

Substantial Disruption



America's Original Sin

By Mike Tully

Saturday, November 4th was a perfect day for a festival. The sky was clear and blue; the sun shone brightly; the temperature hovered around 80. The event, a gelato festival in the Tucson foothills, was the perfect curtain for a too-hot, too-long summer. Dozens of people representing several generations wandered about, happily sampling gelato in small cones and cups. A few well-behaved dogs mingled with the two-legged set. Then, a dark phrase crossed my mind like a cloud blocking the sun, an innocent sounding two-word phrase that summarizes America's Original Sin and the stain it leaves on us all: *soft target*.

The phrase "soft target" is generally [defined](#) as "a person or thing that is relatively unprotected or vulnerable, especially to military or terrorist attack." Examples of soft targets include "national monuments, hospitals, schools, sporting arenas, hotels, cultural centers, movie theaters, cafés and restaurants, places of worship, nightclubs, shopping centers, (and) transportation sites," according to *Wikipedia* – basically, "civilian sites where people congregate in large numbers." Like a gelato festival.

A week earlier, while I was attending a University of Arizona football game, I remembered that dark phrase. The football stadium uses tight screening and hires off-duty police officers and Sheriff's deputies for security and the definition of "soft target" might not apply. But it does apply to tailgaters, the dense mass of people working their way between dorms on their way to the game, and the members of the band and the players who engage in the "Wildcat Walk" before each game. All of those people are soft targets. I thought of that.

Sutherland Springs, Texas would be good place for a gelato festival or, more likely, an old-fashioned ice cream social. Founded by a physician who treated victims at the Alamo, Sutherland Springs is an unincorporated village in a bucolic setting not far from San Antonio. It's the kind of place that reflects two centuries of Americana. Quiet, away from the spotlight, it's the kind of place you wonder when you fly over it: who lives there? The answer: mostly white, Christian friends and neighbors, people who know each other's families, who help each other out, cut each other slack, and worship together in places like the First Baptist Church on 4th Street. A soft target.

The day after the gelato festival, a gunman killed at least 26 people in the First Baptist Church in Sutherland Springs. The definition needs to be expanded beyond "military or terrorist attack" to reflect the assailant who ravaged the church: the angry, simmering individual, roiled with internal demons, blind to his own humanity, and armed to the teeth – in other words, a uniquely American form of terror. Reporters and government officials advise us the Sutherland Springs killer [should never have been allowed](#) to purchase firearms, but was allowed to because of a clerical error. Despite his history of domestic abuse, animal cruelty, and [escaping from a mental health facility](#), nothing limited his ability to purchase and use semi-automatic, military-style weapons. "Somebody really dropped the ball," a former military prosecutor told CNN, and twenty-six angels somberly nodded in agreement.

America has been dropping the ball on firearms regulation for decades, as an invertebrate Congress fails to adopt even the most minor of remedies, such as background checks and banning bump stocks, despite widespread support for them. The reason is the Second Amendment, or rather, an absolutist interpretation of the Amendment by proponents like the National Rifle Association. Every time sensible solutions to address the scandal of American gun violence are proposed, the NRA and its fellow travelers scream “slippery slope” and use the Amendment to block them. Never mind that “slippery slope” is a classic logical fallacy; logic has nothing to do with it.

A logical reading of the Second Amendment would allow for restrictions on the kinds of weapons readily available to civilians, restrictions that would eliminate military-grade weapons as defined by projectile velocity, projectile size, frequency of fire and magazine capacity. It’s okay to own a rifle to hunt deer. But what if the rifle fires bullets that pass all the way through the deer and several trees behind the deer? Does that make sense? It’s okay to own a firearm for self-defense, but why is it okay if the firearm has a magazine capacity sufficient to wipe out, say, a church congregation? Why is that allowed? That kind of weaponry can be kept from civilians by an interpretation that says, while “the right of the people to keep and bear Arms, shall not be infringed,” nothing in the text addresses the *kinds* of arms they may keep and bear. The Amendment protects the right of citizens to possess what weapons are available; it does not include the right to determine what is available. The issue of what is legally available is best left to the government, not the individual. The Amendment speaks of a “well-regulated Militia.” A well-regulated militia chooses weapons for its members and hands them out. The members don’t choose their own weapons. A “supply side” interpretation of the Second Amendment would make our country safer.

As long as the absolutist definition reigns, any rational interpretation will be disregarded, and absolutism does not appear to be going away. The Second Amendment has become the troll under the American bridge, the shadow in the alleyway, the blood stain on the sidewalk, the unwelcome cloud in a sunny sky – the apprehension of a soft target. It is America’s Original Sin. Absent a rational interpretation, it is time to repeal it.