

## Essay

# A Great American Gun Myth: Race and the Naming of the “Saturday Night Special”

Jennifer L. Behrens<sup>†</sup> and Joseph Blocher<sup>††</sup>

## INTRODUCTION

In the spring of 1976, city planner-turned-think tank-consultant Barry Bruce-Briggs published an essay in *The Public Interest* called “The Great American Gun War.”<sup>1</sup> The essay would go on to be reproduced in multiple anthologies about the gun debate,<sup>2</sup> and was resold in pamphlet form by the Second Amendment Foundation, the National Shooting Sports Foundation, and the National Rifle Association’s Institute for Legislative Action.<sup>3</sup>

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<sup>†</sup> Associate Director for Administration & Scholarship and Senior Lecturing Fellow, Duke Law School, J. Michael Goodson Law Library (behrens@law.duke.edu).

<sup>††</sup> Lanty L. Smith ’67 Professor of Law, Duke Law School (blocher@law.duke.edu).

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1. B. Bruce-Briggs, *The Great American Gun War*, PUB. INT., Fall 1976, at 37.

2. See, e.g., THE ISSUE OF GUN CONTROL 8 (Thomas Draper ed., 1981); TAKING SIDES: CLASHING VIEWS ON CONTROVERSIAL POLITICAL ISSUES 190 (George McKenna & Stanley Feingold eds., 3d ed. 1983); THE GUN CONTROL DEBATE: YOU DECIDE 63 (Lee Nisbet ed., 1990); THE GUN CONTROL DEBATE: YOU DECIDE 55 (Lee Nisbet ed., 2d ed. 2001). McKenna & Feingold omit the section on “Saturday Night Special”; the other sources reprint the essay in full.

3. See B. BRUCE-BRIGGS, THE GREAT AMERICAN GUN WAR (Second Amendment Foundation Monograph Series, n.d.); B. BRUCE-BRIGGS, THE GREAT AMERICAN GUN WAR (Nat’l Shooting Sports Foundation, n.d.); B. BRUCE-BRIGGS, THE GREAT AMERICAN GUN WAR (Institute for Legislative Action 1979, 1983, 1987) (1987 edition available at <https://archive.org/details/greatamerican-gun00bruc> [<https://perma.cc/Q5AE-D3JB>] [*hereinafter* BRUCE-BRIGGS NRA REPRINT]). Although these pamphlets do not all include explicit publication dates,

Perhaps the most provocative and influential claim in Bruce-Briggs's essay involves the allegedly racist origins of the phrase "Saturday Night Special"—a class of inexpensive, easily-concealable handguns that were the frequent subject of debate and regulation in the late 1960s. After describing then-current federal legislative efforts to block the domestic manufacturing of this murky-defined category of firearms, Bruce-Briggs asserted: "It is difficult to escape the conclusion that the 'Saturday night special' is emphasized because it is cheap and it is being sold to a particular class of people. The name is sufficient evidence – the reference is to '[n\_\_er]-town Saturday night.'"<sup>4</sup>

The latter part of Bruce-Briggs's claim—that "Saturday Night Special" derives from a term including an odious racial slur—has been widely cited, often by opponents of gun regulation who point to it as evidence that gun control is racist. It appears in *amicus curiae* briefs to the U.S. Supreme Court in seminal Second Amendment cases like *District of Columbia v. Heller*<sup>5</sup> and *New York State Rifle & Pistol Association v. Bruen*,<sup>6</sup> as well as in briefs to other federal and state appellate courts.<sup>7</sup> The NRA's Institute for Legislative Action website continues to quote and cite this etymology on its fact sheet about handguns.<sup>8</sup> Scholars have repeated the assertion in numerous books and articles; usually attributing the point directly to Bruce-Briggs,

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library catalog records and other indicators suggest that various groups sold reprints of Bruce-Briggs's article for more than a decade after its publication.

4. Bruce-Briggs, *supra* note 1, at 50. We have opted not to reproduce the epithet in full.

5. 554 U.S. 570 (2008).

6. 142 S. Ct. 2111 (2022).

7. *See, e.g.*, Brief of the Black Attorneys of Legal Aid et al. as Amici Curiae in Support of Petitioners at 11, *N.Y. State Rifle & Pistol Ass'n v. Bruen*, 142 S. Ct. 2111 (2022) (No. 20-843); Brief of Amicus Curiae of Congress of Racial Equality, Inc. in Support of Plaintiffs-Appellants at 26, *Peruta v. County of San Diego*, 824 F.3d 919 (9th Cir. 2016) (No. 10-56971); Brief of Amicus Curiae Congress of Racial Equality in Support of Respondent at 24–25, *District of Columbia v. Heller*, 554 U.S. 570 (2008) (No. 07-290); Brief for GeorgiaCarry.org, Inc. as Amicus Curiae Supporting Respondent at 32, *District of Columbia v. Heller*, 554 U.S. 570 (2008) (No. 07-290); Brief of Amicus Curiae Congress of Racial Equality in Support of Dr. Timothy Joe Emerson at 19–20, *United States v. Emerson*, 281 F.3d 1281 (5th Cir. 2001) (No. 99-10331); Brief of Amicus Curiae The Congress of Racial Equality, Inc. at 21, *Arnold v. City of Cleveland*, 616 N.E.2d 163 (Ohio 1992) (No. 92-105).

8. *Handguns*, NRA – INST. FOR LEGIS. ACTION (Aug. 8, 2016), <https://www.nraila.org/get-the-facts/handguns> [<https://perma.cc/9LZ6-W5RS>].

though sometimes to subsequent authors who relied on his original claim.<sup>9</sup> The point has been repeated enough in later publications that it is possible to assemble a string citation of multiple supporting sources, which upon closer examination all relied on Bruce-Briggs's article.<sup>10</sup>

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9. For a sample of citations in chronological order, see Don Kates, *Toward a History of Handgun Prohibitions in the United States*, in *RESTRICTING HANDGUNS: THE LIBERAL SKEPTICS SPEAK OUT* 25 (1979); William R. Tonso, *Gun Control: White Men's Law*, *REASON*, Dec. 1985, at 22, 23; Stefan B. Tahmassebi, *Gun Control and Racism*, 2 *GEO. MASON CIV. RTS. L.J.* 67, 80 (1991); GARY KLECK, *POINT BLANK: GUNS AND VIOLENCE IN AMERICA* 89 (1991); DAVID KOPEL, *THE SAMURAI, THE MOUNTIE, AND THE COWBOY* 336 (1992); T. Markus Funk, Book Review, *Is the True Meaning of the Second Amendment Really Such a Riddle? Tracing the Historical "Origins of an Anglo-American Right,"* 39 *HOW. L.J.* 411, 418 n.20 (1995); T. Markus Funk, Comment, *Gun Control and Economic Discrimination: The Melting-Point Case-in-Point*, 85 *J. CRIM. L. & CRIMINOLOGY* 764, 800 (1995); Daniel D. Polsby & Don B. Kates, Jr., *Of Holocausts and Gun Control*, 75 *WASH. U. L.Q.* 1237, 1267 n.93 (1997); Joseph E. Olson & David B. Kopel, *All the Way Down the Slippery Slope: Gun Prohibition in England and Some Lessons for Civil Liberties in America*, 22 *HAMLIN L. REV.* 399, 405–06 (1999); David C. Williams, *Constitutional Tales of Violence: Populists, Outgroups, and the Multicultural Landscape of the Second Amendment*, 74 *TUL. L. REV.* 387, 448 (1999); David T. Beito & Linda Royster Beito, *Blacks, Gun Cultures, and Gun Control: T.R.M. Howard, Armed Self-Defense, and the Struggle for Civil Rights in Mississippi*, 17 *J. FIREARMS & PUB. POL'Y* 133, 137 (2005); DAVID T. BEITO & LINDA ROYSTER BEITO, *T.R.M. HOWARD: DOCTOR, ENTREPRENEUR, CIVIL RIGHTS PIONEER* 116 (2018); *FIREARMS LAW AND THE SECOND AMENDMENT: REGULATION, RIGHTS, AND POLICY* 1437, 1445 (Nicholas J. Johnson et al. eds., 2021).

For sources that either do not attribute the assertion or that cite to an intermediate source which originally relied on Bruce-Briggs, see WILLIAM R. TONSO, *GUN AND SOCIETY: THE SOCIAL AND EXISTENTIAL ROOTS OF THE AMERICAN ATTACHMENT TO FIREARMS* 257 (1982); Terence Moran, *Racism and the Firearms Firestorm*, *LEGAL TIMES*, May 20, 1991, at 10; Nicholas J. Johnson, *Shots Across No Man's Land: A Response to Handgun Control, Inc.'s, Richard Aborn*, 22 *FORDHAM URB. L.J.* 441, 442 n.3 (1995); EARL R. KRUSCHKE, *GUN CONTROL: A REFERENCE HANDBOOK* 26 (1995); GREGG LEE CARTER, *THE GUN CONTROL MOVEMENT* 123 n.8 (1997); Nicholas J. Johnson, *Principles and Passions: The Intersection of Abortion and Gun Rights*, 50 *RUTGERS L. REV.* 97, 134 n.163 (1997); Gary Rosen, *Yes and No to Gun Control*, *COMMENTARY*, Sept. 2000, at 47, 51; J. Baxter Stegall, Comment, *The Curse of Ham: Disarmament Through Discrimination – The Necessity of Applying Strict Scrutiny to Second Amendment Issues in Order to Prevent Racial Discrimination by States and Localities Through Gun Control Laws*, 11 *LIBERTY UNIV. L. REV.* 271, 312 (2016); Alicia L. Granse, Note, *Gun Control and the Color of the Law*, 37 *L. & INEQ.* 387, 409 n. 126 (2019) (noting undetermined origins of the phrase); JONATHAN GOLDBERG-HILLER, *LAW BY NIGHT* 73 (2023).

10. See, e.g., William F. Roberts, *Non-Discretionary Concealed Carry Legislation and Violent Crime: A Re-Analysis of the John R. Lott Jr. Data Set* 36

What, though, is the basis for the claim that “the reference is to [n\_\_er]-town Saturday night”? Bruce-Briggs’s essay includes no support for this, nor for most of its other claims—not unusual for a publication striving for readability in its coverage of the era’s pressing policy debates,<sup>11</sup> but frustrating for subsequent scholars attempting to determine the veracity of the statement. And the accuracy of the origin story matters, given how many advocates and scholars have invoked it, and how much Second Amendment doctrine has been shaped by historical claims.

This is especially true because the briefing<sup>12</sup> and scholarship<sup>13</sup> surrounding the Supreme Court’s recent Second Amendment decision in *Bruen*—which struck down a New York law regarding concealed carry of handguns—focused significantly on whether and how gun laws are tainted by a racist history. As Second Amendment litigation—now governed by *Bruen*’s heavily historical doctrinal approach—pivots to other forms of regulation, the connection between gun regulation and historical racism will undoubtedly continue to be a central focus of advocacy and scholarship. Given that the Supreme Court’s own historical fact-finding comes largely from amicus briefing,<sup>14</sup> where Bruce-

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(2003) (M.S. thesis, University of Texas at San Antonio), <https://apps.dtic.mil/sti/citations/ADA418933> [<https://perma.cc/CHB7-5C77>] (citing five sources for the propositions, all of which ultimately relied on Bruce-Briggs).

11. See Daniel Bell & Irving Kristol, *What is the Public Interest?*, PUB. INT., Fall 1965, at 3, 4 (noting the editors’ goal “to make *The Public Interest* as lively, as readable, and as controversial as possible” while including “the occasional ‘dull’ article that merely reports the truth[.]”).

12. See, e.g., Brief for Petitioners at 2, 10–13, *N.Y. State Rifle & Pistol Ass’n v. Bruen*, 142 S. Ct. 2111 (2022) (No. 20-843); Brief for Amicus Curiae National African American Gun Ass’n, Inc. in Support of Petitioners at 2–11, *N.Y. State Rifle & Pistol Ass’n v. Bruen*, 142 S. Ct. 2111 (2022) (No. 20-843). See also, *supra* note 7 and briefs cited therein.

13. See, e.g., Justin Aimonetti & Christian Talley, Essay, *Race, Ramos, and the Second Amendment Standard of Review*, 107 VA. L. REV. ONLINE 193 (2021); Joseph Blocher & Reva B. Siegel, *Race and Guns, Courts and Democracy*, 135 HARV. L. REV. F. 449, 462 (2022); Patrick J. Charles, *Racist History and the Second Amendment: A Critical Commentary*, 43 CARDOZO L. REV. 1343 (2022); Adam Winkler, *Racist Gun Laws and the Second Amendment*, 135 HARV. L. REV. F. 537 (2022).

14. See, e.g., Brianne J. Gorod, *The Adversarial Myth: Appellate Extra-Record Factfinding*, 61 DUKE L.J. 1 (2011); Allison Orr Larsen, *The Trouble with Amicus Facts*, 100 VA. L. REV. 1757 (2014).

Briggs's claimed etymology is already prevalent, it is not hard to imagine it soon appearing in the *U.S. Reports*.

This Essay reviews the historical record, including dictionaries, newspapers, and other sources, in an effort to trace the origin and development of the phrase "Saturday night special" as it relates to firearms. We find no evidence to support Bruce-Briggs's specific and oft-cited claim linking the phrase to a racial epithet, with the closest roots coming from statements made in the legislative history of the Gun Control Act of 1968. The commonality of the claim in scholarship and advocacy seems to be a cascade effect, all traceable to Bruce-Briggs's unsupported assertion—a cautionary tale at a time when the Supreme Court is increasingly building constitutional doctrine on contested historical claims.

Moreover, as we show, there is a plausible alternative origin of the nickname as it related to cheap firearms: It stemmed from the turn of the century, when the term "Saturday night special" was already in common usage with connotations of cheapness and convenience. Given the historical support for this etymology, and the lack of support for the version rooted in a racial epithet, scholars and advocates should stop invoking the latter.

To be clear, our goal in this Article is to investigate a particular, influential claim about racism and gun regulation. We do not suggest that gun regulation efforts can or should be separated from questions of racial justice, nor that the history is untainted by racism. But these important issues are difficult and nuanced enough without treating an apparently apocryphal racial epithet as a historical fact.

#### I. BRUCE-BRIGGS'S CONTRIBUTION, AND EXISTING ACCOUNTS

The man behind so many footnotes was Barry Bruce-Briggs, who at the time of the article's publication was a consultant with the Hudson Institute, a conservative think tank founded in 1961 by Herman Kahn. The contributor list to *The Public Interest* provided only a brief author biography: "B. BRUCE-BRIGGS is with the Hudson Institute. He is not a member of the National Rifle Association."<sup>15</sup> The NRA's reprint similarly emphasized the author's independence, calling him "an historian and policy

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15. *Contributors*, PUB. INT., Fall 1976, at 135.

analyst” and noting on the title page that “Mr. Bruce-Briggs’ comments should not be misconstrued as the views of the National Rifle Association.”<sup>16</sup> The verso added, “Mr. Bruce-Briggs does not own firearms, nor does he belong to the National Rifle Association or any other gun-owners’ association.”<sup>17</sup>

With degrees in industrial administration and European history from Union College and Temple, Bruce-Briggs worked as a city planner in Philadelphia before joining the staff of the Hudson Institute from 1969 to 1974, where he co-authored the futurist tome *Things to Come: Thinking about the Seventies and Eighties* with Institute founder Herman Kahn.<sup>18</sup> After brief stints at the Rockefeller Commission on Critical Choices for Americans and the Smith Richardson Foundation, he had rejoined the Hudson Institute as a “Resident Consultant” by mid-1976, when he testified before the Senate to present findings from a paper on economic growth and quality of life.<sup>19</sup> “The Great American Gun War” was the fourth of five essays that he published in *The Public Interest* between 1973 and 1977, all on disparate policy topics.<sup>20</sup>

In “The Great American Gun War,” Bruce-Briggs summarized the history and politics of firearms regulation, sorting the debate into the “interdictionist” gun control advocates and the “organized gun owners” who had been labeled “the ‘gun lobby’ [...] by a hostile media.”<sup>21</sup> He reviewed poll data of the time, dismissing most surveys that illustrated the purported dangers of

16. BRUCE-BRIGGS NRA REPRINT, *supra* note 3.

17. *Id.*

18. *Choosing Our Environment: Can We Anticipate the Future? Part 2: The Future of Growth and the Environment and Quality of Life and the Environment: Hearings Before the Panel on Environmental Science and Technology of the Subcomm. on Environmental Pollution of the S. Comm. on Public Works*, 94th Cong. 334 (1976) (biographical information of Barry Bruce-Briggs, resident consultant at the Hudson Institute).

19. *Id.*

20. See B. Bruce-Briggs, *The Cost of Housing*, PUB. INT., Summer 1973, at 34; B. Bruce-Briggs, *Gasoline Prices and the Suburban Way of Life*, PUB. INT., Fall 1974, at 134; B. Bruce-Briggs, *Mass Transportation and Minority Transportation*, PUB. INT., Summer 1975, at 43. He would contribute one final piece after “Gun War,” a polemic against government-sponsored childcare. See B. Bruce-Briggs, “Child Care”: *The Fiscal Time Bomb*, PUB. INT., Fall 1977, at 87.

21. Bruce-Briggs, *supra* note 1, at 38.

gun ownership as “ingeniously specious.”<sup>22</sup> He examined state and federal efforts to regulate firearms, concluding that most legislative schemes to restrict gun ownership were of limited or questionable utility.<sup>23</sup>

As an offshoot of the federal regulation section, Bruce-Briggs turned his attention to the Saturday Night Special, a class of firearms under renewed attention for prohibition by Congress at the time. His provocative claim about the term’s allegedly racist origins appeared in this section of the essay, without citation or explanation.

One source consulted might have been journalist Robert Sherrill, whose 1973 book *The Saturday Night Special* expanded upon his 1971 article in *The New York Times Magazine*.<sup>24</sup> Neither of Sherrill’s publications used the specific racial epithet suggested by Bruce-Briggs and cited by many others. Sherrill did, like Bruce-Briggs, speculate about racist intent underlying attempts to regulate this particular class of weapons.<sup>25</sup> But as for the nickname “Saturday Night Special,” Sherrill’s article (and eventual book) traced the origins to 1960s Detroit:

Over the years it has picked up a multitude of nicknames – “Murder Special,” “Suicide Special,” “7-to-11.” The present nickname, though it sounds antique, has been around only since the early nineteen-sixties, and its place of birth was – fittingly – Detroit. Mischievous Detroiters who could not buy guns near home would simply tool down to Toledo, less than an hour away, where guns were sold out of candy stores, flower shops, filling stations – anywhere. Since a great many of these purchases were made to satisfy the passions of Saturday night, Detroit lawmen began to refer to the weapons as Saturday Night Specials.<sup>26</sup>

Sherrill’s book hewed closely to the earlier article’s origin story for “Saturday Night Special,” although the possible window of time expanded to include the late 1950s:

Though it has something of a Gay Nineties ring to it, the term “Saturday Night Special” has actually been around for only a few years.

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22. *Id.* at 39. One particularly illustrative example is his dismissal of studies that included data on domestic homicides and accidental shootings as a societal consequence of gun ownership: “The great majority of these killings are among poor, restless, alcoholic, troubled people, usually with long criminal records. Applying the domestic homicide rate of these people to the presumably upstanding citizens whom they prey upon is seriously misleading.” *Id.* at 40.

23. *Id.*

24. Robert Sherrill, *The Saturday Night Special and Other Hardware*, N.Y. TIMES MAG., Oct. 10, 1971, at 15.

25. See *infra* notes 34–36 and accompanying text.

26. Sherrill, *supra* note 24, at 46.

Fittingly, its place of birth was Detroit . . . Not that Detroit is the easiest place to buy a gun; it's just that a determined Detroiter won't be stopped when he wants one. So it was that in the late 1950s and early 1960s, when mischievous residents of Detroit could not get their hands on guns in their hometown, they would simply hop in their cars and tool down to Toledo, Ohio, less than an hour away, where guns were sold in candy stores, flower shops, filling stations, shoeshine stands, anywhere at all. Since a great many of these purchases were made to satisfy the passions of Saturday night, Detroit lawmen began to refer to the weapons as Saturday Night Specials. And thus the language of Americana was enriched.<sup>27</sup>

Sherrill almost surely sourced this etymology from the legislative history of the Gun Control Act of 1968.<sup>28</sup> At a 1967 Senate hearing, Wayne County, Michigan prosecutor William L. Cahalan described the term “Saturday night special” as local slang from the Detroit area, in response to the committee chairman’s request for a definition:

That’s the jargon of our locality, a colloquialism, I would say. That is a cheap gun that is purchased in Toledo. We assume that it is purchased in Toledo because most handguns that are sold in Michigan are a quality gun. The Saturday night specials are for someone who wants to do a little job on Saturday night. He goes down to Toledo and buys the pistol. And as you know, of course, most holdups take place on Saturday night, so we have referred to them as Saturday night specials.<sup>29</sup>

Cahalan’s perspective proved influential in Congress, which also reproduced a portion of his written testimony in its 1968 Senate report.<sup>30</sup> Cahalan also served as a source for Sherrill’s *New York Times Magazine* story, providing a quote on the

27. ROBERT SHERRILL, *THE SATURDAY NIGHT SPECIAL AND OTHER GUNS WITH WHICH AMERICANS WON THE WEST, PROTECTED BOOTLEG FRANCHISES, SLEW WILDLIFE, ROBBED COUNTLESS BANKS, SHOT HUSBANDS PURPOSELY AND BY MISTAKE, AND KILLED PRESIDENTS –TOGETHER WITH THE DEBATE OVER CONTINUING SAME* 98 (1973). Sherrill’s book was a finalist for the 1974 National Book Award in Contemporary Affairs. See *1974 Winners*, NAT’L BOOK FOUND., <https://www.nationalbook.org/awards-prizes/national-book-awards-1974> [<https://perma.cc/2XWX-BYYR>].

28. Pub. L. No. 90-618, 82 Stat. 1213 (codified as amended at 18 U.S.C. §§ 921-928 (2018) and in scattered sections of 26 U.S.C. (2018)).

29. *Federal Firearms Act: Hearings Before the Subcomm. To Investigate Juvenile Delinquency of the S. Comm. on the Judiciary*, 90th Cong. 404 (1967) (statement of William L. Cahalan, prosecuting att’y, Wayne Cnty., Mich.).

30. S. REP. NO. 90-1097, at 190 (1968) (“[L]aw enforcement in this area has been largely circumvented by those who can leave the City of Detroit and drive to Toledo, Ohio, where handguns may be purchased in various kinds of business establishments merely by making the purchase and giving the seller a name and address. No other requirement is imposed upon the purchaser.”).



heightened deadliness of the unreliable Saturday Night Special's rifling.<sup>31</sup>

Other lawmakers and witnesses also highlighted the Toledo-to-Detroit cheap-handgun pipeline, with one representative calling the Ohio city “the unofficial armory for Detroit’s gun-toting citizens, where gun controls are nonexistent and firearms are sold at everything from local drugstores to sleazy hamburger stands.”<sup>32</sup> Prior congressional hearings had reprinted a study by the Detroit Police Department on Toledo gun dealers’ activities and their impact on Wayne County.<sup>33</sup>

Neither Sherrill’s article nor his book included the racial epithet published by Bruce-Briggs a few years later. However, Sherrill’s book did introduce his own etymology section by calling the Saturday Night Special a “low-caste gun [...] the [n\_\_er], the white trash, the untouchable of gundom.”<sup>34</sup> Elsewhere in the book, Sherrill explicitly attributed racial motivations to legislative efforts to restrict the cheap category of firearms, opining that the Gun Control Act of 1968 was “passed not to control guns but to control Blacks.”<sup>35</sup> Much like Bruce-Briggs’s provocative claim of the origins of the term “Saturday Night Special,” Sherrill’s assertion of racial animus behind the 1960s-era legislation has been repeated frequently in the literature, though it, too, was unaccompanied by supporting evidence.<sup>36</sup>

Subsequent scholars built upon Sherrill’s and Bruce-Briggs’s foundations, further connecting the “Saturday Night Special” nickname to racial connotations. *New Yorker* staff writer Jervis Anderson expanded upon Sherrill’s history in 1984, adding, “Because it costs so little and is widely used in certain urban black neighborhoods – where it has been known to take more lives than illness and auto accidents combined – the cheap snubby is also called a ghetto gun.”<sup>37</sup> In 1992, David Kopel extrapolated from Bruce-Briggs that “[t]he very phrase ‘Saturday

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31. Sherrill, *supra* note 24, at 48.

32. 114 CONG. REC. 21,812 (1968) (statement of Rep. Frederick Schwengel).

33. Detroit Police Dep’t, Interoffice Memorandum re: Gun Activity in Toledo, Ohio (Jan. 9, 1967), reprinted in *Anti-Crime Program: Hearings before Subcomm. No. 5 of the H. Comm. On the Judiciary*, 90<sup>th</sup> Cong. 868–71 (1967).

34. SHERRILL, *supra* note 27, at 98.

35. *Id.* at 280.

36. See PATRICK CHARLES, VOTE GUN: HOW GUN RIGHTS BECAME POLITICIZED IN THE UNITED STATES 389 n.99 (2023).

37. JERVIS ANDERSON, GUNS IN AMERICAN LIFE 80–82 (1984).

night special' may derive from a combination of 'suicide special' and '[n\_\_er]town Saturday night'."<sup>38</sup>

A few other authors have attempted to unpack the history of the phrase "Saturday Night Special" as it relates to guns, or at least have acknowledged the paucity of evidence for Bruce-Briggs's assertion. Bestselling author Susan Orlean hedged in a chapter of her 1990 essay collection *Saturday Night* that, "Different sources claim to have come up with the name ['Saturday Night Special'], but credit is generally given to the residents of Detroit, who supposedly coined it in the late 1950s or early 1960s."<sup>39</sup> In 1994, Clayton E. Cramer consulted the *Oxford English Dictionary* and various slang dictionaries in an attempt to verify Bruce-Briggs's stated origins from the phrase "[n\_\_er]-town Saturday night." Although somewhat persuaded by an acquaintance's personal recollections of hearing the expression in use *circa* 1968, Cramer ultimately declared the results of his investigation inconclusive and noted that while Bruce-Briggs's statement seemed plausible, "this does not necessarily mean that it is etymologically correct, and this topic is in need of further research."<sup>40</sup> Most subsequent citing references, though, have simply repeated the Bruce-Briggs origin story uncritically, without an attempt to examine its veracity.

## II. AN ALTERNATIVE HISTORY

Lexicography experts caution about the difficulties inherent in tracing the usage and evolution of slang words and phrases.<sup>41</sup> Linguist Anatoly Liberman has been quoted as saying, "Everything in etymology is conjecture and reconstruction."<sup>42</sup> However, one point is absolutely certain: Documented usage of the phrase "Saturday Night Special" in relation to firearms long predates the debates surrounding the Gun Control Act of 1968, or even

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38. KOPEL, *supra* note 9, at 336. As the endnote to this point elaborated, "suicide special" was the nickname for a type of small and inexpensive revolver manufactured until the late 1800s. *Id.* at 367 n.220.

39. SUSAN ORLEAN, *SATURDAY NIGHT* 101 (1990).

40. CLAYTON E. CRAMER, *FOR THE DEFENSE OF THEMSELVES AND THE STATE: THE ORIGINAL INTENT AND JUDICIAL INTERPRETATION OF THE RIGHT TO KEEP AND BEAR ARMS* 113 (1994).

41. See Julie Coleman, *Slang Dictionaries*, in *THE OXFORD HANDBOOK OF LEXICOGRAPHY* 325, 325 (Philip Durkin ed., 2016).

42. KORY STAMPER, *WORD BY WORD: THE SECRET LIFE OF DICTIONARIES* 173 (2017).

the 1950s Detroit origin story discussed by Sherrill. These usages—as well as the use of “Saturday Night Special” to refer to other goods and services—share general themes of cheapness and convenience. The particular racist etymology advanced by Bruce-Briggs is completely absent, until the 1976 publication of his own article.

In fact, one of the earliest known references to a “Saturday Night Special” firearm appeared in a Kansas newspaper in 1917, a full half-century before the introduction of the Gun Control Act of 1968:

Special Officer Vaughn this morning arrested two young men giving the names of Ed Norville and Kelly Tipton at the fair grounds for gambling. They were caught shooting craps at the park with a paid [*sic*] of ‘loaded’ dice. When searched young Norville was found to be carrying a ‘Saturday Night Special,’ or *in other words a cheap revolver*. They are being held for trial in the court of Coffeyville. Both claim to hail from Oklahoma.<sup>43</sup>

Four years later, an Arkansas newspaper reported on the Saturday-night arrest of a Black man for carrying a .32 special pistol, “known among the policemen as a ‘Saturday Night Special.’”<sup>44</sup> In 1925, taxi driver Ira Lewis was murdered with “a ‘Saturday Night Special’ .32 caliber pistol,” in an unsolved case that rattled San Antonio residents.<sup>45</sup> In 1947, a Louisiana woman landed in parish prison for shooting her husband in the arm “with a small caliber ‘Saturday Night Special’ pistol following an argument.”<sup>46</sup> In 1949, an Oklahoma man “whipped out a ‘Saturday Night Special’ .32 caliber pistol” to shoot out the clock in a local grocery store.<sup>47</sup>

The variant phrase “Saturday-night pistol” also appeared in newspapers and dictionaries around this time. The 1929 dictionary *Underworld Slang* defined it as simply a “.25 automatic.”<sup>48</sup> A 1915 Arkansas paper reported on the arraignment of a Black man, fined \$50 for the charge of carrying a pistol the previous

43. *Had “Crooked” Dice*, COFFEYVILLE DAILY J. (Kan.), Sept. 29, 1917, at 1 (emphasis added).

44. *Negro Arrested for Carrying Pistol*, JONESBORO DAILY TRIB. (Ark.), Apr. 26, 1921, at 2.

45. Sam Woolford, *Speedometer Holds Clue in Death*, SAN ANTONIO LIGHT, Feb. 15, 1925, at 7.

46. *Shoots Husband*, MONROE NEWS-STAR (La.), Dec. 22, 1947, at 8.

47. *Clock Target for Marietta Man’s Pistol*, DAILY ARDMOREITE (Okla.), Aug. 24, 1949, at 1.

48. MERLE AVERY GILL, UNDERWORLD SLANG 11 (1929).

weekend: “Russell is alleged to have raised a ‘rough house’ at a negro resort on Washington avenue with a big ‘Saturday night’ pistol.”<sup>49</sup> A 1934 interview with former neighbors of Clyde Barrow, published the day after he and Bonnie Parker died in a hail of bullets, recounted the late gangster’s first robbery as a “wild-eyed kid” in Houston: “Clyde used a ‘Saturday night pistol’ that was broken and wouldn’t shoot.”<sup>50</sup> In 1937, Kansas police confiscated “a small, 22 calibre ‘Saturday night pistol’” from a Chinese teenager arrested with a friend while riding the rails from their homes in Iowa, adding that “[t]he gun will be returned [...] upon directions of the chief of police in Des Moines.”<sup>51</sup>

While calibers varied depending upon the report, cheapness and unreliability tended to be recurring themes in the earlier usage of “Saturday Night Special” and “Saturday-night pistol” to mean firearms. In a 1951 Texas report on the arrest of three armed men, “Sheriff Jeffries defines a ‘Saturday night special’ pistol as ‘one that is so old and worn out it wouldn’t shoot but once a year, and that time would be when some joker was mad at his brother or his best friends, and the durn pistol goes off then and kills somebody.’”<sup>52</sup>

Of course, as noted by Sherrill and others, cheap and unreliable firearms have been known by many nicknames over the years. Likely the earliest ancestor to the modern Saturday Night Special in the United States was the “saloon pistol,” for which Smith & Wesson received a patent in 1854 improving upon a gun of French invention.<sup>53</sup> The name derived not from the barrooms where patrons might spend a rowdy Saturday night but rather from the French *salon*; the gun was interchangeably called a “salon pistol” or “parlor pistol.”<sup>54</sup> Other nicknames included “muff pistol” or “lady’s pistol,” all denoting “any very light small-caliber pistol which in theory could be shot indoors safely.”<sup>55</sup> Many

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49. ‘Gun Toter’ Fined \$50, ARK. DEMOCRAT, Apr. 19, 1915, at 3.

50. Barrow Was Cruel as Boy, N.Y. TIMES, May 24, 1934, at 3.

51. To [sic] Boys are Released, MANHATTAN MERCURY (Kan.), Aug. 18, 1937, at 7.

52. Confusing Brawl but Nobody Gets Hurt, BELTON J. (Tex.), Sept. 27, 1951, at 1.

53. U.S. Patent No. 10,535 (issued Feb. 14, 1854).

54. See CHARLES EDWARD CHAPEL, THE GUN COLLECTOR’S HANDBOOK OF VALUES 324 (1958).

55. *Id.*

dismissed this class of firearm as “little more than a dangerous toy.”<sup>56</sup>

By 1908, *Forest & Stream* magazine noted that the term “saloon pistol” had “ceased to be familiar,” in favor of the many other nicknames for this class of firearm.<sup>57</sup> By the 1910s and 1920s, the phrases “Saturday-night pistol” and “Saturday Night Special” began to appear in print related to this category of small firearms. Other “special” designations for handguns soon entered the lexicon. In 1927, Colt launched a small revolver with a 2-inch barrel that it dubbed the “Detective Special,” for its primary market of law enforcement; a similar snub-nosed gun for consumers called the “Bankers Special” came the following year.<sup>58</sup> The coinage of “suicide special,” referring to a category of inexpensive pocket revolvers from the late 19<sup>th</sup> century, is generally dated to a 1948 article in the NRA’s *American Rifleman* magazine.<sup>59</sup>

As for the origins of the specific phrase “Saturday Night Special,” full-text historical newspaper databases show that by late 1969 it was primarily used to refer to firearms. Before that, though, the phrase was used more commonly to describe several other concepts, all of which appear to be generally race-neutral.

In the late 1800s, “Saturday Night Special” often referred to weekend passenger train schedules. Sometimes these involved overnight weekend trains, such as the seasonal route under consideration in 1889 between Sioux City, Iowa, and the summer resort town of Storm Lake, “to leave Sioux City at a convenient hour Saturday night and return at a reasonable hour for business engagements Monday morning.”<sup>60</sup> In some locales, the “husband’s trains” that brought city workers back to their waiting

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56. WILLIAM BATHURST WOODMAN & CHARLES MEYMOTT TIDY, A HANDY-BOOK OF FORENSIC MEDICINE AND TOXICOLOGY 1094 (1877). *See also* WALTER WINANS, THE ART OF REVOLVER SHOOTING 174 (1911) (describing the .22-caliber saloon pistol as “only a toy [...] not worth practising with. For ladies, however, it is well suited[.]”).

57. *The Olympic Bisley*, FOREST & STREAM, July 25, 1908, at 122.

58. Joseph Albright, *Two Short Guns Vie for Pocket Space*, reprinted in *Handgun Control Legislation: Hearings Before the S. Subcomm. on Criminal Law of the Comm. on the Judiciary*, 97th Cong. 122 (1982).

59. *See* Duncan McConnell, *Suicide Specials*, AMER. RIFLEMAN, Feb. 1948, at 36.

60. *A Saturday Night Special Train to Storm Lake*, SIOUX CITY J. (Iowa), Apr. 13, 1889, at 6.

wives for the weekend were also Saturday night special routes.<sup>61</sup> Often, though, the Saturday Night Special involved an additional weekend schedule to and from a downtown entertainment district. In turn-of-the-century Minneapolis, the “Saturday night special” ran from the shoreline of Lake Minnetonka to the theater district, with combination fares available to cover the rail passage and a box seat at the Bijou or Grand Opera House.<sup>62</sup> Describing the success of a similar theater train route in Spokane, one trade publication noted that “[t]hese results are in line with the experience of other interurban roads all over the country who have found it profitable to run special cars at night to accommodate patrons in the outlying districts.”<sup>63</sup> This phrase would have been in wide use at the time “Saturday Night Special” first emerged in reference to guns, and does not appear to be a racially-loaded term.<sup>64</sup>

At the turn of the 20<sup>th</sup> century, American newspapers were also frequently plastered with advertisements for “Saturday Night Special” sales at department stores and other retailers, particularly in the weeks leading up to the winter holiday season. Trade publications described the marketing tactic’s success at drawing a crowd of customers with a simple deal on toasters.<sup>65</sup> Brooklyn’s T.K. Horton & Co. offered “Saturday night specials” from 5:00 to 10:00 p.m. in 1890, featuring steep discounts on capes and corsets.<sup>66</sup> In 1898, Topeka’s Crosby Bros. noted “A little money goes a long ways at our Saturday night special sales” from 7:30 to 9:30 p.m., highlighting sales on clothing and housewares.<sup>67</sup> The Bee Hive in Wilkes-Barre began a Saturday Night Special sale series in October 1909 until the holidays, promising shoppers “the greatest value for your nine cents than

61. See ANN ARBOR ARGUS ALMANAC FOR THE YEAR 1880, at 48 (1880).

62. FRANK P. DONOVAN, JR., MILEPOSTS ON THE PRAIRIE: THE STORY OF THE MINNEAPOLIS & ST. LOUIS RAILWAY 86 (1950).

63. *Theater Train a Success*, ELEC. TRACTION WEEKLY, Apr. 16, 1908, at 381.

64. *But see* Terry L. McIntyre, *The Language of Railroadng*, 44 AM. SPEECH 243, 250 (1969) (describing a Chicago–Peoria Saturday-only slow freight train as the “[n\_\_er] local,” so called for the prevalence of Black citizens “riding the rails” on weekends).

65. See *Getting the Crowd*, GAS AGE, May 15, 1911, at 437.

66. *T.K. Horton & Co.* (advertisement), BROOKLYN DAILY EAGLE, Nov. 1, 1890, at 6.

67. *Saturday Night Specials* (advertisement), TOPEKA STATE J., Sept. 9, 1898, at 3.

you have ever before experienced” as well as Monday morning delivery.<sup>68</sup> Buffalo’s Adam, Meldrum & Anderson Co. took out a nearly half-page ad for its Saturday Night Specials in 1911, pledging a railway fare rebate to out-of-town customers “in accordance with the rules of the Retail Merchant’s Board.”<sup>69</sup> The prevalence of blue laws prohibiting retail shops from operation on Sundays in many parts of the country likely made these Saturday-night sales particularly attractive to consumers.<sup>70</sup> These “Saturday Night Special” sale advertisements continued to appear regularly in newspapers from the 1890s until the late 1960s, when gun-related articles begin to dominate search results for the phrase.<sup>71</sup>

Another now-obsolete usage of “Saturday Night Special” derived from the jargon of the soda jerk, a reliable source for emerging youth slang from the 1920s to the 1950s. One linguist in 1936 described the dual usage of “Saturday Night Special” by soda shop workers to mean both the Bromo-Seltzer medicinal drink as well as a term indicating the arrival of “[a] girl who can be dated easily on Saturday nights.”<sup>72</sup> This definition was repeated in the “Soda Fountain” section of a 1942 slang dictionary, both as the name of a medicinal drink and as a signal to other workers that “this girl can be dated for Saturday nights.”<sup>73</sup> (A more wholesome variation on this theme could be found in two songs registered for copyright protection decades before Lynyrd Skynyrd famously sang, “Mister Saturday Night Special / Got a

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68. *The Bee Hive* (advertisement), WILKES-BARRE TIMES-LEADER, Oct. 2, 1909, at 8.

69. *Adam, Meldrum & Anderson Co.* (advertisement), BUFFALO EVENING TIMES, Nov. 3, 1911, at 10.

70. See generally DAVID N. LABAND & DEBORAH HENDRY HEINBUCH, *BLUE LAWS: THE HISTORY, ECONOMICS, AND POLITICS OF SUNDAY-CLOSING LAWS* (1987) (exploring the history of American legislation regulating Sunday business operations).

71. See *Newberry’s* (advertisement), DAILY REPUBLIC (S.D.), Dec. 12, 1969, at 8.

72. Harold W. Bentley, *Linguistic Concoctions of the Soda Jerker*, 11 AM. SPEECH, Feb. 1936, at 37, 41.

73. LESTER V. BERREY & MELVIN VAN DEN BARK, *THE AMERICAN THESAURUS OF SLANG: A COMPLETE REFERENCE BOOK OF COLLOQUIAL SPEECH* 767–68 (1942) (definition nos. 822(8) and 823(2), respectively). Another 1940s slang dictionary narrowed the definition to a “hostess easily dated by customers.” JACK SMILEY, *HASH HOUSE LINGO: THE SLANG OF SODA JERKS, SHORT-ORDER COOKS, BARTENDERS, WAITRESSES, CARHOPS, AND OTHER DENIZENS OF YESTERDAY’S ROADSIDE* 143 (1941) (2012 reprint ed.).

barrel that's blue and cold.”<sup>74</sup> In 1942's “A Saturday Night Special,” songwriter Ruth Roberts celebrated a midweek meeting with a favorite sweetheart: “Saturday night special [...] with not a soul in sight / Swell rendezvous just with you even though it's Wednesday night.”<sup>75</sup> In 1951, Samuel Arthur Mack echoed the sentiment in his own “Saturday Night Special” composition, declaring, “I may meet someone new / And have a date or two. / But always I'll be true, To my / Saturday Night Special.”<sup>76</sup>

The majority of these definitions share a general theme of cheapness and/or convenience commonly associated with the phrase “Saturday night special” in the first half of the twentieth century: cheap sales, convenient train routes, easy dates. It would seem natural for law enforcement in that era to extend the phrase to mean cheap handguns, particularly when the “Special” designation was already in widespread use for certain categories of small firearms.

But of course, this time period also included widespread usage of the racist slur that Bruce-Briggs connected to the origin of “Saturday Night Special.” The particular epithet that he employed—“[n\_\_er]-town”—was a known derogatory term used to indicate cities or neighborhoods with a large Black population; however, we did not find usage in historical dictionaries or texts that directly connected it to the phrase “Saturday night.”<sup>77</sup> The

74. LYNARD SKYNYRD, *Saturday Night Special*, on NUTHIN' FANCY (MCA Records 1975).

75. Ruth Roberts, *A Saturday Night Special* (Feb. 26, 1942) (unpublished words and music) (on file with authors). A prolific songwriter, Roberts was best-known for composing the original version of “Meet the Mets.” See Peter Keepnews, *Ruth Roberts, 84, 'Meet the Mets' Songwriter*, N.Y. TIMES, Jul. 5, 2011, at A22.

76. Samuel Arthur Mack, *Saturday Night Special* (Jan. 24, 1951) (unpublished words and music) (on file with authors).

77. See, e.g., BERREY & VAN DEN BARK, *supra* note 73, at 49 (definition no. 47(5)); 3 *DICTIONARY OF AMERICAN REGIONAL ENGLISH* 800–01 (Frederick G. Cassidy ed. 1985) [*hereinafter* DARE]; *THE NEW PARTRIDGE DICTIONARY OF SLANG AND UNCONVENTIONAL ENGLISH* 1578 (2d ed. 2013). By 1990, one dictionary described the term “[n\_\_er]town” as “Extinct except in deliberate derogation [...] User is considered to be racially bigoted.” RICHARD A. SPEARS, *FORBIDDEN AMERICAN ENGLISH* 126 (1990). A few full-text newspaper search results use the phrasing incidentally, within reports of police raids conducted in predominately Black areas. See, e.g., *Wichita Wenches Plied Trade Here*, TILLMAN CNTY. ENTER. (Okla.), Jul. 3, 1914, at 1 (“Night Watch Walter Blackwood made a raise on a resort in “[n\_\_er] town Saturday night and arrested eight parties”); *Raid Saturday Night*, ROOSEVELT RECORD (Okla.), Aug. 18, 1916, at



closest association that we could find was in the *Dictionary of American Regional English (DARE)*, a sprawling and authoritative slang dictionary that combined traditional editorial methods with five years of fieldwork interviews conducted between 1965 and 1970.<sup>78</sup> *DARE* recorded historical usage of the terms “[n\_\_er] day” and “[n\_\_er] night” to mean Saturday, allegedly because it was the primary day of leisure activity for a community’s Black population.<sup>79</sup>

Of course, Saturday has long been the primary day of leisure for many other people as well, as noted in the *Oxford English Dictionary*’s definition of “Saturday night.” OED provided examples of usage related to recreation back to the late 1400s, and usage as an attributive phrase related to drunkenness and debauchery back to the 1600s.<sup>80</sup> Modern studies have shown that Saturdays result in the highest number of calls per week to law enforcement for homicide, as well as for most other types of crime.<sup>81</sup> The term “Saturday-night pistol,” in particular, may have evolved from newspaper reporting of local crime stories, where such phrasing as “Saturday night pistol slaying” and “Saturday night pistol scrape” could be found in the late 19th and early 20th centuries.<sup>82</sup>

Although its entry for “Saturday night special” briefly acknowledged the alternate meaning of “a cheap, small handgun,” *DARE* defined the phrase as primarily meaning a knife, including the variant “Saturday night knife.”<sup>83</sup> This usage was supported by a quotation from William Humphrey’s 1957 novel *Home on the Hill* (which used yet another variant, “[n\_\_er] knife”), as well as by a 1967 fieldwork interview with a source in

3 (“officers conducted a raid on ‘[n\_\_er] town Saturday night”); *Raided [N\_\_er] Town Saturday Night*, BIG PASTURE NEWS (Okla.), Jul. 4, 1924, at 1. None of these results included an arrest for firearms or other weapons.

78. See *Introduction*, 1 DARE, *supra* note 77, at xi, xii–xiv.

79. *[n\_\_er] day*, 3 DARE (1990); *[n\_\_er] night*, 3 DARE (1990).

80. *Saturday night*, 14 OXFORD ENGLISH DICTIONARY (2d ed. 1989).

81. See ORLEAN, *supra* note 39, at 99 (describing a study that concluded police services were at their highest or second-highest demand of the week on Saturday nights).

82. See, e.g., *Died of His Wounds*, MACON TELEGRAPH (Ga.), May 17, 1888, at 3 (“Saturday night pistol scrape”); *Charges Due in Slayings*, BROWNSVILLE HERALD (Tex.), July 11, 1938, at 2 (“Saturday night pistol killing”); *Hearing Waived as Driver is Sent Up to Superior Court*, DURHAM MORNING HERALD (N.C.), July 11, 1944, at 10 (“Saturday night pistol slaying”).

83. *Saturday night special*, 4 DARE (2002).

Texas who used it to describe a small folding knife and indicated that was the term used by her region's Black population.<sup>84</sup> The entry for "[n\_\_er] knife" also points to the directional cross-reference "[n\_\_er] killer" to mean a pocketknife, with variant suffixes "-sticker" and "jigger"; that usage was taken from late 1960s fieldwork interviews in South Carolina and New York.<sup>85</sup> In the same entry, *DARE* also pointed to the related headword "[n\_\_er]-shooter" to mean a slingshot, with references in literature back to 1866.<sup>86</sup>

These definitions within *DARE* illustrate the existence and historical usage of racist terminology for Black communities, Saturday night, and weapons in various parts of the country, with supporting references in literature back to the mid-19<sup>th</sup> century. But the specific phrasing used by Bruce-Briggs in "The Great American Gun War" is conspicuously absent from all sources consulted. This research is complicated by the fact that newspapers and reputable publications were less likely to reprint the slur, but the available corpus of scanned texts in sources like Google Books and HathiTrust would suggest his source phrase was far from common parlance, especially as compared to search results for the other terms that were actually defined in *DARE*.

As the phrase "Saturday Night Special" took popular hold in the late 1960s to mean cheap handguns, it began to appear as a headword in mainstream and slang dictionaries, with most definitions indicating a relatively recent coinage. Merriam-Webster first added a definition of "Saturday night special" into a 1976 volume of addenda to its *Webster's Third New International Dictionary* after initial rejection by external consultants for the main volume, alongside other now-familiar terms like "air bag" and "class action."<sup>87</sup> The definition read simply, "an inexpensive easily concealed handgun."<sup>88</sup> *Webster's New Twentieth Century Dictionary* expanded the definition by 1978 to "any small, cheap, short-barreled handgun that is readily available" with the

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84. *Id.*

85. *[n\_\_er] killer* (3), 3 *DARE* (1990).

86. *[n\_\_er]-shooter*, 3 *DARE* (1990).

87. Larry Jonas, *The Dictionary Wars*, 7 *W. COAST REV. BOOKS*, Feb. 1981, at 18, 22.

88. *Saturday night special*, 6,000 WORDS: A SUPPLEMENT TO WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY (1976).

etymology note “[from their use in weekend crimes].”<sup>89</sup> By 1977, the Associated Press stylebook included “Saturday Night Special” under its “Weapons” section, defined as, “The popular name for the type of cheap pistol used in impulsive crimes, often committed Saturday nights.”<sup>90</sup> In 1980, *The Second Barnhart Dictionary of New English* defined the phrase as “a small handgun with a short barrel, usually made from imported parts” and pinned its date of origin as 1968, “so called because of its frequent use in barroom and street fights on weekends.”<sup>91</sup> By 1984, Jonathon Green’s *Dictionary of Contemporary Slang* called it “a small handgun, often used in the many fracas that occur over Saturday night in a big US city.”<sup>92</sup> In 1989, the second edition of the *Oxford English Dictionary* defined both “Saturday-night pistol” and “Saturday-night special” as “a cheap, low-calibre pistol or revolver such as might be used by a petty criminal.”<sup>93</sup>

*Black’s Law Dictionary* did not define the phrase until 1990. Even then, its primary definition focused on the separate corporate law sense of a surprise tender offer; the entry noted as a postscript: “Term also used in reference to type of handgun weapon used in armed crimes.”<sup>94</sup> The next edition of *Black’s* revised the definition, making “[a] handgun that is easily obtained and concealed” the primary sense of the phrase, and noting that the corporate law sense had been effectively eliminated by an amendment to the Williams Act.<sup>95</sup> More recent editions of *Black’s* further revised the primary definition to “A handgun

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89. *Saturday night special*, WEBSTER’S NEW TWENTIETH CENTURY DICTIONARY OF THE ENGLISH LANGUAGE, UNABRIDGED (2d ed. 1978).

90. THE ASSOCIATED PRESS STYLEBOOK & LIBEL MANUAL, WITH APPENDICES ON PHOTO CAPTIONS AND FILING THE WIRE 234 (Howard Angione ed., 1977 ed.).

91. CLARENCE L. BARNHART, SOL STEINMETZ & ROBERT K. BARNHART, THE SECOND BARNHART DICTIONARY OF NEW ENGLISH 411 (1980). This dictionary included a secondary definition from the financial sector, in which a public offer of acquisition is made quickly in order to prevent challenges to the takeover, with origins in the 1970s. *Id.*

92. *Saturday night special*, in JONATHON GREEN, THE DICTIONARY OF CONTEMPORARY SLANG 241 (1984). This definition would also appear in Green’s later, expanded slang dictionaries. See *Saturday night special*, in JONATHON GREEN, 3 GREEN’S DICTIONARY OF SLANG 684 (2010).

93. *Saturday night*, 14 OXFORD ENGLISH DICTIONARY (2d ed. 1989).

94. *Saturday Night Special*, BLACK’S LAW DICTIONARY (6th ed. 1990).

95. *Saturday Night Special*, BLACK’S LAW DICTIONARY (7th ed. 1999).

that is easily obtained and concealed, esp., a low-quality, inexpensive handgun.”<sup>96</sup>

Modern dictionary definitions, unsurprisingly, include no trace of the department-store sales by the same name that were ubiquitous in early 20<sup>th</sup>-century advertisements, and little of the now-obsolete meanings related to trains, paramours, and soda shops.<sup>97</sup> However, the majority of those references would have been recognizable in the United States at the time the phrase “Saturday-night pistol” and “Saturday night special” began to appear in print referencing cheap firearms.

### CONCLUSION

Based on demonstrated usage in newspapers during the early 1900s, it is clear that the phrase “Saturday Night Special” in reference to cheap, easily-concealable firearms pre-dates the most commonly-repeated origin story, which pegs it to mid-20<sup>th</sup> century Detroit-area law enforcement. Based on available evidence and demonstrated historical usage, it seems far likelier that the roots of “Saturday Night Special”-as-gun lay in an ironic reference to the department-store bargain sales common to the era in which the phrases “Saturday-night pistol” and “Saturday Night Special” begin to appear in reference to inexpensive handguns. The terminology emerged during a time when one could ride the Saturday-night special (train) to shop at a Saturday-night special (sale) in order to purchase a Saturday Night Special (handgun), a full half-century before the Gun Control Act of 1968.

To be clear, none of this shows that gun regulations—including of cheap, easily concealable firearms—were *not* motivated in part by racism. Given that U.S. criminal law has been infected with racist intent and impact throughout its history, it would be surprising if firearms law were an exception,<sup>98</sup> even as gun

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96. *Saturday Night Special*, BLACK’S LAW DICTIONARY (10th ed. 2014).

97. The *Oxford English Dictionary* still includes “[a] train provided in addition to the normal timetable” under its definition of “special.” *Special*, 16 OXFORD ENGLISH DICTIONARY (2d ed. 1989). Senses related to sweethearts and lovers were marked as “obs.” even in the 1933 edition. *Special*, 10 OXFORD ENGLISH DICTIONARY (1933).

98. See generally Robert J. Cottrol & Raymond T. Diamond, *The Second Amendment: Toward an Afro-Americanist Reconsideration*, 80 GEO. L.J. 309 (1991) (exploring Second Amendment issues in light of the Afro-American experience).

rights, too, were deployed for racial oppression,<sup>99</sup> and some gun regulations were adopted and applied to non-racist or anti-racist ends.<sup>100</sup> Precisely because the history is nuanced, it is important to be accurate about historical claims.

Recalling the history of another popular etymology that has endured over the decades despite little evidence, lexicographer Kory Stamper observed, “[I]t would be sloppy scholarship to elevate an unsubstantiated theory to the level of researched etymology simply because that theory is au courant.”<sup>101</sup> The alternative folk etymology of “Saturday Night Special” advanced by Barry Bruce-Briggs in 1976 has persisted for decades; it has even outlived its author, who died in 2019.<sup>102</sup> We do not discount the possibility that Bruce-Briggs could have heard his etymology directly from sources in Detroit-area law enforcement, or stitched it together himself from the known racist terminology associated with Saturday nights and pocketknives. But a more careful review of the historical record belies his claim that “the reference is to ‘[n\_\_er]-town Saturday night’.”<sup>103</sup> Absent the emergence of clearer evidence in support, scholars and litigants should stop repeating this particular origin story.

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99. See CAROL ANDERSON, *THE SECOND: RACE AND GUNS IN A FATALLY UNEQUAL AMERICA* 25–38 (2021) (highlighting how the Second Amendment was designed to keep African Americans powerless and defenseless).

100. See, e.g., Mark Anthony Frassetto, *The Nonracist and Antiracist History of Firearms Public Carry Regulation*, 74 SMU L. REV. F. 169 (2021) (identifying many instances in which historical gun regulation was applied without an intent to discriminate against minority groups); Brennan Gardner Rivas, *Enforcement of Public Carry Restrictions: Texas As A Case Study*, 55 U.C. DAVIS L. REV. 2603 (2022) (finding race-neutral public carry restriction enforcement from 1870–1890 and racially biased enforcement of deadly weapon law beginning at the same time thousands of White people came to Texas and upended the balance of political power that had taken root following the enfranchisement of Black men).

101. STAMPER, *supra* note 42, at 182. The word in question was “posh,” whose folk etymology claiming origins in a seafaring acronym for “port side out, starboard side home” is described by Stamper as “beautiful—and total bullshit.” *Id.* at 177.

102. See Briggs, Barry Bruce, LexID No. 278456273, Lexis Public Records (accessed Nov. 26, 2022).

103. Bruce-Briggs, *supra* note 1, at 50.