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A Land Without Guns: How Japan Has Virtually Eliminated Shooting Deaths

By Max Fisher

In part by forbidding almost all forms of firearm ownership, Japan has as few as two gun-related homicides a year.



A Tokyo "gun" shop owner, who mostly sells air rifles, displays one of Japan's relatively few licensed rifles. (Reuters)

I've heard it said that, if you take a walk around Waikiki, it's only a matter of time until someone hands you a flyer of scantily clad women clutching handguns, overlaid with English and maybe Japanese text advertising one of the many local shooting ranges. The city's largest, the Royal Hawaiian Shooting Club, advertises instructors fluent in Japanese, which is also the default language of its website. For

years, this peculiar Hawaiian industry has explicitly targeted Japanese tourists, drawing them away from beaches and resorts into shopping malls, to do things that are forbidden in their own country.

Waikiki's Japanese-filled ranges are the sort of quirk you might find in any major tourist town, but they're also an intersection of two societies with wildly different approaches to guns and their role in society. Friday's horrific shooting at an Aurora, Colorado, movie theater has been a reminder that America's gun control laws are the loosest in the developed world and its rate of gun-related homicide is the highest. Of the world's 23 "rich" countries, the U.S. gun-related murder rate is almost 20 times that of the other 22. With almost one privately owned firearm per person, America's ownership rate is the highest in the world; tribal-conflict-torn Yemen is ranked second, with a rate about half of America's.

But what about the country at the other end of the spectrum? What is the role of guns in Japan, the developed world's least firearm-filled nation and perhaps its strictest controller? In 2008, the U.S. had over 12 thousand firearm-related homicides. All of Japan experienced only 11, fewer than were killed at the Aurora shooting alone. And that was a big year: 2006 saw an astounding *two*, and when that number jumped to 22 in 2007, it became a national scandal. By comparison, also in 2008, 587 Americans were killed just by guns that had discharged accidentally.

Almost no one in Japan owns a gun. Most kinds are illegal, with onerous restrictions on buying and maintaining the few that are allowed. Even the country's infamous, mafia-like Yakuza tend to forgo guns; the few exceptions tend to become big national news stories.

Japanese tourists who fire off a few rounds at the Royal Hawaiian Shooting Club would be breaking three separate laws back in Japan -- one for holding a handgun, one for possessing unlicensed bullets, and another violation for firing them -- the first of which alone is punishable by one to ten years in jail. Handguns are forbidden absolutely. Small-caliber rifles have been illegal to buy, sell, or transfer since 1971. Anyone who owned a rifle before then is allowed to keep it, but their heirs are required to turn it over to the police once the owner dies.

The only guns that Japanese citizens can legally buy and use are shotguns and air rifles, and it's not easy to do. The process is detailed in David Kopel's landmark study on Japanese gun control, published in the 1993 *Asia Pacific Law Review*, still cited as current. (Kopel, no left-wing loony, is a member of the National Rifle Association and once wrote in *National Review* that looser gun control laws could have stopped Adolf Hitler.)

To get a gun in Japan, first, you have to attend an all-day class and pass a written test, which are held only once per month. You also must take and pass a shooting range class. Then, head over to a hospital for a mental test and drug test (Japan is unusual in that potential gun owners must affirmatively prove their mental fitness), which you'll file with the police. Finally, pass a rigorous background check for any criminal record or association with criminal or extremist groups, and you will be the proud new owner of your shotgun or air rifle. Just don't forget to provide police with documentation on the specific location of the gun in your home, as well as the ammo, both of which must be locked and stored separately. And remember to have the police inspect the gun once per year and to re-take the class and

exam every three years.

Even the most basic framework of Japan's approach to gun ownership is almost the polar opposite of America's. U.S. gun law begins with the second amendment's affirmation of the "right of the people to keep and bear arms" and narrows it down from there. Japanese law, however, starts with the 1958 act stating that "No person shall possess a firearm or firearms or a sword or swords," later adding a few exceptions. In other words, American law is designed to enshrine access to guns, while Japan starts with the premise of forbidding it. The history of that is complicated, but it's worth noting that U.S. gun law has its roots in resistance to British gun restrictions, whereas some academic literature links the Japanese law to the national campaign to forcibly disarm the samurai, which may partially explain why the 1958 mentions firearms and swords side-by-side.

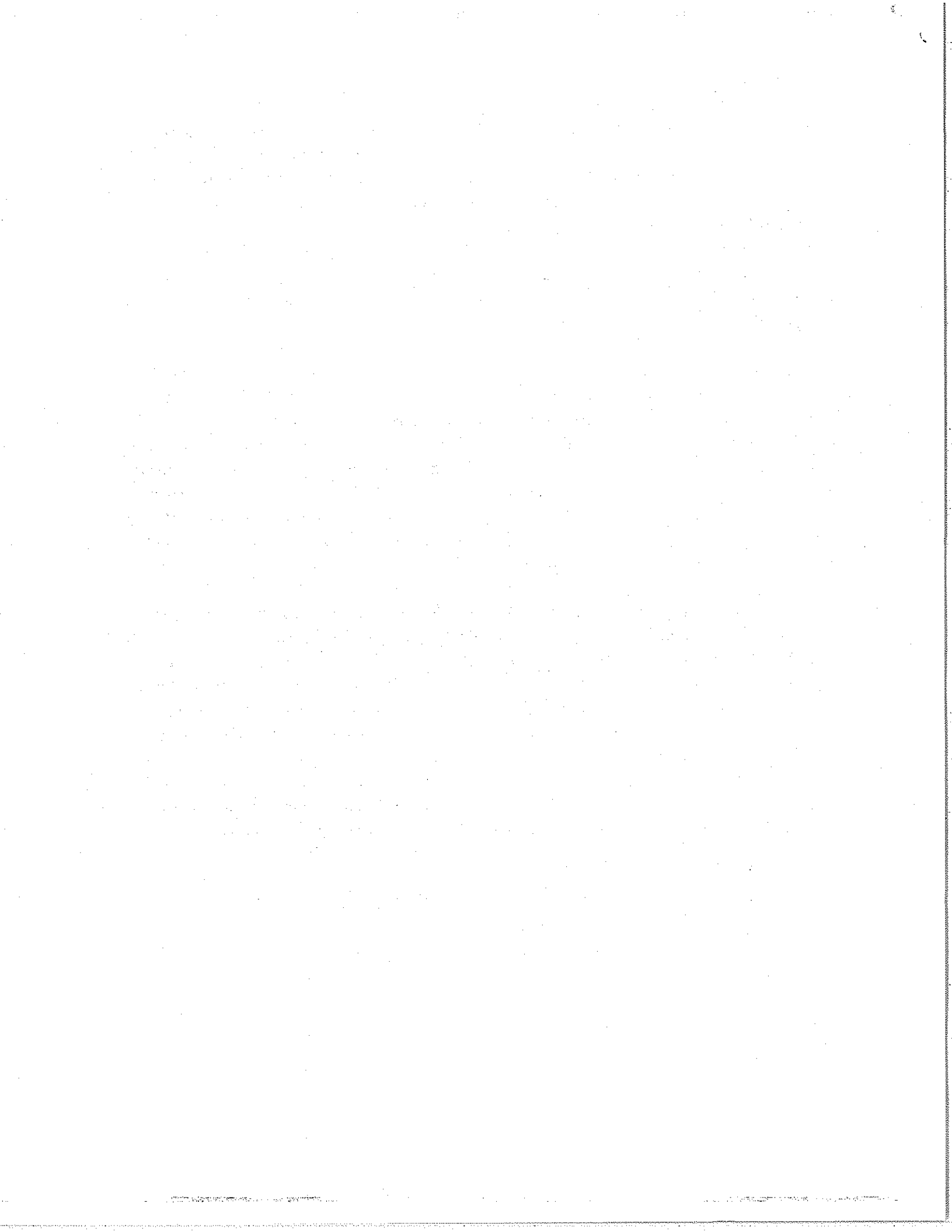
Of course, Japan and the U.S. are separated by a number of cultural and historical difference much wider than their gun policies. Kopel explains that, for whatever reason, Japanese tend to be more tolerant of the broad search and seizure police powers necessary to enforce the ban. "Japanese, both criminals and ordinary citizens, are much more willing than their American counterparts to consent to searches and to answer questions from the police," he writes. But even the police did not carry firearms themselves until, in 1946, the American occupation authority ordered them to. Now, Japanese police receive more hours of training than their American counterparts, are forbidden from carrying off-duty, and invest hours in studying martial arts in part because they "are expected to use [firearms] in only the rarest of circumstances," according to Kopel.

The Japanese and American ways of thinking about crime, privacy, and police powers are so different -- and Japan is such a generally peaceful country -- that it's functionally impossible to fully isolate and compare the two gun control regiments. It's not much easier to balance the costs and benefits of Japan's unusual approach, which helps keep its murder rate at the second-lowest in the world, though at the cost of restrictions that Kopel calls a "police state," a worrying suggestion that it hands the government too much power over its citizens. After all, the U.S. constitution's second amendment is intended in part to maintain "the security of a free State" by ensuring that the government doesn't have a monopoly on force. Though it's worth considering another police state here: Tunisia, which had the lowest firearm ownership rate in the world (one gun per thousand citizens, compared to America's 890) when its people toppled a brutal, 24-year dictatorship and sparked the Arab Spring.

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**HUFF
POST** **POLITICS**

Gun Control? We Need Domestic Disarmament

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Nowhere is the defeatist liberal approach to American politics more evident than in the post-Newtown campaign for gun control. Liberals are rushing to repeat, like a devout incantation, hand on one's heart, that "we believe in the Second Amendment" -- in an "individual's right to own a gun." Half of the legal and moral battle is lost right there and then. Instead, liberals should emphasize that throughout the total American legal history until 2008, the Supreme Court -- which at times has been very conservative -- has always held that the right to own guns belongs not to the individual but, as the Second Amendment states, to a "well regulated militia." (For details on the cases involved, go [here](#)). That the right to own guns is a communitarian right, not an individualized one. True, the Roberts Court recently ruled otherwise, but liberals are still free to urge the court to reconsider this ruling and fashion arguments that will make it easier for the Court to fall back in line with all who preceded it. It would also help to recall that other civilized societies hold that the fewer guns there are out there, the fewer people will be murdered by guns.

Next, liberals have started their gun control campaign, as they sadly so often do, by conceding most of their ground before the give-and-take is even underway. Thus, when dealing with health care, they did not start with a true liberal position (a call for a single-payer system) because they assume that such a position will not play and hence -- being the reasonable people that they are -- they proposed an option close to the conservatives' preferred policy. Then the give-and-take ensues -- further watering down what was a very thin gruel to begin with.

As someone who fired guns for over two years in combat, I hate to tell you that the conservatives are right when they argue that banning big magazines and assault rifles -- the current "liberal" opening gambits -- will make very little difference. It takes only a second or so to replace an empty magazine with a loaded one, and there are so many assault rifles out there that it would take at least a generation (assuming no new ones were sold nor imported nor smuggled in nor stolen from military bases) before these guns would become significantly less available than they are at present.

Liberals, when challenged with these facts, engage in a rhetorical maneuver. True, they say, our favorite (mini) bans will not solve the problem, nothing will, but we can, as Obama put it in his State of the Union address, at least "make it harder for criminals to get their hands on a gun." True, but the difference, unfortunately, will be marginal. Indeed, in many of the jurisdictions that have gun control laws of the kind that liberals typically call for -- and even in ones where the laws are stricter, still (Chicago, for instance) -- murder by gun is very common.

A true liberal position, the place to start, is to call for domestic disarmament. That is the banning of the sale of all guns to private parties coupled with a buyback of those on the street (Mexico just moved to so control guns). Collectors can keep their guns as long as they remove the firing pin or fill the barrel with cement. Gun sports can be allowed -- in closed shooting ranges. And hunters can be allowed to have long guns (if they pass background checks) with no scopes, which are not sporting. But, these exceptions aside, liberals should call for a gun-free nation and point out the much lower murder rates and fewer deaths due to accidental discharge of fire arms found in those civilized nations where most guns have been removed from private hands -- and often even from those of the police.

Let the conservatives, who, of course, will reject such a policy, however strongly it is supported by evidence, tell us what they are going to do about gun violence. Improve mental health services? A good idea, assuming they will vote for the required spending, as well as recognize that there is no way such an improvement will make more than a marginal difference given the difficulties in both diagnosing who is prone to violence and in treating those individuals. Limit violence video games? Let them show that such a measure would make a difference. Enforce the laws on the books? Let them remove the blocks they have put in place to prevent these laws from being enforced. A good place to start: Let Obama appoint a director for the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives.

I acknowledge that the result, even after Newtown, of a truly liberal approach to gun control might not be very different from the current one. Conservatives are not about to allow sensible measures to be enacted. However, at least we shall have an honest, compelling, mobilizing vision of what liberals stand for regarding what it takes to save many thousands of lives that would be otherwise lost to guns. Domestic disarmament is a vision that can educate future generations of voters about that which must be done and that which the Second Amendment fully permits.

Amitai Etzioni is proud to announce that he just made the NRA anti gun enemy list. For more discussion see his book My Brother's Keeper.

