the red line of using chemical weapons, such as sarin nerve gas and VX nerve gas, against civilians. Humanitarian intervention was supposed to be natural and right for American people in this case.

It seems, however, that people's attitudes toward this American role as world policeman and anchor of global security are changing in American society today. President Obama decided to seek congressional approval for military action against Syria, which was historically quite unusual for the United States President. This was because public opinion was split and not solid about the intervention in Syria.

People outside of the United States considered that the United States was meddling in other countries' affairs. A British writer, Graham Greene, writes a very symbolic sentence about Americans in The Quiet American (1956). Thomas Fowler, a British journalist staying in Vietnam during the French Indochina War (1946–54), who describes a young idealistic American as "a quiet American," comments on him, "I never knew a man who had better motives for all the trouble he caused" (Greene 1956: 53). I think that this could well symbolize how people outside of the United States think about Americans.

American people want to be thought of as good people by others. They want to believe that they are good people, which, I think, makes
the United States different from other world powers. Their desire to consider themselves as good and conscientious has been, it seems to me, based on the self-confidence that they are the most powerful country in the world.

However, American society is now changing rapidly. People are facing unfairness in the distribution of wealth in American society, which led to the 'Occupy Wall Street' sit-in in New York City in 2011. People gathered in Zuccotti Park near the Wall Street financial district to protest against the one percent of top super rich people who monopolized the wealth in American society.

More and more people seem to think that the United States should stop being a world policeman and the anchor of global security. It might be a good thing for ordinary people in American society, because this tendency shows that the United States is changing its position in the world, making it an "ordinary" country. Would it be a bad thing? It might, or it might not be. American society, however, at this moment must give priority to their inner domestic problems such as gun prevalence and economic inequality.

The United States is unique at least in its people's attitudes toward possession of firearms and gun control, which is part of what they think of as the concept of freedom. It would be inconsistent with their widely shared wish that they want to think of themselves as good people along with their wish to be looked at that way by others in the world. American society has always been changing, making various experiments. It needs to find a way to make its uniqueness advance in a positive direction.

References
Chunk, Elizabeth, “Florida Had First Stand Your Ground Law, Other States Followed In 'Rapid Succession,'” U.S.News on NBCNEWS.com, July 18, 2013.
Sullivan, Sean, “Four Reasons Why ‘Stand Your Ground' Laws Won't be Re-
Yoshi Coalition, The Yoshi Coalition supported the Hattoris’ petition for ‘Demanding to Withdraw Guns from American Homes’ that started at Yoshihiro’s wake on October 25, 1992.
CNN News
FOX News
MSNBC The Rachael Maddow Show
NBC Nightly News
NBC Today Show

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