

Gun Culture, Legislation and Violence In the US and Australia



Ian Carstens, BA; Faculty Mentor: Michael Gonzalez, PhD

Commonwealth of Australia

FACTS & LEGISLATION

- Firearms are a privilege. They are not a right.
- Port Arthur (1996) and Monash University shootings (2002) caused outcry and resulted in new legislation.
- Major Legislation & Policy:
National Firearms Agreement (1996), National Buyback Scheme (1996), National Handgun Agreement (2002), National Firearms Trafficking Policy Agreement (2002) & National Buyback Scheme (2003)
- Firearm Victimization Rate (per 100,000 people):
1990 – 1.9; 1995 – 2.6; 2011 – 1.1
- Firearm Use in Committing Homicide:
2001 – 22%; 2011 – 14%

Why so Different?

CULTURE

- Firearms are not mentioned in the Australian Constitution.
- Aboriginals, the indigenous people of Australia, were viewed as timid and not considered to be a serious threat.
- Military personnel and free men had firearms, but ‘government men’ were not allowed firearms except for when hunting.
- Escaping to the West meant death. Not freedom or adventure.
- Australians did not have to fight a war against the British for their independence. In fact, they are still under the British crown.
- Australians willing to give up their weapons and surrender them during buybacks and amnesty periods.

Background for the Topic

- Australia is often thought of as a positive model for firearm regulation in the ‘Western’ developed world.
- Debate exists in the United States as to whether firearms legislation should be made more restrictive or not, however there is consensus that change of some sort is needed.
- One claim has been that the United States has a lot to learn from, or should adopt, Australia’s system. One proponent of this would be the Australian Foreign Minister Julie Bishop.

The Questions

- What are the differences in policy between the United States and Australia?
- What is it that caused these differences?
- Can the Australian system be used to ‘fix’ the United States?

Would the Australian System work in the US?

- Scholars disagree on the extent of the effectiveness of the Australian legislation. It has been argued that the existing rate of decline (potentially due to cultural shifts) may have continued regardless of the new laws.
- Australia’s existence as a nation bordered entirely by water may be significant in its ability to better regulate the amount of firearms located there and their possession and transportation.
- Due to differences in cultural mindsets and national histories, it is unlikely that Americans would enact such legislation as exists in Australia.
- Finally, any change in rates firearm violence and death, even a marginal one, could stand to save a significant number of lives
- I argue that it is necessary for a shift in cultural mindset to take place before any significant difference can occur. Without a fundamental change in the American psyche, from viewing gun ownership as a right to a privilege, the Australian system is inapplicable.

United States of America

FACTS & LEGISLATION

- Firearms are as a right. They are not viewed as a privilege.
- New firearm legislation tends to occur following the death of important figures and not mass shootings.
- Major Legislation & Policy:
Gun Control Act (1968), National Firearms Act (1934), Brady Handgun Violence Prevention Act (1994), Federal Assault Weapons Ban (1994), DC v. Heller (2008) & McDonald v. Chicago (2010)
- Firearm Victimization Rate (per 100,000 people):
1992 – 6.3; 2011 – 3.2
- Firearm Use in Committing Homicide:
Both 1992 & 2011 – 73% male victims; 49% female victims

Why so Different?

CULTURE

- Firearm ownership rights are included in the US Constitution.
- Native Americans were often seen as violent and dangerous people who needed to be defended against and fought.
- American colonists and frontiersmen valued firearms for protection and as tools.
- Desired to go West and explore.
- Americans fought a war of independence against the British, instilling a perceived need for firearms for protection.
- Americans are willing to fight to keep their firearm rights:
NJ Smart Guns & South Carolina Submitted Bill to Secede

