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The NRA once supported gun control

It may seem hard to believe, but for decades the organization helped write federal laws restricting gun use

by Steven Rosenfeld, Alternet • Jan. 14, 2013 • 9 min read • [original](#)

This article originally appeared on [AlterNet](#).



For nearly a century after, its founding in 1871, the National Rifle Association was among America's foremost pro-gun control organizations. It was not until 1977 when the NRA that Americans know today emerged, after libertarians who equated owning a gun with the epitome of freedom and fomented widespread distrust against government—if not armed insurrection—emerged after staging a hostile leadership coup.

In the years since, an NRA that once encouraged better marksmanship and reasonable gun control laws gave way to an advocacy organization and political force that saw more guns as the answer to society's worst violence, whether arming commercial airline pilots after 9/11 or teachers after the Newtown, while opposing new restrictions on gun usage.

It is hard to believe that the NRA was committed to gun-control laws for most of the 20th century—helping to write most of the federal laws restricting gun use until the 1980s.

“Historically, the leadership of the NRA was more open-minded about gun control than someone familiar with the modern NRA might imagine,” wrote Adam Winkler, a Second Amendment scholar at U.C.L.A. Law School, in his

2011 book, *Gunfight: The Battle Over The Right To Bear Arms In America*.

“The Second Amendment was not nearly as central to the NRA’s identity for most of the organization’s history.”

Once Upon A Time...

The NRA was founded in 1871 by two Yankee Civil War veterans, including an ex-New York Times reporter, who felt that war dragged on because more urban northerners could not shoot as well as rural southerners. Its motto and focus until 1977 was not fighting for constitutional rights to own and use guns, but “Firearms Safety Education, Marksmanship Training, Shhoting for Recreation,” which was displayed in its national headquarters.

The NRA’s first president was a northern Army General, Ambrose Burnside. He was chosen to reflect this civilian-militia mission, as envisioned in the Second Amendment, which reads, “A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.” The understanding of the Amendment at the time concerned having a prepared citizenry to assist in domestic military matters, such as repelling raids on federal arsenals like 1786’s Shays Rebellion in Massachusetts or the British in the War of 1812. Its focus was not asserting individual gun rights as today, but a ready citizenry prepared by target shooting. The NRA accepted \$25,000 from New York State to buy a firing range (\$500,000 today). For decades, the U.S. military gave surplus guns to the NRA and sponsored shooting contests.

In the 1920s and 1930s, the NRA’s leaders helped write and lobby for the first federal gun control laws—the very kinds of laws that the modern NRA labels as the height of tryanny. The 17th Amendment outlawing alcohol became law in 1920 and was soon followed by the emergence of big city gangsters who outgunned the police by killing rivals with sawed-off shotguns and machine guns—today called automatic weapons.

In the early 1920s, the National Revolver Association—the NRA’s handgun training counterpart—proposed model legislation for states that included requiring a permit to carry a concealed weapon, adding five years to a prison sentence if a gun was used in a crime, and banning non-citizens from buying a handgun. They also proposed that gun dealers turn over sales records to police and created a one-day waiting period between buying a gun and getting it—two provisions that the NRA opposes today.

Nine states adopted these laws: West Virginia, New Jersey, Michigan, Indiana, Oregon, California, New Hampshire, North Dakota and Connecticut. Meanwhile, the American Bar Association had been working to create uniform state laws, and built upon the proposal but made the waiting period two days. Nine more states adopted it: Alabama, Arkansas, Maryland, Montana, Pennsylvania, South Dakota, Virginia, Washington and Wisconsin.

State gun control laws were not controversial—they were the norm. Within a generation of the country’s founding, many states passed laws banning any citizen from carrying a concealed gun. The cowboy towns that Hollywood lionized as the ‘Wild West’ actually required all guns be turned in to sheriffs while people were within local city limits. In 1911, New York state required handgun owners to get a permit, following an attempted assassination on New York City’s mayor. (Between 1865 and 1901, three presidents had been killed by handguns: Abraham Lincoln, James Garfield, William McKinley.) But these laws were not seen as effective against the Depression’s most violent gangsters.

In 1929, Al Capone’s St. Valentine’s Day massacre saw men disguised as Chicago police kill 7 rivals with machine guns. Bonnie and Clyde’s crime-and-gun spree from 1932-34 was a national sensation. John Dillinger robbed 10 banks in 1933 and fired a machine gun as he sped away. A new

president in 1933, Franklin D. Roosevelt, made fighting crime and gun control part of his 'New Deal.' The NRA helped him draft the first federal gun controls: 1934's National Firearms Act and 1938's Gun Control Act.

The NRA President at the time, Karl T. Frederick, a 1920 Olympic gold-medal winner for marksmanship who became a lawyer, praised the new state gun controls in Congress. "I have never believed in the general practice of carrying weapons," he testified before the 1938 law was passed. "I do not believe in the general promiscuous toting of guns. I think it should be sharply restricted and only under licenses."

These federal firearms laws imposed high taxes and registration requirements on certain classes of weapons—those used in gang violence like machine guns, sawed-off shotguns and silencers—making it all-but impossible for average people to own them. Gun makers and sellers had to register with the federal government, and certain classes of people—notably convicted felons—were barred from gun ownership. The U.S. Supreme Court unanimously upheld these laws in 1939.

The legal doctrine of gun rights balanced by gun controls held for nearly a half-century.

In November 1963, Lee Harvey Oswald shot and killed President John F. Kennedy with an Italian military surplus rifle that Owsald bought from a mail-order ad in the NRA's American Rifleman magazine. In congressional hearings that soon followed, NRA Executive Vice-President Frankin Orth supported a ban in mail-order sales, saying, "We do think that any sane American, who calls himself an American, can object to placing into this bill the instrument which killed the president of the United States."

But no new federal gun control laws came until 1968. The assassinations of civil rights leader Rev. Martin Luther King, Jr. and Sen. Robert F. Kennedy were the tipping point, coming after several summers of race-related riots in American cities. The nation's white political elite feared that violence

was too prevalent and there were too many people—especially urban Black nationalists—with access to guns. In May 1967, two dozen Black Panther Party members walked into the California Statehouse carrying rifles to protest a gun-control bill, prompting then-Gov. Ronald Reagan to comment, “There’s no reason why on the street today a citizen should be carrying loaded weapons.”

The Gun Control Act of 1968 reauthorized and deepened the FDR-era gun control laws. It added a minimum age for gun buyers, required guns have serial numbers and expanded people barred from owning guns from felons to include the mentally ill and drug addicts. Only federally licensed dealers and collectors could ship guns over state lines. People buying certain kinds of bullets had to show I.D. But the most stringent proposals—a national registry of all guns (which some states had in colonial times) and mandatory licenses for all gun carriers—were not in it. The NRA blocked these measures. Orth told *American Rifleman* magazine that while part of the law “appears unduly restrictive, the measure as a whole appears to be one that the sportsmen of America can live with.”

The Paranoid Libertarians’ Hostile Takeover

Perhaps the sportsmen of America could abide by the new law, but within the NRA’s broad membership were key factions that resented the new federal law. Throughout the 1960s, there were a few articles in *American Rifleman* saying the NRA was waiting for the U.S. Supreme Court to declare the Second Amendment included the right to own a gun, Joan Burbick recounts in her 2006 book, *Gun Show Nation: Gun Culture and American Democracy*.

But in the mid-1960s, the Black Panthers were better-known than the NRA for expressing that view of the Second Amendment. By 1968, however, Burbick notes that the NRA’s magazine’s most assertive editorials began saying the problem was fighting crime and not guns—which we hear today. The 1968 law ordered the federal Bureau of Alcohol, Tobacco, Firearms and

Explosives to enforce the new gun laws. In 1971, ATF raided a lifetime NRA member's house who was suspected of having a large illegal arms cache and shot and killed him. That prompted "the ardent reactionary William Leob," then editor of New Hampshire's influential Manchester Union Leader newspaper, to call the federal agents "Treasury Gestapo," Burbick noted, even though later evidence confirmed the weapons cache. Leob and other white libertarians with podiums started to assert that the Second Amendment protected an individual right to guns—like the Black Panthers. But, of course, they were seeking to keep America's white gun owners fully armed.

A split started to widen inside the NRA. Gun dealers thought they were being harassed. Rural states felt they were being unduly punished for urban America's problems. In 1975, the NRA created a new lobbying arm, the Institute for Legislative Action, under Harlon B. Carter, a tough-minded former chief of the U.S. Border Patrol who shared the libertarian goal of expanding gun owners' rights. Burdick writes that "by 1976, the political rhetoric had gained momentum and the bicentennial year brought out a new NRA campaign, 'designed to enroll defenders of the right to keep and bear arms' in numbers equal to 'the ranks of the patriots who fought in the American Revolution.'"

Looking back, the seeds of a hostile internal takeover were everywhere.

Harlon Carter wasn't just another hard-headed Texan who grew up in a small town that was once home to frontiersman Davy Crockett. He was an earlier era's version of George Zimmerman, the Floridian young man who claims to have shot Trayvon Martin in self-defense in February 2012—even though police records and 911 recordings seem to show Zimmerman was looking for a fight. According to Carol Vinzant's 2005 book, *Lawyers, Guns, and Money: One Man's Battle With The Gun Industry*, a 17-year-old Carter found and confronted a Mexican teenager who he believed helped steal his

family's car. When the 15-year-old pulled a knife, Carter shot and killed him. His conviction was overturned when an appeals court said the jury should have considered a self-defense argument.

In November 1976, the NRA's old guard Board of Directors fired Carter and 80 other employees associated with the more expansive view of the Second Amendment and implicit distrusting any government firearm regulation. For months, the Carter cadre secretly plotted their revenge and hijacked the NRA's annual meeting in Cincinnati in May 1977. The meeting had been moved from Washington to protest its new gun control law. Winkler writes that Carter's top deputy Neal Knox was even more extreme than him—wanting to roll back all existing gun laws, including bans on machine guns and saying the federal government had killed Martin Luther King and Bobby Kennedy as “part of a plot to advance gun control.”

Using the NRA's parliamentary rules, the rebels interrupted the agenda from the floor and revised how the Board of Directors was chosen, recommitted the NRA to fighting gun control and restored the lobbying ILA. Harlon Carter became the NRA's new executive director. He cancelled a planned move of its national headquarters from Washington to Colorado Springs. And he changed the organization's motto on its DC headquarters, selectively editing the Second Amendment to reflect a non-compromising militancy, “The Right Of The People To Keep And Bear Arms Shall Not Be Infringed.”

After Carter was re-elected to lead the NRA in 1981, The New York Times reported on Carter's teenage vigilante killing—and how he changed his first name's spelling to hide it. At first, he claimed the shooting was by someone else—and then recanted but refused to discuss it. Winkler writes, “the hardliners in the NRA loved it. Who better to lead them than a man who really understood the value of a gun for self-protection?”

After the coup, the NRA ramped up donations to congressional campaigns. “And in 1977, new articles on the Second Amendment appeared” in *American Rifleman*, Burbick noted, “rewriting American history to legitimize the armed citizen unregulated except by his own ability to buy a gun at whatever price he could afford.” That revisionist perspective was endorsed by a Senate Judiciary Subcommittee chaired by Utah Republican Orrin Hatch in 1982, when staffers wrote a report concluding it had discovered “long lost proof” of an individual’s constitutional right to bear arms.

The NRA’s fabricated but escalating view of the Second Amendment was ridiculed by former U.S. Supreme Court Chief Justice Warren Burger—a conservative appointed by President Richard Nixon—in a PBS Newshour interview in 1991, where he called it “one of the greatest pieces of fraud—I repeat the word ‘fraud’—on the American public by special interest groups that I have ever seen in my lifetime.”

Burger would not have imagined that the U.S. Supreme Court in 2008—13 years after he died—led by libertarian activist Justice Antonin Scalia—would enshrine that “fraud” into the highest echelon of American law by decreeing that the Second Amendment included the right to own a gun for self-protection in one’s home.

(Editor’s note: This is the first in a series of *AlterNet* reports on 2013’s emerging gun-control debate. The sources include several books, notably *Gunfight: The Battle Over The Right To Bear Arms in America*, by Adam Winkler (2011), *Gun Show Nation; Gun Culture And American Democracy*, by Joan Burbick (2006) and *Lawyers, Guns and Money: One Man’s Battle With The Gun Industry*, by Carol Vinzant (2005). Other sources include reporting by *The New Yorker’s* Jill LePore and Jeffrey Toobin, *The New York Review of Books’* Garry Wills, and U.S. Supreme Court

decisions, including Justice Stephen Breyer's [dissent](#) in *District of Columbia v. Heller* (2008), and Retired Supreme Court Chief Justice Warren Burger in *Parade* magazine.)

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