

A Battle at the Crossroads
of Gun Control & Mass Torts

Suing the **GUN** *Industry*

Edited by Timothy D. Lytton

Suing The Gun Industry A Battle At The Crossroads Of Gun Control Mass Torts

Melissa Kate Merry



Suing The Gun Industry A Battle At The Crossroads Of Gun Control Mass Torts:

Suing the Gun Industry Timothy D. Lytton, 2005-04-27 The first comprehensive analysis of recent lawsuits against gun makers

Suing the Gun Industry Timothy Lytton, 2009-04-21 Mass tort litigation against the gun industry with its practical weaknesses successes and goals provides the framework for this collection of thoughtful essays by leading social scientists lawyers and academics These informed analyses reveal the complexities that make the debate so difficult to resolve *Suing the Gun Industry* masterfully reveals the many details contributing to the intractability of the gun debate New York Law Journal Second Amendment advocate or gun control fanatic all Americans who care about freedom need to read *Suing the Gun Industry* Bob Barr Member of Congress 1995 2003 and Twenty First Century Liberties Chair for Freedom and Privacy American Conservative Union The source for anyone interested in a balanced analysis of the lawsuits against the gun industry David Hemenway Professor of Health Policy Director Harvard Injury Control Research Center Harvard School of Public Health Health Policy and Management Department author of *Private Guns Public Health* Highly readable comprehensive well balanced It contains everything you need to know and on all sides about the wave of lawsuits against U S gun manufacturers James B Jacobs Warren E Burger Professor of Law and author of *Can Gun Control Work* In *Suing the Gun Industry* Timothy Lytton has assembled some of the leading scholars and advocates both pro and con to analyze this fascinating effort to circumvent the well known political obstacles to more effective gun control This fine book offers a briefing on both the substance and the legal process of this wave of lawsuits together with a better understanding of the future prospects for this type of litigation vis vis other industries Philip J Cook Duke University An interesting collection generally representing the center of the gun control debate with considerable variation in focus objectivity and political realism Paul Blackman retired pro gun criminologist and advocate Gun litigation deserves a closer look amid the lessons learned from decades of legal action against the makers of asbestos Agent Orange silicone breast implants and tobacco products among others *Suing the Gun Industry* collects the diverse and often conflicting opinions of an outstanding cast of specialists in law public health public policy and criminology and distills them into a complete picture of the intricacies of gun litigation and its repercussions for gun control Using multiple perspectives *Suing the Gun Industry* scrutinizes legal action against the gun industry Such a broad approach highlights the role of this litigation within two larger controversies one over government efforts to reduce gun violence and the other over the use of mass torts to regulate unpopular industries Readers will find *Suing the Gun Industry* a timely and accessible picture of these complex and controversial issues

Contributors Tom Baker Donald Braman Brannon P Denning Tom Diaz Howard M Erichson Thomas O Farrish Shannon Frattaroli John Gastil Dan M Kahan Don B Kates Timothy D Lytton Julie Samia Mair Richard A Nagareda Peter H Schuck Stephen D Sugarman Stephen Teret Wendy Wagner

Tragedy in Aurora Tom Diaz, 2019-10-31 *Tragedy in Aurora* is about the 2012 murder of budding sports journalist Jessica Jessi Redfield Ghawi in a public mass shooting and the widening circle

of pain it inflicted on her family friends police medical first responders and others The book is at the same time a deep examination of the causes and potential cures of the quintessential 21st century American sickness public mass shootings At the heart of that examination is an unpacking of America's deep polarization and political gridlock It addresses head on the question of why Why is American gun violence so different from other countries Why does nothing seem to change The Parkland kids inspired hope of change But the ultimate questions stubbornly remain what should what can and what will Americans do to reduce gun violence Tragedy in Aurora argues that the answer lies in a conscious cultural redefinition of American civic order Over recent decades America has defined a cultural new normal about guns and gun violence Americans express formalistic dismay after every public mass shooting But many accept gun violence as an inevitable even necessary and to some laudable part of what it means to be American Although Americans claim to be shocked with each new outrage so far they have failed to coalesce around an effective way to reduce gun death and injury The debate is bogged down in polarized and profoundly ideological political and cultural argument Meanwhile America continues to lead the globe in its pandemic levels of gun deaths and injuries Combined with the cynical learned helplessness of its politicians the result is gridlock and a growing roll of victims of carnage Is there a path out of this cultural and political gridlock Tragedy in Aurora argues that if America is to reduce gun violence it must expand the debate and confront the fundamental question of who are we Tom Diaz gives a new understanding of American culture and the potential for change offered by the growing number and ongoing organization of victims and survivors of gun violence Without conscious cultural change the book argues there is little prospect of effective laws or public policy to reduce gun violence in general and public mass shootings in particular

Moral Controversies in American Politics Raymond Tatalovich, This popular book impartially examines eight hotly contested current political issues in which one or or both sides seeks to use government authority to enforce certain norms of behavior in chapters that are *Guns, Democracy, and the Insurrectionist Idea* Joshua Horwitz, Casey Anderson, 2018-05-09 Does the gun lobby threaten the democratic institutions safeguarding individual liberty in America **Gun Crime in Global Contexts** Peter Squires, 2014-06-27 Every year around three quarters of a million people die directly or indirectly as a result of gun violence with most deaths occurring in the poorest yet also most highly weaponized parts of the world Firearm proliferation 875 million global firearms is a direct contributor to both regional conflicts and to crime This book attempts to understand the inter related dynamics of supply and demand which are weaponizing the world Now over ten years after Peter Squires's *Gun Culture or Gun Control* the issues pertaining to gun violence and gun control have developed dramatically With *Gun Crime in Global Contexts* Peter Squires offers a cutting edge account of contemporary developments in the politics of gun crime and the social and theoretical issues that surround the problem This book contains an innovative political analysis of neo liberal globalization and weapon proliferation an overview of recent gun control debates and gang strategies in the UK an updated analysis of US gun politics self defence race and the culture war a critical analysis of US

school and rampage shootings how they have impacted the gun debate and how different societies have responded to mass shootings an examination of the UN s development of an Arms Trade Treaty 2001 13 a discussion of weapon trafficking discussions about youth gangs around the world including those in Brazil Kenya West Africa Mexico and South Africa With its interdisciplinary perspective and global reach this book will be important reading for academics and students interested in youth and gang crime violent crime and comparative criminal justice as well as peace and security studies and international relations

The Oxford Handbook of Comparative Health Law David Orentlicher, Tamara K. Hervey, 2021 The Oxford Handbook of Comparative Health Law addresses some of the most critical issues facing scholars legislators and judges today When matters of life and death literally hang in the balance it is especially important for policymakers to get things right Comparative analysis has become an essential component of the decision making process and The Oxford Handbook of Comparative Health Law is the only resource available that provides such an analysis in health law

Multi-Party Litigation Wayne V. McIntosh, Cynthia L. Cates, 2010-01-01 Drawing upon insights from law and politics Multi Party Litigation outlines the historical development political design and regulatory desirability of multi party litigation strategies in cross national perspective and describes a battle being fought on multiple fronts by competing interests By addressing the potential and constraints of litigation this book offers a comprehensive account of an international issue that will interest students and practitioners of law politics and public policy

The Unelected James R. Copland, 2020-09-15 America is highly polarized around elections but unelected actors make many of the decisions that affect our lives In this lucid history James R Copland explains how unaccountable agents have taken over much of the U S government apparatus Congress has largely abdicated its authority Independent administrative agencies churn out thousands of new regulations every year Courts have enabled these rulemakers to expand their powers beyond those authorized by law and have constrained executive efforts to rein in the bureaucratic behemoth No ordinary citizen can know what is legal and what is not There are some 300 000 federal crimes 98 percent of which were created by administrative action The proliferation of rules gives enormous discretion to unelected enforcers and the severity of sanctions can be ruinous to citizens who unwittingly violate a regulation Outside the bureaucracy private attorneys regulate our conduct through lawsuits Most of the legal theories underlying these suits were never voted upon by our elected representatives A combination of historical accident decisions by judges and law professors and self interested advocacy by litigators has built an onerous and expensive legal regime Finally state and local officials may be accountable to their own voters but some reach further afield pursuing agendas to dictate the terms of national commerce These new antifederalists are subjecting the citizens of Wyoming and Mississippi to the whims of the electorates of New York and San Francisco contrary to the constitutional design In these ways the unelected have assumed substantial control of the American republic upended the rule of law given the United States the world s costliest legal system and inverted the Constitution s federalism Copland caps off his account with ideas for charting

a corrective course back to democratic accountability *Holding Bishops Accountable* Timothy D. Lytton, 2012-02-29 The prevalence of the sexual abuse of children by Catholic clergy and its shocking cover up by church officials have obscured the largely untold story of the tort system's remarkable success in bringing the scandal to light The lessons of clergy sexual abuse litigation give us reason to reconsider the case for tort reform and to look more closely at how tort litigation can enhance the performance of public and private policymaking institutions *Public Health Law* Lawrence O. Gostin, Lindsay F. Wiley, 2016-02-02 Lawrence O Gostin's seminal *Public Health Law* is widely acclaimed as the definitive statement on public health law at the turn of the twenty first century In this bold third edition Gostin is joined by Lindsay F Wiley to analyze major health threats of our time such as chronic diseases emerging infectious diseases antimicrobial resistance bioterrorism natural disasters opioid overdose and gun violence The authors draw on constitutional law administrative law local government law and tort law to develop their conception of law as a tool for protecting the public's health The book creates an intellectual framework for modern public health law and supports that framework with illustrations of the scientific political and ethical issues involved In proposing innovative solutions for the future of the public's health Gostin and Wiley's essential study provides a blueprint for public and political debates to come New issues covered in this edition Corporate personhood rights raised in response to regulations of tobacco food and beverages alcohol firearms prescription drugs and marijuana Local government authority to protect the public's health Deregulation and harm reduction as modes of public health law intervention Taxation spending and alteration of the socioeconomic environment as modes of public health law intervention Access to health care as a strategy for protecting the public's health Taxation spending licensing zoning and shared use strategies for chronic disease prevention The public health law perspective on violence and injury prevention Health justice as a framework for reducing health disparities and protecting the public's health **The Marketing of**

Children's Toys Rebecca C. Hains, Nancy A. Jennings, 2021-03-30 This book offers rich critical perspectives on the marketing of a variety of toys brands and product categories Topics include marketing undertaken by specific children's toy brands such as American Girl Barbie Disney GoldieBlox Fisher Price and LEGO and marketing trends characterizing broader toy categories such as on trend grotesque toys toy firearms minimalist toys toyetics toys meant to offer diverse representation STEM toys and unboxing videos Toy marketing warrants a sustained scholarly critique because of toys cultural significance and their roles in children's lives as well as the industry's economic importance Discourses surrounding toys including who certain toys are meant for and what various toys and brands can signify about their owners identities have implications for our understandings of adults' expectations of children and of broader societal norms into which children are being socialized

Race, Rights, and Rifles Alexandra Filindra, 2023-09-26 An eye opening examination of the ties between American gun culture and white male supremacy from the American Revolution to today One third of American adults approximately 86 million people own firearms This is not just for protection or hunting Although many associate gun centric ideology with

individualist and libertarian traditions in American political culture Race Rights and Rifles shows that it rests on an equally old but different foundation Instead Alexandra Filindra shows that American gun culture can be traced back to the American Revolution when republican notions of civic duty were fused with a belief in white male supremacy and a commitment to maintaining racial and gender hierarchies Drawing on wide ranging historical and contemporary evidence Race Rights and Rifles traces how this ideology emerged during the Revolution and became embedded in America s institutions from state militias to the National Rifle Association NRA Utilizing original survey data Filindra reveals how many White Americans including those outside of the NRA s direct orbit embrace these beliefs and as a result they are more likely than other Americans to value gun rights over voting rights embrace antidemocratic norms and justify political violence Gunfight:

The Battle Over the Right to Bear Arms in America Adam Winkler,2011-09-06 Gunfight is a timely work examining America s four centuries long political battle over gun control and the right to bear arms In this definitive and provocative history Adam Winkler reveals how guns not abortion race or religion are at the heart of America s cultural divide Using the landmark 2008 case District of Columbia v Heller which invalidated a law banning handguns in the nation s capital as a springboard Winkler brilliantly weaves together the dramatic stories of gun rights advocates and gun control lobbyists providing often unexpected insights into the venomous debate that now cleaves our nation **Public Health Law and Ethics** Lindsay F.

Wiley,Lawrence O. Gostin,2025-02-25 Public Health Law and Ethics defines these fields for a new generation This bold and updated edition probes how the Covid 19 pandemic has fundamentally changed the legal landscape for public health practice Through incisive analysis of public health legislation judicial opinions and scholarly research this accessible primer articulates the scope and limits of governmental powers and duties to protect the public s health builds a case for why social justice must be prioritized as a core value of public health ethics examines the role of the courts in striking down democratically enacted laws and covers today s most pressing health issues such as chronic diseases opioid overdoses gun violence disability rights sexual and reproductive autonomy and racial and gender equity The book creates a framework for ensuring public health interventions are based on sound scientific evidence and consistent with ethical values revealing complex answers to the essential question of what community members owe one another when it comes to health Warped

Narratives Melissa Kate Merry,2020-01-06 The politics of gun policy in the United States are dramatic Against the backdrop of daily gun violence which claims more than 33 000 lives per year gun control groups push for stronger regulations while gun rights groups resist infringements upon their Second Amendment rights To illuminate the dynamics of this polarized debate Warped Narratives examines how and why interest groups frame the gun violence problem in particular ways exploring the implication of groups framing choices for policymaking and politics Melissa K Merry argues that the gun policy arena is warped and that both gun control and gun rights organizations contribute to the distortion of the issue by focusing on atypical characters and settings in their policy narratives Gun control groups emphasize white victims child victims and

mass shootings in suburban locales while gun rights groups focus on self defense shootings highlighting threats to law abiding gun owners In reality most gun deaths are the result of suicide Homicides occur disproportionately in urban areas mainly affecting racial minorities While warping makes political sense in the short term it may lead to negative long term consequences including constraints on groups ability to build broad based coalitions and to reduce prospects for compromise To demonstrate warping Merry analyzes nearly 67 000 communications by 15 national gun policy groups between 2000 and 2017 collected from blogs emails Facebook posts and press releases This book is the first to systematically assess the role of race in gun policy groups framing and offers the most comprehensive examination to date of interest groups presentation of this issue

Glock Paul M. Barrett, 2012 Traces the story of the American gun market as reflected by an Austrian six cylinder revolver tracing how it has become a weapon of choice on both sides of the law in the entertainment industry and among Second Amendment enthusiasts

Liberty's Nemesis Dean Reuter, John Yoo, 2016-02-09 If there has been a unifying theme of Barack Obama s presidency it is the inexorable growth of the administrative state Its expansion has followed a pattern First expand federal powers beyond their constitutional limits Second delegate those powers to agencies and away from elected politicians in Congress Third insulate civil servants from politics and accountability Since its introduction in American life by Woodrow Wilson in the 20th Century the administrative state s has steadily undermined democratic self government reduced the sphere of individual liberty and burdened the free market and economic growth In Liberty s Nemesis Dean Reuter and John Yoo collect the brightest political minds in the country to expose this explosive unchecked growth of power in government agencies ranging from health care to climate change financial markets to immigration and more Many Americans have rightly shared the Founders fear of excessive lawmaking but Liberty s Nemesis is the first book to explain why the concentration of power in administrative agencies in particular is the greatest and most overlooked threat to our liberties today If we fail to curb it our constitutional republic might easily devolve into something akin to the statist governments of Europe President Obama s ongoing efforts to encourage just such a devolution and the problems his administration faces as a consequence present a critical opportunity to defend the original vision of the Constitution

Crime and Justice, Volume 42: Crime and Justice in America Michael Tonry, 2013-10-06 For the American criminal justice system 1975 was a watershed year Offender rehabilitation and individualized sentencing fell from favor The partisan politics of law and order took over Among the results four decades later are the world s harshest punishments and highest imprisonment rate Policymakers interest in what science could tell them plummeted just when scientific work on crime recidivism and the justice system began to blossom Some policy areas sentencing gun violence drugs youth violence became evidence free zones In others developmental crime prevention policing recidivism studies evidence mattered Crime and Justice in America 1975 2025 tells how policy and knowledge did and did not interact over time and charts prospects for the future What accounts for the timing of particular issues and research advances What did science

learn or reveal about crime and justice and how did that knowledge influence policy Where are we now and perhaps even more important where are we going The contributors to this volume the leading scholars in their fields bring unsurpassed breadth and depth of knowledge to bear in answering these questions They include Philip J Cook Francis T Cullen Jeffrey Fagan David Farrington Daniel S Nagin Peter Reuter Lawrence W Sherman and Franklin E Zimring For thirty five years the Crime and Justice series has provided a platform for the work of sociologists psychologists criminal lawyers justice scholars and political scientists as it explores the full range of issues concerning crime its causes and its remedies *How Law Knows* Martha Merrill Umphrey, 2007 The chapters in this book were originally prepared during the 2004 2005 academic year

Acknowledgments

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