

Delbarton's

THE FORUM



VOLUME 3



WRITERS IN THIS ISSUE

ON GUNS IN THE UNITED STATES

KABBAS AZHAR '13 In this issue's edition of "Kabbas' Korner," Kabbas goes on a short rant about another little-known fact in the United States. In a typical Kabbas-like manner, Kabbas presents several extremely dangerous weapons that are easily attainable (if you have a large wallet).

JACK LYNCH '14 Harkening back to a common theme that the public has seen since the Newtown shooting, Lynch attacks the NRA's most recent philosophy surrounding gun rights. Responding to the group's most recent campaign of "good guys vs. bad-guys," Lynch tries to explain why such a conception is utterly false and unreasonable. Then, Lynch attacks the NRA leadership's stance on why we ought to hire an armed guard to protect every school across the country, analyzing both effectiveness and cost in the modern era.

CHRISTOPHER JAGOE '14 Instead of describing gun rights in the current setting, Jagoe uniquely decides to support gun rights by describing their founding. He notes its earliest roots, going back as far as Justinian I, and coming full circle back to John Locke, in order to support the necessity of a society free to own guns.

KEVIN CONN In his article, Mr. Conn goes on a lengthy discussion surrounding most issues surrounding the gun debate. Most importantly, he looks to the proposed "solutions" that many left-leaning groups hold, and shows why each of them is either counter to that group's beliefs, or simply unreasonable in practice. Ultimately, Mr. Conn laments: he has no panacea to gun violence, but he does not believe that more restrictions are the solution either.

MICHAEL CUPPARI '14 Looking specifically to the 1994 Federal Assault Weapons Ban, Cuppari discusses why weapon bans simply are ineffective in practice. He describes how their numerous loopholes simply make them accomplish nothing, and warns against any similar ban from being implemented in the future.

ET CETERA

JUSTIN HSIEH '15 Hsieh describes a new, seemingly unnoticed trend of terrorism arising in Africa. Looking particularly at the Algerian group Katibat al-Mulathameen, and their most recent attacks against an international group, Hsieh finds this new trend important and disturbing. Although no one seems to have a solution, Hsieh believes that he has one: European powers-not the United States-need to start intervening to stop this new terrorism.

JAMIE DOWNEY '13 Downey describes his beliefs surrounding the modern era's new focus on Middle-Eastern terrorism. Reflecting on how modern entertainment has fostered several TV shows and movies that show terrorism, Downey actually finds these depictions beneficial. Overall, as Downey analyzes, the fact that these forms of entertainment cause the common person to question their beliefs and analyze the real world shows progress.

RYAN TEEHAN '14 In his article, Teehan turns to an analysis of the United States prison system. With his ever-present philosophical eye, Teehan looks to the actual founding of the system itself, discussing its implications in the modern era. Noting, most importantly, the racial context from which our system of punishment emanates, Teehan comes to a simple conclusion: something must be changed, and a viable option would be a simple yet effective abolition of the prison system itself.

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GUNS IN THE UNITED STATES

FOREWORD

Ingrained in the United States Bill of Rights, gun ownership has been a characteristic of American history. When the Constitution was first amended, the founders included the right of the people to keep and bear arms. In the eighteenth and nineteenth century, no citizen even fathomed a government ban on personally owned weapons. Over time, however, this principle has become less accepted and more debated. Indeed, recent events point to what some might describe a gun violence epidemic in the United States; the Aurora and Newtown mass shootings are a few examples. Because of these events, policymakers have suggested new regulation to attempt to control gun crime. Does government regulation of over-the-table markets really reduce violence? Is gun prohibition constitutional? Most importantly, are there alternatives? This month, we present you a wide array of opinions concerning gun laws, including opinions on the feasibility, history, and utility of such laws. Enjoy being bombarded by our continuous and extreme bias as you read these featured articles. Also check out our other content on various interesting topics like Algerian terror and modern media depictions of war.

- *Matthew Chuckran and Conor Ryan*
Editors in Chief

HOW TO GET A MINIGUN

K A B B A S A Z H A R

Despite the recent resurgence of gun control legislation debate, talks over the issue have actually permeated the political sphere for quite a few years. Be it through the 1994 Federal Assault Weapons Ban or any variation thereof, there has been substantial political activity to take care of the issue. Yet, beyond the question of gun regulation exists one of regulation in general, and the efficacy of such political maneuvers. Basically, we're talking about loopholes here.

Consider, for example, the Hughes Amendment in the Firearms Owners' Protection Act of 1986, which suspended civilian ownership of any fully automatic weapons not registered as of May 19, 1986. Now this might seem like a fairly good bit of legislation to those in the gun regulation camp if not for the fact that any gun reg-

istered to civilians before 1986 was completely legal and available in the gun market. Would you like to guess one such gun that passes the test for legality in the public arena? Behold a wonderful 7.62 mm, six-barreled machine gun with a fire rate that can sometimes reach up to 6,000 rounds per minute. That's right folks, a pre-1986 era M134 Minigun can be owned by you, too, as long as you're willing to spend a substantial amount of money on it. It might cost you a cool 200,000-400,000 dollars for just the gun itself, and the ammo is another story unto itself, but what better weapon to use for the inevitable zombie apocalypse than the M134?

I am not here to advocate for or against gun regulation, however, what I will do is decide if regulation will actually be effective or

not. Loopholes are omnipresent in various gun legislation bills. Case in point, the 1994 Federal Assault Weapons Ban saw a massive rise in production of 'grandfathered' weapons in order for manufacturers to gain a profit, and that's the reality of the situation. As long as selling guns will garner a profit, and buying guns will be relatively cheap, there will not be any halt in whatever crime is being targeted by gun control legislation. The loopholes are simply too many and too deep, and they will always exist in a situation where our constitutional rights are even somewhat respected by the government.

In order to truly stop gun crime, solutions beyond just regulation have to be looked at, as regulation will never be sufficient. And while you're at it, buy yourself a minigun too.



MISFIRE: WHY THE NRA IS WRONG

ABOUT GOOD GUYS VS. BAD GUYS

JACK LYNCH

In November of last year a seventeen year-old named Jordan Russell of Jacksonville Florida was in a car with three friends, stopped at a gas station and listening to music. After a few minutes, forty-five year-old Michael David Dunn, in Jacksonville with his girlfriend for a wedding, pulled up next to Russell and his friends. As Dunn's girlfriend went inside the nearby convenience store, Dunn

asked Russell and his friends to turn down the music. After an exchange of words, Dunn, a gun collector and frequent recreational shooter, fired a handgun into the teenagers' car, killing Jordan Russell and injuring the three other occupants.

Jordan Russell's murder sheds light on a concerning flaw in the modern pro-gun movement. In his press conference following

the twenty-six-person shooting at Sandy Hook Elementary School in Newtown, Connecticut, National Rifle Association CEO Wayne LaPierre urgently declared, "The only thing that can stop a bad guy with a gun is a good guy with a gun." But one of the two key problems with LaPierre's model, and the philosophy of many of the NRA's supporters, is that the gun-toting world is not divided into

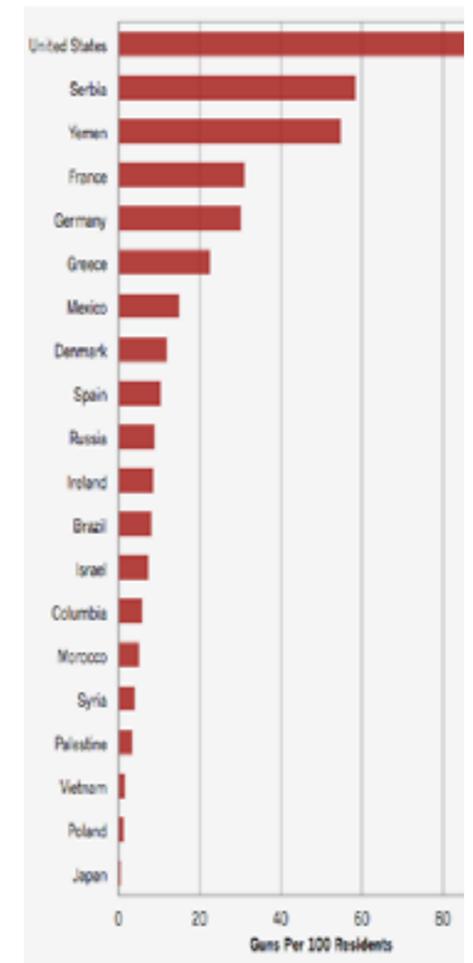
two well-marked parties of good guys and bad guys. Although many gun-owners state that their reason for owning a gun is self-defense, in reality many of these gun owners have only introduced a tool into their homes and community that makes violent crime easier and allows for seemingly mundane disagreements like the one between Jordan Russell and Michael Dunn to escalate into tragedy.

The fact of the matter is that many gun owners who end up using their guns to commit crimes have no original intention of doing so. In many cases, guns are used violently because of negligent misinterpretation of self-defense. In the late 1990's a team of researchers at the Harvard School of Public Health conducted a study on the use of guns in self-defense. They interviewed dozens of people who had fired a weapon in self-defense, and asked them to describe the details of the event as accurately as they could. They then showed each story to a group of five criminal court judges from three different states. They asked the judges to assume that each person owned the gun legally, had a license to carry it, and were describing the events honestly. Then, allowing for these gratuitous, and likely unrealistic, assumptions, they asked the judges to describe each gun owner's actions as very likely legal, likely legal, as likely legal as illegal, likely illegal, or very likely illegal. The five criminal judges determined that a majority of the situations fit into one of the two illegal categories. Essentially, the availability of a gun turned situations that could have been avoided non-violently into situations of excessive violence.

The idea of a teacher stopping a shooting with a gun is simply infeasible. Even with extensive (and expensive) training, it is likely that teachers or principals with guns would only add to the chaos of a school shooting, and make themselves targets. When a 14 year old attacked a prayer group

The second issue with LaPierre's remarks is that it misses another key aspect of the "good guys vs. bad guys" theory: it does not simply take one good guy with a gun to stop a bad guy with a gun; it takes a professionally-trained, well-equipped good guy. LaPierre urged for teachers and principals to be armed in the wake of the Newtown shooting, but he failed to realize that even trained police officers, federal agents, and military personnel have very limited success in stopping active shooters. After a shooting on a sidewalk in midtown Manhattan this past August, New York City Police Department officers followed the shooter to a nearby side street, at which point the assailant turned around with his gun. The two officers collectively fired sixteen shots at the suspect, killing him, but still accidentally injured nine other innocent bystanders who had been walking along the street. Despite the NRA's insistence that more guns make people safer, even two professional police officers found it difficult to neutralize an active shooter in a crowded space without adding to the chaos and injury. In fact, NYPD officers only hit their target about 18% of the time. And yet the NRA and other pro-gun lobbyist groups believe that common citizens with guns will be able to stop major shootings like in Newtown, Aurora, or Virginia Tech.

The idea of a teacher stopping a shooting with a gun is simply infeasible. Even with extensive (and expensive) training, it is likely that teachers or principals with guns would only add to the chaos of a school shooting, and make themselves targets. When a 14 year old attacked a prayer group



at Health High School in Kentucky, it took him only 12 seconds to shoot eight of his classmates and kill three. The principal at the time, Bill Bond, told the Huffington Post, "If I had been armed, I would be dead."

Imagine the chaos that unfolded on a New York City street when two trained officers attempted to take down a gunman. Now imagine untrained citizens firing at a shooter in a packed movie theatre in Aurora, a crowded lecture hall at Virginia Tech, or a compact Newtown classroom.

The pro-gun movement's idea that the world can be neatly separated into groups of violent criminals and well-trained vigilantes is untrue and dangerous. A gun criminal can be anyone; but not just anyone can stop him.

Bill of Rights

Congress of the United States

began and held at the City of New York, on Wednesday, the fourth of March, one thousand seven hundred and eighty-nine

THE RIGHT TO BEAR ARMS, CONTEXTUALIZED

CHRISTOPHER JAGOE

The contemporary debate over gun rights is deeply divisive in America, especially in the wake of the Newtown shooting. The dispute, however, harkens back to the writing of our Constitution and indeed to the beginning of established American government. The right to bear weapons is a long-recognized tradition that has both allowed for ade-

quate self-defense and prevented the expansion of an overbearing administration. As far back as ancient Rome, codified laws protected the prerogative to possess arms, though only swords and spears were commonly held. Then, the 1215 Magna Carta of England cemented the power for people to use force to curtail their government. The American

constitution represents a synthesis of these two approaches. In the modern consideration of gun rights, it is imperative to keep these arguments in mind for a balanced, rational approach to policy.

The Roman common law, two millennia old, provided a sound basis for European and American legal codes. In 529



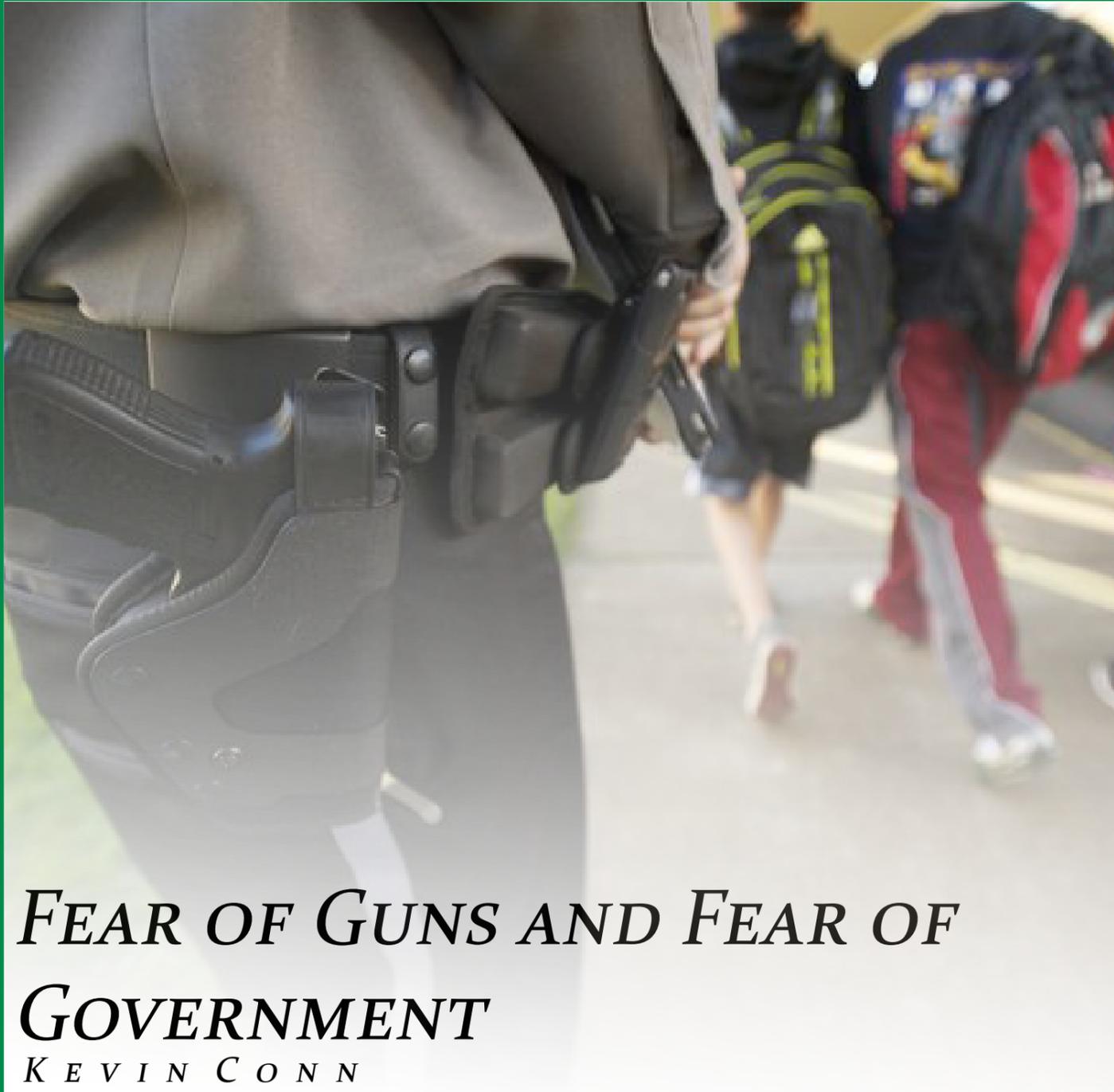
AD, Justinian I issued the *Corpus Iuris Civilis*, a collation of Roman statutes and jurisprudential writings which had specific regulations on the ownership of weapons. The foremost reason for possessing such tools of war was self-defense: the protection of a citizen's rights and property from rapacious thieves and soldiers. In Justinian's words, "it is better to meet the danger at the time, than to obtain legal redress after one's death."¹ This provision also expressly authorizes the use of a weapon and whatever violence necessary for proper defense. European law derived from the *Corpus* contained similar clauses, shaping English history and also the founding principles of America. Though the crimes of our country do not generally include rogue, pillaging soldiers, self-defense remains an integral component of gun rights. The Second Amendment to the Bill

of Rights famously upholds "the right of the people to keep and bear Arms," in accordance with this rich legal history.² Modern law ought to respect this essential tenet in securing the lives of citizens.

In addition, the more philosophical side to gun laws involves the right of self-determination. John Locke posited that inhabitants of a country have the right and the duty to choose their own government that best represents and protects their interests. When the administration no longer performs in this manner, the people can either change it diplomatically, via elections, or forcefully, with armed rebellion. Such an extreme process was defended as far back as 1215, with the English Magna Carta. This document provided that "if the King [John] did not follow the provisions of the charter, the Barons should have a right to correct the King by

force until the King should begin to follow the articles of the charter."³ History accords King John with the epithet "evil" for this reason: he oppressed the barons and sought to give the throne absolute power. To escape from similar tyranny, the American colonists fought the Revolutionary War 750 years later. To secure the right to choose a government, the Second Amendment also dictated, "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."⁴ Contemporary laws must remain true to this standard, for to do otherwise would contradict the very principles of freedom on which this country was founded.

Our government must do what it can to ensure the security and freedom of the people. Recent gun violence sways favor towards prioritizing safety over liberty, but such a domineering administration contradicts core values of the modern law system. Rome proves to us that weapons are necessary for self-defense; the Magna Carta references the right to carry arms for protection from the government itself. These two jurisprudential histories are featured prominently in our history, both in the thoughts of the founding fathers and the words of the Bill of Rights. To contradict them now would be a grave error both practically and philosophically. The current government of the United States of America would do well to learn from history, or, as the adage goes, it will be doomed to repeat it.



FEAR OF GUNS AND FEAR OF GOVERNMENT

KEVIN CONN

This is an essay I do not particularly want to write, but I feel compelled to say something in the wake of the horrific shooting in Newtown, CT, and the national debate that has erupted. One of the factors in my hesitancy is the feeling that I have been writing and talking about the issue all my life, or at least as long as I have been a gun collector and student of history, which for me is approx-

imately thirty-five years. I feel in one sense or another, I have said all I have to say numerous times, and on an issue such as this, the very fact that I am a gun collector, target shooter, and living history interpreter pigeonholes me in the minds of most people – they assume that they know what I am going to say on the subject and either discount my views because I am “one of those gun nuts,” or agree

with me *a priori*. What therefore follows is perhaps not a well-organized essay, but rather a collection of thoughts - a set of musings on the polarized situation.

At the outset, I would like to make clear that I deplore the violence of mass shootings, like those of Newtown or Aurora, CO. I have two young children, and I well understand the sense of fear, anger, and frustration that sweeps

through the nation at the news of such horrific events. I share in the shock and grief that come with these examples of man’s inhumanity to other human beings – all the more ghastly because of the randomness of the violence and the innocence of the victims. I am, however, also appalled by the cynical use of the violence by those who oppose firearms ownership, as well as the tone-deaf response of those who organize to protect individuals’ rights to own firearms.

Both sides of the gun-control debate are driven by fear.

On the one hand, a large number of Americans simply do not understand why anyone would view the right to own a gun as important. Many are completely unfamiliar with the workings of firearms and the differences between them; their views come chiefly from Hollywood and the no-less-sensationalized reports on the nightly news. In fact, many of the reporters whose stories help to shape these views are similarly unfamiliar with firearms – and their reporting reflects a combination of misinformation and sensationalism driven by the “If it bleeds, it leads” nature of television ratings. Given the twenty-four hour news cycle that is standard fare right now, with rumor, confusion, and exaggeration often broadcast as fact in the race to “scoop” the competition, it is little wonder that many people see guns solely as instruments of evil. Many of these people are willing to support any and all restrictions on guns, and they view anyone who disagrees with them as a dangerous “nut,” an uneducated hick, or a combination of both.

Among this group, even those who reluctantly acknowledge that Americans have the

Constitutional right to own a firearm qualify their statement of that belief with phrases such as, “... but nobody needs to own [insert term here].” That phrase, which at various times references handguns, semiautomatic rifles, automatic weapons, small revolvers, so-called “assault weapons,” large-capacity magazines (with “large” meaning more than some arbitrary number – such as seven, five, or one), “sniper rifles” – i.e., long-range, accurate rifles, usually demonstrates that the person really does not understand the nature of firearms; often it demonstrates that a person does not understand either the Constitution or the current debate. The term “need” is rather subjective. Once the state starts deciding what others need, as playwright David Mamet observes, it has taken a large step in the direction of bureaucratic control over every aspect of existence.⁵

On the other hand, there is a large group of Americans who legally own firearms of all types, some for hunting or sport, some for defense of themselves, their families, or their homes or businesses, and some because they appreciate machinery, art, or history. These people generally respect and abide by the rule of law. They understand the mechanisms of firearms and treat these tools with respect, much as a carpenter respects the dangerous potential of a circular saw or a rally driver respects the dangers of an automobile. Yet the reactions of those in the firearms community are also largely driven by fear: the fear that so-called “common-sense gun reforms” (which often actually mean common-sense only to those who either are unfamiliar with firearms or indifferent to the individual rights enshrined in the Constitu-

tion) will be merely a step on the road to confiscation of firearms from those who try their best to obey the laws, while they will not solve the problems of evil and/or mental disturbance that produce these mass shootings.

If it sounds like paranoia to believe that so called “common-sense” reforms – code language for more restrictions on law-abiding gun owners – are simply steps on the road to eventual confiscation, consider the impact of some of these proposals:

An “assault weapons” ban:

In the first place, an “assault weapon” is technically a fully automatic or selective automatic/semiautomatic rifle. Possession of these has been limited –with very few exceptions - to law enforcement and the military since 1934. Generally, what people mean by the vague term of “assault rifle” is any semiautomatic weapon that looks menacing, including features such as a bayonet lug, a vertical grip, a folding or adjustable stock, or a flash reducer. None of those features change the century-old function of the semiautomatic or self-loading design. It has been a feature of most modern handguns and many rifles or shotguns since the beginning of the twentieth century. Banning a firearm based on cosmetic features is not only ineffective in reducing crime; it is silly to anyone whose goal is not simply getting rid of private firearms ownership.

Limits on magazine sizes:

What is the magic number? It is completely arbitrary, depending on the (often uniformed) lawmakers’ perception. Millions of rifles, from the 1860 Henry and

Continued on page 13 . . .

RECENT WORLD EVENTS

Compiled by Nishwant Swami

Women in Combat

The Pentagon reversed their 1994 ban that prevented women from frontline combat duties, including being medics and pilots. With close to 14% of the military being women, Pentagon Defense Secretary, Leon Panetta, argued, "Women are already contributing in unprecedented ways to the mission... they have become an integral part of our ability to perform our mission." While women will now certainly be joining the frontlines, they still will not be taking on a greater fighting role.



Chuck Hagel not out of the woods yet

The Senate Armed Service Committee, in a 14 to 11 decision, recommended the nomination

of Secretary of Defense nominee Chuck Hagel. Despite this major step forward, the former Republican senator of Nebraska still faces many challenges. Many Republicans have questioned Hagel's actions in the past, specifically his previous statements concerning both Israel and Iran. While some criticize his soft stance on Iran, others condemn his lack of clear support for the Israeli government and people. Now, Republican leaders have demanded that Hagel win a super majority in order to officially become the Secretary of Defense. In other words, Democrats would have to win at least 60 votes in order for Hagel to become the next defense secretary.

Police Shootout Ends in Tragedy

The manhunt for Christopher Dorner recently came to a tragic end when a sheriff's deputy was killed in the final hours of the manhunt. Within a few hours, Dorner locked himself in a rental cabin in the Bernardino Mountains and the cabin became engulfed in flames. Officials are still unaware of the fate

of Dorner, and are looking for any clues concerning both the circumstances surrounding the fire and the location of Dorner.



While a body has been found, it has still not been identified. The manhunt began after Dorner claimed a vendetta against all police, and published a "hit list" on Facebook. Before the recent death of the sheriff's deputy, the disturbed individual was already responsible for the death of three people.

No Russian Children for Americans

Vladimir Putin recently passed a law that banned American citizens from adopting Russian children. Putin and the Russian government viewed their ban as a retaliation measure again-

sthe Magnitsky Act, which was signed in by President Obama in December of 2012. As of now, Russia is considered the third



most popular country from which American families adopt. To date, estimates indicate that around 45,000 Russian children have been adopted by American families in total (1,000 annually). While this law will certainly hurt Americans, it is sure to hurt Russian orphans even more. The country's adoption system is considered one of the worst in the world, and is mired with corruption, paperwork, bureaucracy, and poor living conditions.



North Korea Scaring the World... Again

North Korea has claimed that they have successfully detonated their third nuclear bomb, much to the dismay of the international community. Aside

from the international laws North Korea has broken in further testing these weapons, the advancements they potentially could have made are even more frightening. While previous nuclear tests used plutonium, North Korea may have used enriched uranium in this newest bomb. The potential change would allow for a size reduction of the missile, meaning the weapon would be both faster and harder to detect. If North Korea continues to improve their already advanced atomic and missile program, they could quickly create a missile that is capable of reaching America.

Protests in Bangladesh

Student protestors are becoming commonplace in Dhaka, the capital of Bangladesh, after rulings by the Bangladeshi war crimes tribunal were deemed too lenient by the populace. Over the past two years, the government of Bangladesh has attempted to prosecute individuals that were accused of war crimes during the 1971 War of Independence against Pakistan. Despite clear evidence of heinous crimes, like rape and mass murder in the case of Abdul Quadar Mollah (a leader of one of the core political parties in Bangladesh), many defendants are given less severe punishments. In the case of Mollah, he was sentenced to life in prison, a ruling that protestors have insisted was too kind to a

man that deserved death. Over 200,000 individuals have already joined the protests.

First Hurdle for Gay Marriage in France Passed

The lower house of Parliament in France passed a bill that would legalize gay marriage and allow gay couples to adopt children. While the passing of the bill was certainly a victory of President Francois Hollande and his fellow socialists, it was a hard-earned win. More than 100 hours of debate took place, and the bill passed by a 329 to 229 vote in the National Assembly. Before the bill can be fully ratified, the Senate must first pass it, which will occur in a vote on April 2nd.

Weapons found in Prison in Venezuela

Venezuelan authorities discovered as many as 106 weapons and close to 8,000 rounds of ammunition while investigating the Uribana prison in Barquisimeto, Venezuela. The officials investigated the pris-



on after a deadly riot that took 58 lives took place. Revolvers, shotguns, submachine guns, and military issued assault rifles were found in the cache.

1866 Winchester onwards, hold 13-15 rounds. The majority of semi-automatic pistols accept magazines that hold over ten rounds, and there are millions of those magazines in the hands of citizens who have never knowingly broken any laws. If the magic number is seven, as recently passed in New York State, then even a collector of history, such as I am, with very little interest in modern weapons, becomes a felon. I own a handgun, made in 1896, that holds ten rounds in a fixed magazine. It happens to be the same type of pistol that a young Winston Churchill carried during the Boer War in 1902. It is no more a threat to the general public than it was a century ago, yet it would suddenly become “evil” by administrative fiat.

Gun registration:

There are those who believe that registering firearms will allow the government to track who has guns and to stop those who might intend to do others harm. Of course, felons cannot be required to register illegally-held guns, as the Fifth Amendment protects against self-incrimination, and someone like Adam Lanza, who obtained his firearms by murdering his mother and stealing hers, would never have registered a gun; he did not own any until he began killing. All registration does is give governments the power to compile a list of guns for confiscation – exactly what has happened in Great Britain, Australia, California, and New York to legal owners of guns that a government decided it no longer trusted its citizens with.

Universal background checks for gun purchases:

On the surface, this seems

like an easy solution to support. It offers the illusion of being able to identify felons and those with a history of psychiatric issues. Of course, universal background checks would not stop those, like Adam Lanza, who get their guns illegally, but advocates claim that they would stop criminals and the mentally ill from getting guns from private sellers – those who are not engaged in the business of selling firearms. A large number of these “unregulated transfers,” however, are transfers within the family or through inheritance, and the language of the various proposals would create a massive new registration of gun owners, with the same problems as overt gun registration. In fact, many of the current proposals, like New Jersey’s own A3676, would vitiate the Fourth Amendment, as well as federal HIPAA laws:

“ 1. N.J.S.2C:58-3 is amended to read as follows: ... No handgun purchase permit or firearms purchaser identification card shall be issued: ... (9) To any person who has not submitted the results of a psychological examination administered by an appropriate health care professional licensed in this State. The Superintendent of State Police shall promulgate guidelines concerning the content of the psychological examination, the qualifications necessary to administer the psychological examination, maintaining confidentiality of the subject of the examination, compliance with federal law, and any other guidelines deemed necessary for the successful implementation of this paragraph; or (10) To any person who has not

had an on-site inspection and evaluation of the household where the firearm will be situated, the purpose of which is to ensure the person is qualified to purchase the firearm as required by subsection c. of this section.”

In fact, if the cliché, “If it saves one life, it will be worth it!” were to apply logically, there are many steps that should be taken before anyone gets around to banning guns. A few examples – *reductio ad absurdum*, if you will – of “common sense” reforms:

- a national speed limit of 25 miles per hour. Speed kills, and we should all simply slow down, rather than kill ourselves and others.

- banning all automobiles with more than 100 horsepower, except for tractor-trailers and farm equipment. Really, the only purpose of having 300hp or more in a passenger car is to engage in illegal activity by exceeding the speed limit. Speed kills.

- banning private swimming pools. The community pool is there for your recreation needs, far more than the police are an adequate substitute for self-defense. Perhaps a “reasonable” compromise is requiring all private pools to have a certified lifeguard on duty 24 hours a day.

- banning painkillers, narcotics, opiates, and stimulants: really, the only function of these drugs is to alter consciousness, interfering with God’s ordination of the natural body processes. An exception could be made for alcohol, as Jesus’ first miracle was to produce wine – and attempted prohibition was a complete failure that produced a violent crime wave.

Yet the proposed solution of the “gun lobby” also rings hollow, in my view.

Armed guards in schools:

I disagree with the NRA leadership and Wayne LaPierre when he calls for uniformed police officers or armed volunteers in schools. Nor do I believe that all teachers should be armed. While I certainly would rather be armed myself if a madman were to attack Delbarton, statistically, the possibility of that is remote at best. Armed guards are simply identifiable first targets for a madman, and many teachers are uncomfortable with the idea of guns; mandating that they carry them puts the onus of carrying weapons onto a large number of people who are unprepared and unwilling to use them for the remote possibility of a crisis.

Yes, both sides of the gun control debate are driven by fear. Yet the number of homicides with firearms is much lower than it was twenty years ago, both in actual numbers and in the “murder rate.” A person aged 1-44 has a much smaller chance of being killed with a gun than he has of being killed in a car accident, falling, or being struck by/against something.⁷

The erosion of the Constitution and individual liberties, on the other hand, is a very real fear in an era where “sneak-and-peek” warrants, spy drones over US skies, tracking of Americans through their cell phones, and the killing of American citizens without due process of law have all become unfortunate realities. As an illustration of the way government programs grow and take on identities far beyond what pro-

ponents originally claimed, one needs only look at the government claims in 1935 that the Social Security number would never become a means of identification. Yet those who worry more about an intrusive government control than about guns are labeled extremists.

Unfortunately, what puts me into the “extremist” camp is the realization that a right, once surrendered, is almost never regained; even if the Obama administration were to agree that after a compromise were reached in which Americans give up some forms of rights in return for allaying the fears of other Americans, all further attempts at restrictions would cease. These “reforms” would not make Americans at all safer. Evil still exists, even in the absence of firearms. The recent spate of attacks on school children in China, where all firearms are banned, is stark evidence of a problem that is independent of guns.⁸

After the next act of mayhem, something wholly predictable in our alienated, violence-obsessed culture in which serial killers are protagonists and psychopathic behavior fuels the most popular video games and movies of the day, the clamor will arise to curtail the rights of the innocent even more for the empty chimera of security. There is far more to fear from an overly powerful and intrusive government that there is to fear from firearms in the hands of the law-abiding, yet those are exactly the people whom proposed reforms intend to disarm. I do not know the answer to the problem of violence, but I know that attempting to restrict those who obey the law creates a situ-

ation that will resemble Prohibition or the failed “War on Drugs,” only worse.

I will be the first to admit that I do not have a panacea for the problems of gun violence; I do not think there is a universal solution. Such measures as should be attempted, however, are those to change the culture that glorifies mass murder and random violence. Increased penalties for illegal carry of a weapon might work to change the glorification of guns in popular culture; as commentator Dan Carlin has noted, increased penalties for drunk driving and stigmatization of those who drive under the influence have had a powerful effect on the incidence of drunk driving.⁹ Voluntary refusal to glorify mass murderers – refusing to release their names and sensational reportage of their supposed motivations – would deprive these shooters of the recognition and affirmation of relevance that most seem to crave as a legacy. Perhaps a 5% tax on sales of new guns, with the funds raised going to firearms safety courses for children and adults, would teach the respect for potentially dangerous tools that reduces the lure of the forbidden in popular culture. Mental health counseling should certainly be part of the response. Yet the basic problems of evil and alienation from one’s fellow human beings are, I fear, insoluble in human society. From the time when Cain slew Abel, raising the murder rate to 25% if one accepts Biblical accounting, violence perpetrated by individuals has only been exceeded by violence perpetrated by nation-states.

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DON'T RECYCLE FAILED POLICY

MICHAEL CUPPARI

As policymakers struggle to find a solution to the recent epidemic in gun violence, many politicians suggest renewal of a revised version of the 1994 Federal Assault Weapons Ban (FAWB), enacted under the Clinton administration. I believe, however, that this approach is a mistake that would only deepen this country's existing gun woes. Instead, I think

the Congress should stay put on gun policy: that is, maintain existing legislation while cracking down on loopholes and background checks. Ultimately, with the country politically polarized and the government divided, not only is this the fairest solution, but it is the only alternative.

In order to evaluate any proposal on gun control, it is

critical to discuss and compare prior legislation to the current plan. Among these, none is more famed and controversial than Clinton's 1994 Federal Assault Weapons Ban. Passed by a single vote, the Ban was instituted for nearly a decade. Despite the hype surrounding the legislation, the Assault Weapons ban proved to be a complete flop. In large part,

the gun ban's failure can be attributed to poor enforcement; law enforcement failed to police gun markets, with only 1 in 60 firearm vendors being inspected by federal agents. However, the ban failed for several other reasons—namely, its grandfather provision. Due to this special loophole, gun manufactures were awarded a “grace period” in which to produce banned assault weapons. During this period, firearm manufactures ramped up production nearly 1,000%, causing a supply of “dangerous” weapons to flood the market. Sadly, the current proposal in the Senate repeats this clause, allowing gun makers three months to continue production of banned weapons. In addition, the Clinton ban permitted the foreign production and exportation of forbidden weapons into the United States. This provision proved disastrous; according to researcher Christopher Koper, it caused “a surge in the supply of foreign semiautomatic rifles that could accept LCMs [low capacity magazines] for military weapons. Banned rifles alone rose to 191, 341 a nine-fold increase in production capacity before the ban... In addition, 4.8 million pre-ban LCMs were imported into the U.S. from 1994 through 2000 under this exemption.”¹⁰ Again, the Feinstein bill recycles this failed policy and provides for foreign exploitation of the U.S. law code. Finally, the 1994 Assault Weapons Ban faltered because it targeted the wrong sort of weapons. As the Violence Policy Center observed in 2004, the Ban focused on seven main

types of assault weapons, all of which together accounted for only 2% of total violent crime in the United States. The current Feinstein legislation has ignored this reality and chosen to target the same sort of weapons that 1994 ban centered on. Overall, when examining the history of gun legislation, it becomes clear that the present plan to address gun rights is wholly inadequate.

In contrast to the FAWB and the current bill, I propose that the Congress maintain current legislation and focus its efforts on cracking down on offenders. The logic behind this approach is simple: because Congress does not seem able to even pass a Budget, the only practical solution is to maximize enforcement of current laws. And in

fact, states that have taken this approach have largely been successful. In a comprehensive analysis of the United States, John Lott, Professor at the University of Chicago, found that states with a high standard of enforcement saw murder rates decrease by 4% whereas states with a lower standard witnessed a marked increase in homicides. Here's the catch, though: although more enforcement generally equaled less crime when states with assault weapon bans were evaluated, Lott observed an even greater increase in crime in those states than in the states with no ban or poor enforcement. All this leads me to a singular conclusion: not only is greater enforcement the best option, it is the only option.

Pre-Ban Colt AR-15 Sporter



Post-Ban Colt AR-15 Match Target "Copycat"



Bushmaster XM 15 AR "Copycat"



Pre-Ban Imported AK-47



MAK-90 AK-47 "Copycat" (modified to evade import ban)



Post-Ban VEPR II "Copycat" AK-47



NEW TERRORISM

JUSTIN HSIEH

While topics such as the debt ceiling, the fiscal cliff, and gun control hang ominously in the national focus, the growing problem in Africa draws little attention today. One country in particular, Algeria, has been almost entirely ignored by major news outlets. On January 16, 2013, a group of militants led by Algerian terrorist Mokhtar Belmokhtar attacked a natural gas plant in eastern Algeria and took over 800 plant workers hostage. Most intelligence reports estimate that of these workers, around 132 were from western countries such as the United States, France, Norway, and the United Kingdom. While details are still emerging from the hostage crisis, it is clear that these 32 militants, officially

known as Katibat al-Mulathameen ("The Masked Brigade") have links to Al-Qaeda and have been operating in the Maghreb (Northern Africa) since late 2012. The group made three demands: first, France was to cease all of its military operations it was currently undergoing in Mali. Second, the terrorists Aafia Siddiqui and Omar Abdel-Rahman must be released from American prisons. Finally, over 100 militants currently in prisons in Algeria must be set free. As part of the international community's long-standing principal of not negotiating with terrorists, these demands were not met and the Algerian government deployed a Special Forces team to rescue the hostages from the plant. In

the resulting firefight, at least 81 of the hostages were killed and scores more were injured.

This recent event in Algeria represents just another event in the recent spike in radical Islamic activity in Africa. Compounded with the conflict in Mali, it would seem that the main focus for terrorist groups such as Al-Qaeda has shifted from Arabia and Central Asia to Africa. With the end of the wars in Iraq and Afghanistan winding down, it seems that there are new hotspots popping up.

Given this shift, an obvious question comes to mind: what should the United States' next move be? The average American is in no mood to become embroiled in another conflict overseas, yet, if left unchecked, radical Islamists could take root in the region. I believe that the resolution to this issue must originate from Europe. In recent years, European nations—particularly Great Britain and France—have been developing their military capabilities and have even proved their ability to intervene effectively during the Libyan Civil War, during which they delivered numerous airstrikes. If the United States is unwilling or unable to deal with the threat in the region, perhaps then the European powers should pick up the slack. One thing remains, certain though: if left unchecked, the situation in Africa will spiral rapidly out of control.



ENTERTAINMENT: THE HEART OF A SOCIETY

JAMIE DOWNEY

I spent a good amount of time of my winter break this year catching up not just with homework and friends, but also with the latest in entertainment. One show in particular that held my interest for much of my break was Showtime's "Homeland". The show presents a stark, morally grey depiction of the war on terror, specifically centering around CIA agent Carrie Mathieson. While obviously the characters and events on the show are fictional

(and dramatized for entertainment) the battle depicted is very real. The show provides an interesting view into the daily struggle between the United States Government and the many forces around the world that seek to bring about its demise. However, while I find the themes and ideas of the show interesting, I think that what the show represents is even more important. The show has been an incredible success, shining even in an age of phe-

nomenal television. During the 2012 Emmy's, for example, the show received 6 awards, beating strong contenders like AMC's "Breaking Bad" and "Mad Men" to name a few. This incredible success launched the show into the forefront of American media and attention. The show was praised for its dedication to realism, its moral ambiguity and its capacity to challenge the viewers to consider questions and ideals that they would not have before.



“Homeland” certainly is not the first medium in recent years to depict the current state of foreign affairs, an issue that has been in the forefront of American attention. Kathryn Bigelow’s most recent work, *Zero Dark Thirty*, presents an interpretation of the manhunt to find Osama Bin Laden and the political and social forces that influenced it. Even Fox’s hyperbolic and intensely dramatized show “24” laid the foundation for the more serious considerations that followed. (While certainly “24” doesn’t present an accurate representation of counterterrorism, it was one of the first pieces of entertainment to deal with issues such as terrorism, interrogation and political backlash.) Each of these was accompanied with its own share of discussion, criticism and controversy. A soldier has described *The Hurt Locker* as being “wrong in almost every aspect,”¹¹ “Homeland” has been called a source of Middle Eastern tension,¹² and even acting C.I.A. Director Michael J. Morrell has been openly critical of *Zero Dark Thirty*. This is the nature of entertainment. It is meant to inspire thought, consideration, and controversy. Further, while these works represent controversy, they also represent a prevailing interest within the American public in such issues. While a significant portion of the viewership of such works can be attributed to action junkies seeking solely excitement, the majority of people patronizing this entertainment through their viewership are interested in the issues and the controversies they repre-

sent. This media represents the prevailing American considering and deeper intrigue into the actions and decisions that define our nation as a world power.

This trend is not a new one. Throughout the history of Hollywood, movies and entertainment have covered issues that were key to American consciousness and belief. Perhaps the best example of such consideration is the overwhelmingly artistic depiction of the war in Vietnam, one of the most controversial wars in American History. Classic films such as *Apocalypse Now*, *The Deer Hunter*, and even *Forrest Gump* provided depictions of political and social movements that shaped entire generations. Even domestic issues, such as the Watergate Scandal, were covered by entertainment, most notably 1976’s *All the President’s Men*. This trend, however, extends further beyond movies and television. Whether it is *The Great Gatsby*’s depiction of 1920’s socialites, the plays of Shakespeare, Renaissance Art, or even Homer’s ancient epic *The Odyssey*, entertainment has long represented the most important social views of its contemporary time period. For many of the youth of the current day and age, the September 11th terrorist attacks represent a crucial turning point in our lives, and something that we may never forget (akin to the assassination of JFK of previous generations). This entertainment expresses the emotion and consideration not just of individuals, but of an entire people. Through each movie and television episode, we attain a better

understanding of ourselves and the world in which we live.

The true indicator of a time period’s social condition is not governmental, but rather the art that emerges. While the actions of a king may make the history books, it is the action of the artist that provides true insight into the common man. The current trend is no different. Each work that includes the Middle East or the government is simply the most recent in a long line of social litmus tests to determine the prevailing views of humanity. Personally, I find this trend exciting and intriguing. I think that it shows that people are interested in current events and are expanding their worldview beyond just their own backyard. I think that it shows that people are conversing, debating, and adapting to the world around them. When I hear other students in the hallway discussing *Zero Dark Thirty*, I hear more about the controversy and themes of the movie than I do about the explosions or violence. I know that personally my own views and beliefs have been challenged, for better or worse, by seeing these works. Whether you support the images or opinions expressed within this art, there is no denying that each encourages thought and deeper thinking. Perhaps consider this my personal stamp of approval, not on any particular work or message, but on the development of the American People and our increasing hunger for understanding about the things that define us.



A GENEALOGY OF SUFFERING: THE HISTORY OF THE U.S. PRISON SYSTEM

RYAN TEEHAN

In the modern age, the prison has become a structure seemingly inseparable from the very notion of civil society. The need to separate criminals from innocent civilians—to divide the good and the bad—seems like a fundamental part of society. This mode of thinking, while somewhat intuitive, papers over the origins of the prison system and the reasons for its existence. Ultimately, the prison is not a

just institution; rather it acts in the name of marginalization and otherization. Genealogically, the U.S. prison is tied to racial violence, with its origins in the era of slavery.

Prior to the Civil War era, prisons were merely places in which inmates were kept before being punished. Incarceration was not the punishment in itself, but rather the intermediary phase between conviction and

punishment. The move away from this model and towards the model of the current system came after the Civil War when the slaves were freed. The new prison regulations mirrored the Slave Codes, which were laws that took away the rights of enslaved persons.¹³ The connection between the origins of the modern U.S. prison system and slavery go even further, as historian Adam Jay Hirsch noted:

“One may perceive in the penitentiary many reflections of chattel slavery as it was practiced in the South. Both institutions subordinated their subjects to the will of others. Like Southern slaves, prison inmates followed a daily routine specified by their superiors. Both institutions reduced their subjects to dependence on others for the supply of basic human services such as food and shelter. Both isolated their subjects from the general population by confining them to a fixed habitat. And both frequently coerced their subjects to work, often for longer hours and for less compensation than free laborers.”¹⁴

The inclusion of forced labor is essential to the concept of the early penitentiary, in that it reaffirmed the position of freedmen as second-class citizens. The new legal principles that emerged from the Civil War designated certain actions as only criminal if done by African Americans.¹⁵ Thus, prisons became a place where the labor practices of slavery could be recreated and freedmen could be once again placed in servitude.

In recent times, the penal system has not become any less marginalizing. Modern police have the tendency to superimpose color onto crime and criminology. In fact, many court systems have equated being young, black, and male with the justification for probable cause. Courts have also authorized using race as an indication for an

increased risk to criminality.¹⁶ On a more subtle level, the shift towards mass incarceration was spurred by racialized discourse. For example, the famous Willie Horton advertisement of the 1988 election portrayed crime in terms of an African American man.¹⁷ It sought to depict the entirety of crime with the figure of one prisoner. This same theme was present in the academic discourse of the time as well. Adolphus Belk explains, “... John J. DiIulio ... described super-predators as a ‘demographic crime bomb’ ... [who] are more likely to be black, male, and young, and to come from the central city and ... be ... in abusive, violence-ridden, fatherless, Godless, and jobless settings.”¹⁸ Crime was seen as a problem of demographics and of race. These perspectives were then incorporated into laws by the courts and lawyers of the time. Through these discourses the racialized practices of the current penal regime became normalized to the point where certain socio-economic groups and races were commonly associated with crime. The material effects of this discourse are the increased incarceration of minorities, especially African Americans. Loïc Wacquant describes this phenomenon, “... whereas the difference between arrest rates for whites and blacks has been stable, ... the white-black incarceration gap has grown rapidly in the past quarter-century, jumping from 1 for 5 in 1985 to about 1 for 8 today.”¹⁹ The large disparity be-

tween the incarceration rates is empirical evidence of the racial tendencies of the current penal system.

Given the underlying features of the penal system, one must consider alternatives. If, in fact, the prison is unsalvageable, then there must be another option: another method to deal with people who break the law. One school of thought that has emerged from critiques of the prison structure is that of prison abolition. This view contends that the underlying logic of the prison is inseparable from any of its instantiations; any reform to the current system merely papers over the suffering it was founded upon. Instead, they offer community based justice systems, which are community based and substitute punitive measures for victim reconciliation, as a solution.²⁰ Although there are certainly benefits to a retributive system of justice, it is evident that reforms in the past have been woefully inadequate. Nothing to this point has solved any of the fundamental problems with the prison system, and in fact reforms serve to make the prison seem more acceptable to the general public. Changes that work within the system make a spectacle of those marginalized by the system while reaffirming the logic that caused their marginalization. Ultimately, there must be a break from the current mindset and penal ideology in order to bring justice to the justice system.

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