

THE TREE'S ACORNS AND THE GUN'S CLIPS: THE BATTLE BETWEEN GUN CONTROL
ADVOCATES AND THE CONSTITUTIONS OF THE UNITED STATES, IRELAND, AND
AUSTRALIA

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ABSTRACT

This Article operates under the central premise that the United States, Ireland, and Australia—each being former colonies of the United Kingdom—were at one point in time quite similar both in their law and culture. They were each “acorns” of the British “tree.” In light of the United States recent decision in *District of Columbia v. Heller*, just how far can it be said the acorns of the British tree have fallen? Scholars have extensively debated Justice Scalia’s originalist methodology in *Heller*. But relatively little has been written about the decision in the comparative constitutional law area. Comparing *Heller*’s impact on United States constitutionalism with the constitutional approaches to gun control in two of the United States’ closest common law cousins is intellectually useful. Doing so helps explain: a) the cultural and historical conditions giving rise to the *Heller* decision, and b) exactly where *Heller* places us on the global individual gun freedom spectrum. It is not until these inquiries are answered that the full meaning of *Heller* can begin to be appreciated.