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## The Second Amendment and the Future of Gun Regulation: Historical, Legal, Policy, and Cultural Perspectives

Editors' Foreword

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## SYMPOSIUM

# THE SECOND AMENDMENT AND THE FUTURE OF GUN REGULATION: HISTORICAL, LEGAL, POLICY, AND CULTURAL PERSPECTIVES

### *Editors' Foreword*

On April 13, 2004, Fordham University School of Law held a Symposium exploring the political and cultural dynamics in the debate over gun control. The Symposium, entitled *The Second Amendment and the Future of Gun Regulation: Historical, Legal, Policy, and Cultural Perspectives*, was co-hosted by the *Fordham Law Review*, the Second Amendment Research Center at the John Glenn Institute for Public Service and Public Policy, the Ohio State University, and Fordham University School of Law. The debate over the future of gun control polarizes lawmakers, sociologists, and policy makers. The Symposium brought together some of the leading academics who approach the debate from a variety of perspectives, and culminated in a keynote address by Professor Erwin Chemerinsky, who posed the question "If there were a constitutional convention now, would a provision like the Second Amendment remain?"<sup>1</sup>

Though the Second Amendment is not a new subject for academic analysis, the Symposium provided a unique interdisciplinary forum for panelists, both proponents and opponents of gun control regulation, to discuss the issue in a broader context.

There were four panels, each focusing on the gun control debate from a different perspective. The first panel focused on historical perspectives on the Second Amendment, with a particular emphasis on the history of gun control. The second panel addressed the legal perspectives on the Second Amendment, attempting to move beyond the traditional originalist arguments regarding the meaning of the Amendment, by focusing on the impact of social and political movements on the Supreme Court. The third panel looked at the Second Amendment from a public policy perspective, analyzing the current academic literature and proposing more nuanced methodological approaches to understanding the role of guns in

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1. Erwin Chemerinsky, *Putting the Gun Control Debate in Social Perspective*, 73 *Fordham L. Rev.* 477 (2004).

American society. The final panel analyzed the place of the Second Amendment in America's culture wars, with a novel treatment of the much-used but little analyzed example of the Nazi gun laws.

The *Fordham Law Review* is honored to publish the papers presented, in many cases revised and improved in light of the colloquies following each panel. Because of the breadth of the topics discussed, the accuracy of any data relied upon is based on each author's own examination of the data.

We would like to thank Dean William Michael Treanor for his continuous support of the *Fordham Law Review*; the Fordham Law School Office of Academic Programs, in particular Helen Herman and Darin Neely, for their help in the planning and administering of this Symposium; and the Fordham Law School Library Administration and Staff, for their assistance in the publication of this Symposium. We are grateful for the unwavering support of Professor James E. Fleming, whose service as Faculty Advisor to the *Law Review* is greatly appreciated.

Special thanks go to Professor Saul Cornell of the Second Amendment Research Center at the John Glenn Institute for Public Service and Public Policy, the Ohio State University, for conceiving of this Symposium, co-hosting it, and ensuring the participation and interest of such remarkable panelists.