
The Gun Control Conflict in the United States: An Application of the Public Will Framework

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1. Introduction

“Earlier this year, I answered a question in an interview by saying, ‘The United States of America is the one advanced nation on Earth in which we do not have sufficient common-sense gun-safety laws – even in the face of repeated mass killings.’ And later that day, there was a mass shooting at a movie theater in Lafayette, Louisiana. That day! Somehow this has become routine. The reporting is routine. My response here at this podium ends up being routine. The conversation in the aftermath of it. We’ve become numb to this. [...] And what’s become routine, of course, is the response of those who oppose any kind of common-sense gun legislation. Right now, I can imagine the press releases being cranked out: We need more guns, they’ll argue. Fewer gun safety laws.” (Transcript of Obama’s speech on the shooting in Oregon; Time Magazine 2015)

This quote is taken from a statement President Obama gave in October 2015 in the aftermath of the mass shooting at Umpqua Community College in Roseburg, Oregon. Throughout the whole thirteen minutes of said statement, we are confronted with a president, who shows quite a different kind of attitude than one would expect in the light of a tragedy such as this. Obama appears to be apathetic, resigned and, especially in the middle part of his speech, rather cynical. Similar to the American historian Richard Hofstadter, who already claimed in the 1970s that the US “remains, and is apparently determined to remain, the most passive of all the major countries in the matter of gun control” (Hofstadter 1970), Obama seems to be in awe over the fact that there has to be yet another speech about yet another mass shooting in his country.

One can easily understand where his attitude comes from. It is not only true that the United States combine an unusually high number of guns – current figures range around a number of 200 million guns or more (Wilson 2007: 240; Carter 2006: 3; Cook / Ludwig 2003: 3) – with gun laws that are extraordinarily weak in comparison to any other economically well-developed and democratic country. In addition to that, accidental or intentional misuse of said guns causes around

30,000 deaths per year (Cook / Goss 2014: 1; Wilson 2007: 241), with incidents ranging from interpersonal violence to suicides and mass shootings. When working on a paper such as this and keeping track of the news on the topic, it becomes clear that incidents involving gun violence actually have become a routine in the U.S. President Obama had to give another speech on November 28, 2015, in the aftermath of a shooting in a Planned Parenthood facility in Colorado, where he plainly stated that “[e]nough is enough” (Martin 2015). Despite this statement, this speech was closely followed by another one about the shooting in San Bernardino, California, where a couple shot 14 people on December 2, 2015. And these are only two of approximately 37 incidents with at least four victims that happened in November and December¹ of 2015 (Batthyany 2015: 2).

While a direct influence of gun ownership on crime rates is disputed throughout literature, there are no questions to be asked about the fact that guns make violence of any kind more lethal – they “kill quickly, with little effort and from a distance” (Cook / Goss 2014: 2). Incidents that were picked up by the European media during summer also included various incidents which involved children: A three-year-old accidentally shot his one-year-old brother, a two-year-old got a hold of their mother’s gun in a supermarket and killed her and even a dog (ironically called ‘Trigger’) somehow managed to trigger his owner’s gun and shot her in the foot (Maack 2015).

What is incomprehensible for a lot of non-Americans – and apparently for the President of the U.S. as well – is the fact that despite this situation, there are very few strict gun control regulations, “and certainly none that remotely rival the restrictions current in virtually all other Western democratic nations” (Patrick 2002: 2). The obvious question is: How is it possible that the United States fail to introduce strict(er) gun laws in the light of the high frequency of mass shootings and other incidents? The response to this question usually blames the NRA. The National Rifle Association of America is frequently referred to as the number one obstacle on America’s way to stricter gun control. The claim is that whilst a majority of U.S. citizens would support stricter gun laws and has been in favor of stricter gun laws for decades (Patrick 2002: 2), their voices are not heard as the

¹ State of information: December 4, 2015.

NRA makes use of the huge influence of special interest lobbying groups in the American political system; NRA lobbying activity is often used “as a prime negative example of democracy frustrated by the powerful special interest” (Patrick 2002: 4).

It is indeed true that the NRA has, since the 1960s and 1970s, turned from a shooting sport club into a powerful political lobby (Skinner 2007: 52). Its influence is said to cover not only lobbying activities, but also electoral work, legal actions, “a vast network of grassroots outreach programs” (Wilson 2007: 147) and much more. The best-known statement of the NRA illustrates well their general sentiments on gun control: “Guns don’t kill; people do.” They argue that there is no point in introducing any kind of gun regulation because ordinary law-abiding citizens use guns in a sensible way anyway and criminals cannot be stopped from using guns, as they do not refrain from breaking the law in any case (Carter 2006: 4). The NRA’s solution to the problem usually includes giving the people even more guns. They argue that, for example, teachers carrying guns in school could prevent school shootings. However, for the side advocating gun laws – represented by organizations such as the Brady Campaign to Prevent Gun Violence – there are no questions to be asked about the argument that strict gun control regulations are the solution to the problem.

The aim of this paper is to analyze why, in the light of the multitude of incidents with firearms that happen on a daily basis, the NRA still remains to be such a powerful factor of influence, while the side supporting stricter gun control laws seems to be lacking far behind. Such an analysis might help to come to first conclusions on what needs to be done to prepare the ground for gun control.

In order to shed some light on this question, the second chapter of this paper will examine the different branches and backgrounds of the conflict more closely to provide a coherent basis for the subsequent analysis. Chapter 3 will then introduce the conceptual variable used in this paper to analyze the conflict purposefully – namely the public will concept. The public will concept and its various components will enable us in chapter 4 to analyze two different sides involved in this conflict, namely the NRA and pro-gun laws organizations. The public will concept provides us with the opportunity to analyze this specific aspect of the gun

control conflict in a very thorough manner through the various components provided by Raile et al. (2014). While the power of the NRA is frequently portrayed in the media, any reporting on it is usually unfocused and filled with biased opinions and rarely considers the side of gun control. Therefore, the concept enables us to come up with an explanation why the NRA seems to be surpassing its opponents that exceeds the explanations usually advanced by the media, which usually only focus on the financial power of the NRA and the gun industry. While Raile et al. are hesitant in revealing whether their concept gives us an indication of how the results of the analysis could help us in coming up with solutions, the analysis could definitely be a first approach in attempting to explain why there appears to be no imminent change in sight.

2. Overview: The Gun Control Conflict

This chapter is aimed at providing essential background information on the issues and areas involved in the gun control conflict. A brief overview of the historical and cultural roots of the conflict is followed by some legal information on existing laws and the role of the constitution of the U.S. The interest groups involved in the conflict will be discussed briefly as well as trends in public opinion on gun control. Additionally, in order to clarify the time frame we are dealing with, the situation both before and during Obama's presidency will be made the final subject of this chapter.

2.1 Cultural and Historical Background

Without dealing all too extensively with the technical side of guns, it is important to define the term "gun" in a more general manner. The term is often used synonymously with the term "firearm" – both of them describing portable weapons that shoot "projectiles from a metal tube" (Cook / Goss 2014: 1). The focus of the gun conflict generally lies on guns that can be owned both by households, for a variety of purposes such as hunting, target shooting, self-defense, and by officials (i.e. police, security services) to carry out their jobs.

There is a great scope of guns which fit this definition, “the most common of which can be categorized as rifles, shotguns, pistols, or revolvers” (ibid.). Most guns in the United States are owned by a certain demographic group, namely middle-aged, white men coming from the middle or upper class and living in rural areas or small towns (Cook / Goss 2014: 4; Cook / Ludwig 2003: 4). Also, Cook and Goss point out that “Republicans are almost twice as likely to own [a gun] as are Democrats.” Cook & Goss (2014: 5) draw quite a specific picture of the distribution of gun ownership throughout the states: “[T]he rates in New England, Mid-Atlantic, and Pacific states tend to be relatively low [...], while the rates in the southern, Midwestern, and old frontier states of the West are considerably higher.”² Nevertheless, the actual numbers of Americans owning a gun are lower than one might think. 25% of American adults (the majority of them men) and 35% of households own a gun. More than half of the people owning a gun own more than one – coming up to about 60 million adults owning at least one gun (Cook / Goss 2014: 3; Cook / Ludwig 2003: 3). One should keep in mind, however, that these numbers can only be seen as estimates, as they are based on calculations that take into account data from surveys and federal records of general firearm commerce (Cook / Goss 2014: 3). Official records of gun sales in the U.S. are only kept when guns are purchased from a licensed gun dealer. However, a lot of guns are purchased from private dealers (e.g. at guns shows) or are even bought illegally in Mexico. Numbers provided by the media usually exceed the numbers provided by academic literature by far and often speak of an amount of guns that actually exceeds the population of the U.S. (Richter 2015: 11).

It has often been argued in academic research that the gun control conflict is deeply rooted in American cultural history. Starting from the early settlers in the Virginia Colony, who were even ordered to carry guns in order to be able to defend themselves against the natives, the importance of guns remained strong throughout the American Revolution and the Declaration of Independence. This is also the reason for the existence of the Second Amendment to the constitution – Americans feared that their new government could turn out to be just as

² The five states with the largest gun ownership in 2014 were West Virginia, Alabama, Mississippi, Wyoming and Louisiana.

suppressive as they sensed the English Crown to be. What followed the Declaration of Independence was the westward expansion of the U.S., a period of time that is, until this day, subject of many myths (cf. Cook / Goss 2014: 155-161):

“Thus the wider debate on firearms in American society reverberates with the history, folklore and political philosophy of the USA’s past. The debate draws upon complex constitutional debates about citizens, freedom and citizen militias from the late eighteenth century, through to the more practical considerations of personal safety in the wilderness of the early settlers.” (Squires 2000: 57)

When looking at issues of the *The American Rifleman*, one of the three publications of the American Rifle Association, one is confronted with a countless number of allusions to American history. Advertisements in the magazine make use of wild west imagery, there are pictures of NRA members wearing cowboy hats or Civil War uniforms and a multitude of articles deal with the historical importance of certain types of guns (e.g. McAulay 2013: 74) – they use “images of the cowboy culture and the western frontier – even alongside the most sophisticated modern semi-automatic handguns” (Squires 2000: 58). Cook and Goss (2014: 157ff) argue that the United States have a unique gun culture because of this active use of American history for gun propaganda, not only in magazines, but also in the media in general – for example: a lot of movies still deal with the stereotypical American cowboy, “who take[s] matters into his own hands to protect himself from threats whether by outlaws or a corrupt government” (Fleming 2012: 9). While this might be hard to understand from a European perspective, a lot of Americans are equipped with a complex culturally and historically rooted romanticized interpretation of guns that makes it hard for any restrictions to their right to carry a gun to be introduced (Wozniak 2015a: 6). New movements such as the highly conservative Tea Party movement still proclaim that armed citizens are the best defense against a government turning into a dictatorship (Richter 2015: 12; Williamson et al. 2011). This shows that there is a conflict at the basis of the gun control issue that is even more fundamental: Putting these issues on a higher level, one comes to the conclusion that there is a

basic conflict underlying the gun control issue: a “clash between the individual rights of gun owners and the public collective interest in controlling crime” (Celinska 2007: 235). On the one hand, there is the share of Americans who consider stricter gun laws as the only common sense solution. On the other hand, there is the group of gun advocates, strongly supported by the NRA, who put the unrestricted right to carry guns at the very top of their moral agenda.

2.2 The Constitution and Gun Laws

Patrick (2002: 3) claims that “[a]ny adult citizen with proper identification who walks into virtually any of the thousands of K-Mart or Wal-Mart³ [sic] retail stores in the United States, after filling out a federal self-disclosure form and satisfying the criminal history instant-check by telephone, can leave with a semiautomatic .22 caliber rifle and 1,000 rounds of ammunition for not much more than \$150.” While this statement implies that it is fairly easy to buy a gun in the United States, it also hints at some of the existing gun laws – namely background checks and restrictions on certain types of guns.

There are a number of gun laws in the U.S., there is however a lack of resources providing us with a credible number. Cook and Goss (2014: 97) estimate an amount of around 400 laws in total, consisting of 300 major state laws and 100 additional ones in large cities. The power of any of these laws is limited in certain ways. Laws are focused on penalizing those who have already misused guns – meaning they have a punitive rather than a preventive function. Furthermore, “broad availability has been taken for granted” (Goss 2006: 5): Laws have rarely ever been aimed at questioning the general availability of guns in the United States. Laws have instead focused on keeping guns away from people belonging to high-risk groups – namely minors, felons, drug addicts or mentally ill people. Also, gun regulations vary extensively throughout the different U.S. states, which in some cases gives people the opportunity to simply purchase their gun in a different state if there is a restriction that does not suit them in their home state.

³ Walmart stopped selling high-power assault rifles in August 2015. This decision was announced only shortly before two TV presenters were shot during a live broadcast by an ex-employee of the broadcasting channel (Shear et al 2015). Wal-Mart “attributed its decision to lower consumer demand for such military-style rifles, not gun politics” (Tabuchi 2015).

As a last point, gun laws have largely focused on sales through official and licensed gun dealers. Sales between private individuals were largely left out of the census (Goss 2006: 5).

As all gun laws on federal, state and local level are subject to the constitution and the Second Amendment, this should be our starting point. The Second Amendment to the American Constitution was ratified as part of the Bill of Rights in 1791. It reads: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.” As with any law, it lies in the hand of lawyers and judges to evaluate the interpretation and application of such a legal text. In the case of the Second Amendment, as with any part of the Constitution, the Supreme Court decides over the meaning of such laws. However, in the case of the Second Amendment, “scholars, lawyers, and judges using essentially the same body of evidence, have reached diametrically opposed conclusions on the meaning and application of the Second Amendment” (Kruschke 1985: 12, as cited in Kruschke 1995: 4). This discrepancy has led to two dominant interpretations of the Second Amendment. The first one interprets it as a guarantee for an individual right to possess a gun that cannot be restricted. The second interpretation argues that it is aimed at a collective right to bear arms when serving in organized state militias (Kruschke 1995: 4; Cook / Goss 2014: 91). In 1939, in the first out of only five total Supreme Court rulings on the Second Amendment (a case called *U.S. v. Miller*) “the ruling gave rise to the view that the Second Amendment protected a collective right rooted in militia service” (Cook / Goss 2014: 92) and this view was held to be true for a long period of time. In 2008, however, another case (*District of Columbia v. Heller*) dealt with stricter gun laws in the district and the Court interpreted the Second Amendment as an individual right to possess firearms and thereby declared the laws to be illegal. The same happened in 2010, when the Court ruled that the existing law to ban handguns in Chicago was unlawful in the light of the Second Amendment (*McDonald v. City of Chicago*) (Hoffmann 2012: 7). In the *District of Columbia v. Heller* case, the Supreme Court specifically claimed that the right of self-defense is centrally rooted in the Second Amendment and that this right cannot be infringed by gun control laws,

especially within the home “where the importance of the lawful defense of self, family, and property is most acute” (Legal Information Institute 2008). Nevertheless, these cases do not imply that every future gun regulation will be deemed as unconstitutional. There are still a lot of laws valid in the light of these court rulings, e.g. “bans on possession by felons and the mentally ill, restrictions on guns in sensitive places like schools and government building, and commercial sale qualifications” (Rosenthal / Winkler 2013: 228). They do, however, make any laws that restrict the general availability of guns for the average citizen highly unlikely.

In general, gun control strategies usually fit into four different categories that can be implemented on federal, state or local level. The first category are restrictions on the ownership of guns that include, on a federal level, bans on acquisition and purchase of guns for specific groups of people such as mentally-ill people, minors and felons. On state level, licensing of gun owners, compulsory training, safe-storage regulations and waiting periods also fall in this category. On a local level, there might be the obligation to get a permit for purchasing a rifle or shotgun or the requirement to notify the police when a gun has been stolen. As a second category, there are possible restrictions on specific types of guns. On a federal level, this could be a ban on machine guns and armor-piercing ammunition. Bans on assault weapons, high-capacity magazines and guns that are ‘unsafe’ to use are to be located in the field of the states and local authorities. A third category deals with the use of guns. For example, as a federal law, guns cannot be carried on airplanes or in federal buildings. On state level, regulations deal with the licensing of carrying concealed guns, ‘stand your ground’ laws⁴, hunting regulations and laws to penalize the misuse of guns. Additionally, bans on carrying firearms openly and firing a gun publicly fall under local jurisdiction. The final category deals with the sales of guns and covers a number of different areas. Inspection of dealers, record-keeping and background checks (at licensed dealers) fall under

⁴ The so-called ‘stand your ground’ laws are quite a recent development in U.S. gun laws. Such laws designate a certain area of the home (e.g. the house itself, adjacent garages or even sidewalks) as the area where the owner of the house can use his or her gun freely for self-defense, sometimes without having to fear any kind of legal prosecution. These laws became the subject of critique when an unarmed 17-year-old was killed by a member of the neighborhood watch in Florida and the shooter claimed that he merely defended himself (Hoffmann 2012: 10).

federal law, while background checks in the context of private sales and dealer licensing are covered in state law. Local authorities regulate anything to do with gun shows (Cook / Goss 2014: 90; Vizzard 2000: 36).

Fleming (2012: 1) argues that new gun policies are usually suggested after so-called ‘focusing events’ – events such as mass shootings that focus the attention of the public on the issue of gun control. However, he argues that “due to the diffuse nature of the American political system and the presence of the NRA [...] policy rarely, if ever, goes to the formulation stage” (ibid.). As this paper does not focus on specific pieces of gun control legislation, there will only be a summary of two major pieces of legislation⁵ that illustrate the issue brought up by Fleming quite well.

In 1981, during an assassination attempt on President Ronald Reagan, the shooter fired six bullets that also badly wounded Reagan’s Press Secretary James Brady. Following this event, the Brady Bill was drafted. It suggested a waiting period and background checks on all handguns that were purchased through a licensed dealer (Fleming 2012: 12). The bill was signed into law 12 years later by President Clinton after it “had been hotly contested in the House and Senate” (Fleming 2012: 13) for years. The Brady Bill included the following points:

“The Bill required a five-business-day waiting period for handgun purchases; it also authorized \$200 million dollars a year for states to upgrade their criminal records, increased the price of federal firearms licensing, made it a federal crime to steal from licensed dealers, and made police engage in reasonable efforts to check the background of gun buyers” (Fleming 2012: 13).

Today, the Brady Bill has lost a lot of its original power, as for example the suggested form of police background checks has in the course of the years been deemed unconstitutional (ibid.).

Another piece of legislation, namely the Assault Weapon Ban, which was aimed at banning all weapons with fully automatic fire, was introduced after the Cleveland Elementary School mass shooting of 1989. While it was declined in

⁵ A broader historical overview of important pieces of gun control legislation can be found in Cook & Goss (2014: 98ff), Fleming (2012: 11ff) and Gettings & McNiff (2012).

1989, it was passed into law in 1994 for a term of 10 years. However, it was a “modest bill” (ibid.) to begin with and was not renewed in 2004.

One of the more recent developments is the obvious loosening or complete banning of already existing gun laws. Naturally, this happens mainly in states that are known for their high number of private gun ownership. From 2016, each person owning a gun license in Texas is allowed to carry their hand gun openly. Also, from summer 2016 onwards guns are going to be allowed in all university buildings (classrooms, dormitories, libraries, etc.) in Texas (Spiegel Online 2015). This is an alarming development in so far as, as mentioned before, restrictions on guns in places such as schools and other more or less public educational environments have in the recent years been part of a set of gun laws which was considered to be common sense in the light of mass shootings in schools and universities. Therefore, the loosening of gun laws in this area indicates that there might be a development towards even less limiting gun laws and a rise in the general acceptance of guns in public places.

2.3 Interest Groups Involved in the Conflict

This chapter will only provide a very brief overview of the interest groups involved in the gun control conflict; the reason being that an analysis of the advocates and opponents of gun control will be the crucial part of the analysis in chapter 4 of this paper.

The most famous gun right group that was already mentioned several times in the preceding chapters of this paper, is the National Rifle Association of America (NRA). The NRA was founded in 1971 as a group promoting marksmanship. While shooting training is still part of the NRA’s repertoire, it has since “developed from essentially a hobby-sporting organization into a socio-political organization” (Patrick 2002: 192). Today, the NRA consists of 3-4 million members⁶ nationwide and it is aimed at promoting shooting, hunting, gun collecting and firearm safety (Ness 2000: 532). However, in the present time the NRA has added two more branches to the organization: A lobbying arm – the

⁶ In 2013, the NRA claimed to have 4.5 million members (Kessler 2013). However, research suggests that the actual number lies somewhere between 3 and 4 million (e.g. Patrick 2002: 192).

NRA-Institute for Legislative Action (NRA-ILA) – and a political action committee (PAC) – the NRA-Political Victory Fund (NRA-PVF) (Wilson 2007: 147; Cook / Goss 2014: 190). For an annual fee of \$35, the NRA offers their members discount programs for a variety of different companies and events, training programs, competitions, insurance, free information and subscription to one of its three monthly magazines (*The American Rifleman*, *American Hunter*, *America's First Freedom*). The NRA is led by a board of directors consisting of 76 members (Wilson 2007: 147; Patrick 2002: 192).

While the NRA is the most prominent of the gun rights organizations, there are others. Gun Owners of America (GOA) is a non-profit lobbying organization focused on defending the alleged Second Amendment right to carry a gun. The organization could be characterized as more militant than the NRA. They call themselves “the only no-compromise gun lobby in Washington” (www.gunowners.org) and often accuse the NRA of being too willing to compromise on matters of gun control (Wilson 2007: 150-51). Other examples of gun rights groups are the Citizens Committee for the Right to Bear Arms and the Second Amendment Foundation. Of course, there are not only membership organizations that support gun rights, there are also think tanks and researchers, sport shooting clubs, gun safety organizations and other persons and organization involved in the conflict (Wilson 2007: 189-90).

The best-known group to support gun control is the Brady Campaign⁷ to Prevent Gun Violence⁸. The organization is claimed to have around 400,000 members and also runs the Center to Prevent Handgun Violence that consists of a legal, research and education department (Ness 2000: 521). The Brady Campaign's goals are to make people become aware that the lack of gun control is a severe social issue in the whole of the United States and that there is a common sense solution to the problem – namely gun control measures. Furthermore, they actively seek to support and suggest new pieces of gun control legislation (Wilson 2007: 143).

⁷ From here on called the Brady Campaign.

⁸ The former names of this organization sometimes get mixed up in literature. To clarify: The National Council to Control Handguns (founded in 1974) was renamed Handgun Control Inc. in 1980. Sarah Brady, the wife of Reagan's press secretary Jim Brady (who died in 2014), soon joined the organization and in 2001 it was renamed The Brady Campaign to Prevent Gun Violence (Wilson 2007: 142-44).

While the organization was built to support the Brady Bill, it also actively supported the Assault Weapon Ban and other regulations such as the regulation of the sale of guns at trade shows, laws that forbid buying more than one handgun a month and requirements to produce child-proof guns (Ness 2000: 521). In 2001, the Brady Campaign merged with an organization called Million Mom March, which was created in 1999 in the aftermath of a shooter killing a group of children in California (Wilson 2007: 146). Another gun control organization is the Violence Policy Center, which advocates the total prohibition of private gun ownership and focuses on publishing convincing research. Furthermore, there is the Coalition to Stop Gun Violence, which consists of a number of different national organizations dealing with gun violence (Wilson 2007: 144-45).

2.4 Public Opinion on Gun Control

In 1977 Schuman and Presser noticed that there appeared to be a vast discrepancy between public opinion on gun control and policies on the subject. They labeled this phenomenon the “gun control paradox” (Schuman / Presser 1977). In short, the gun control paradox states that while people continuously claim to be in support of stricter gun control laws when being asked in polls, there is little or nothing happening that reflects this kind of sentiment on a policy level:

“For the seventy years that scientific surveys have been conducted, Americans have strongly and consistently favored at least one approach to the violence problem: stricter government regulations of firearms. And yet, decades of poll findings notwithstanding, each high-profile shooting or violence epidemic produces little more than a brief flurry of citizen outrage – a burst of emotion followed by a return to political normalcy” (Goss 2006: 3).

Studies dealing with public opinion on gun control mostly take their data either from the General Social Survey, “a methodologically sophisticated program of social scientific survey research conducted annually by the National Opinion Research Center (NORC)” (Patrick 2002: 2) or from Gallup polls.

While it seems to be true that public opinion about gun control has been generally stable over a long period of time (Wozniak 2015b; Smith 2002: 155; Patrick 2002:

2), it is not true that the majority of Americans generally favors all kinds of gun regulations. Support for gun regulations that deal with the manufacture and sales of guns (also background checks) or with making guns safer and less easily accessible for children and criminals has been quite consistent. However, a majority of Americans opposes complete bans on guns (Smith 2002: 155-158; Wozniak 2015a: 4), which seems to be a logical conclusion of the general acceptance of the interpretation of the Second Amendment as an individual right. What is often named as a reason for opposing such laws is self-protection and the argument that carrying firearms could make communities safer. Cook and Goss (2014: 6) argue that “[t]he recent tendency to cite self-protection as the lead reason for owning may in part have to do with the public rhetoric over guns, which in recent years has dignified this particular purpose as being at the heart of a constitutional right”.

Recently, support for background checks has been strong. A 2015 poll found out that “89 percent of Americans supported checks for purchases at gun shows and online sales” (Eilperin 2015). However, with the threat of terrorist attacks becoming more and more present in the recent years and months, 53 percent of respondents to a Washington Post poll oppose bans on assault weapons and 47 percent believe that the right reaction to the terrorism threat is encouraging more people to carry guns legally (ibid.).

2.5 The Situation Before and After Obama’s Election

Generally speaking, in the past decades the gun control movement appears to have been most effective between 1999 and 2001, when the United States experienced a crisis of increasing gun violence under the presidency of Bill Clinton. A lot of gun control organizations were created or expanded during this time and, according to Goss (2006: 196), gun control advocates were able to present their issue with coherent ideas and sensible approaches.

In the prominent 1994 elections, Democrats lost the majority in the Senate and the House of Representatives. The elections took place only shortly after the background checks introduced by the Brady Law and the assault weapon ban had become effective. In the presidential elections of 2000, Al Gore lost against Bush

mainly because of the bad voting results he had in mid-western and southern states, which are known for their focus on the individual right to own guns and which could be attributed to Gore openly admitting his preferences for stronger gun control laws.

While the NRA claims to have more influence than it actually has, “[t]he perception of NRA strength and its ‘hassle factor’ can in itself be an inhibiting force. The NRA has been highly conscious of the potency of projecting an image of strength and an unlimited willingness to harass opponents” (Spitzer 2008: 107, as cited in Hoffmann 2012: 17). This become apparent, for example, through the NRA’s provocative and highly self-confident reactions to shooting incidents and the way the organization presents itself publicly on Social Media, in interviews or on their website.

George W. Bush’s presidency is often said to have been one of the most gun-friendly presidencies and when he started his presidency, “[s]everal of the major philanthropic patrons of gun control groups began pulling out” (Goss 2006: 197) as gun violence was at a low point and mass shootings did not happen as often as they do now. On the other end, Obama has been called the “most anti-gun president in American history” (Hoffmann 2012: 18) not only by the NRA. However, while he initially claimed to have major goals in the field of gun control, he did not succeed much; partly due to lack of support in his own party and despite the fact that, at the beginning of his presidency, Democrats had the majority not only in the House of Representatives, but also in the US Senate (which the Republicans recaptured in 2010; Fleming 2012: 136). Fleming (2012: 137) claims that up until 2012 during Obama’s presidency, “gun control policy was not a very salient issue. With the presence of a major focusing event, and unified control of government by the Democrats, it is peculiar that a stronger push for more firearms controls wasn’t sought.” What probably forced Obama to recoil from any larger attempts to influence gun control was the focus on the new health care reform and the economic crisis during the first half of his presidency, which not only took political energy but also made it plain that he could not afford to lose any of his own party’s votes. Putting another point of focus on gun control would most likely have backfired (Fleming 2012: 138). Also, initially, “for more

than a decade, violent crime had been declining nationally, and polls showed a gradual but clear shift in favor of gun rights” (Wilson 2015: 2)⁹. The NRA had successfully fought a number of existing gun laws, Supreme Court ruled in favor of an individual right to bear guns and even Obama repeatedly stated his trust in the individual right guaranteed by the Second Amendment. Ironically, gun sales have increased since Obama has become president, with high points especially in the election years 2008 and 2012, the major reason for this being that gun control opponents, with the NRA in the lead, have claimed for years that Obama is planning on overthrowing the freedom to own guns, especially now that he is in his second term and ‘has nothing to fear’ politically. Therefore, the NRA spoke of one of the most dangerous elections in 2012, while the Brady Campaign claimed that Obama’s influence on gun control had so far been “disappointingly little” (Wilson 2015: 3).

In 2013, after the Sandy Hook Elementary School Shooting, the White House published a plan to reduce gun violence through stricter gun laws. The plan, however, highlights that “[t]he President strongly believes that the Second Amendment guarantees an individual right to bear arms” (The White House 2013: 2). The main points of the proposed plan are:

1. Closing background check loopholes
2. Banning military-style assault weapons and high-capacity magazines
3. Increasing safety in schools
4. Improvement of access to mental health services

His ideas on background checks included required background checks for all guns sales through private persons and licensed dealers and the implementation of a background check system to simplify cooperation between the different states. The plans for school safety were quite extensive and focused on giving schools the necessary financial and human resources to develop strategies that could potentially help them in preventing gun criminality. The same holds true for his measures for mental health services. They would have been targeted mainly at

⁹ Wilson’s (2015) new publication “The Triumph of the Gun Rights Argument” has at his point (state of information: Jan 3) not been published in print. Quotes and information included here stem from abstracts of the introductory chapter that are freely accessible. However, unfortunately, any other information from the publication could not be included in this paper.

young people's access to professional help in order to keep them from turning to gun violence.

As can be seen from his recent statements about gun control, Obama was not able to turn this plan into reality yet. He even claimed that gun control is the area where he felt the most frustrated and stymied, but nevertheless "it is not something that I [Obama] intend to stop working on in the remaining 18 months [of his presidency]" (Transcript of Obama's Interview with BBC; BBC Online 2015).

Recently, it has become evident that Obama does intend to work on the issue more intensively in his last couple of months as president. In the beginning of 2016, he announced that he plans to meet with Attorney General Lynch to discuss and finalize new gun control measures. He intends to move unilaterally on this, as "Congress ha[s] failed to address the growing problem of gun violence" (Eilperin 2016). His planned measures are most likely to include measures from his 2013 plan such as amendments on the licensing of dealers and advancements on background checks. As to be expected, gun control opponents and the NRA have already spoken up against his venture, saying that the freedom to own guns is even more crucial now that Islamic terrorism is more present than ever and that Obama is merely trying to distract from his alleged failure in fighting said terrorism. Obama has been working with "former representative Gabrielle Gifford (D-Ariz.), who was gravely injured in a 2011 mass shooting, and her husband, Mark Kelly, and with former New York City mayor Michael R. Bloomberg" (Eilperin 2015) to talk about his proposals. He is also backed up by presidential candidate Hilary Clinton, who already claimed that she would pursue the licensing of informal dealers if elected (*ibid.*), while "the Republican presidential candidates hoping to succeed him are accusing him of abusing power and promising to reverse such measures if elected" (Rappeport 2015).

The temporal focus of the upcoming analysis will be the period from 2008 up until the beginning of 2016. However, as literature on the subject is not as extensive as one would wish, academic research from earlier years will be taken into consideration if it can be made sure that information taken from said research can still be considered valid.

3. Theoretical Framework: Public Will

This chapter is aimed at introducing the concept of public will as a conceptual variable. As a first step, public will is going to be defined and contextualized with other theoretical approaches. As a second step, the different components of the framework will be explained.

3.1 Definition and Context of Public Will

The term “public will” carries a lot of rhetorical power. Quite often it is used in the media and in discussions synonymously with public opinion of the majority. While it is a frequently used term, so far academic literature has lacked an explicit definition and conceptualization. It is a term prominent not only in political science, but also in sociology and communication studies (Salmon et al. 2003: 3). Raile et al. (2014) have now tried to close this gap in research and have attempted to construct “a definitional system that breaks the concept into components and offers operationalizations and assessment targets” (103). They argue that a thoroughly conceptualized public will framework might help in overcoming theoretical gaps and understanding “reciprocal influences in political systems” (105).

Even though public will has to be distinguished from other concepts such as public opinion, interest groups and social movements, there are also similarities and connections that make public will a flexible and dynamic concept. What mainly distinguishes public will from public opinion is the willingness to actually act on a problem one has an opinion on (Coffman 2011). The difference to social movement theory is that “[a] social movement can be an active manifestation of a certain degree of public will, but it is not public will itself [...]. The social movement concept emphasizes communicative processes that shape understanding, motivation, and intention. One would expect a *successful* social movement to be based on a strong public will, but public will can exist apart from a social movement” (Raile et al. 2014: 111). In political science, where coherent public will can provide a basis for policy-making, there are also connections to be drawn to agenda-building theory. Agenda building “focuses on explaining the

process through which some issues emerge and gain prominence in the media, court system and/or legislatures, whereas other issues never achieve public prominence” (Salmon et al. 2003: 11). At the basis of agenda-building theory stand two concepts: scarcity and subjectivity. Scarcity refers to the limited space on public and political agendas, indicating that the media and any political or legal institution only has a limited amount of time to deal with new topics. Subjectivity indicates that “the meaning of an issue is not inherent, but rather intentionally defined and redefined by groups seeking to make their issue more marketable” (ibid.). On the basis of these concepts, Post et al. (2008: 116) describe the agenda-building process as it was introduced by Cobb and Elder (1983). Every process begins with a conflict that can differ in scope (i.e. involved persons), intensity (i.e. degree of involvement of participants) and visibility (i.e. awareness that conflict is present). This conflict is played out by triggers (e.g. events) and initiators (e.g. persons of interest involved in the conflict). Additionally, there are five dimensions of the agenda-building process that can be controlled more or less in order to influence the outcome of the issue: specificity, social significance, temporal relevance, complexity and precedence of the issue. In general, one can say that “long-term, low-complexity, novel issues with a broad impact are more likely to secure a spot on the public agenda” (Post et al. 2008: 117).

In sociology, social problem construction theory is connected to public will. A social problem starts to exist once a certain public puts a label on the phenomenon and claims that there is a problem that needs to be tackled (Salmon et al. 2008: 8). All in all, public will is a concept that affects many different areas of not only political science, but also sociology and communicational studies and is, therefore, quite useful in analyzing complex conflicts that touch on various different areas as well.

Raile et al. (2014: 105) provide the following basic definition of public will: “[A] social system’s shared recognition of a particular problem and resolve to address the situation in a particular way through sustained collective action.” It is important to note here that public will does not necessarily have to be the will of the majority of a certain population and there can be many different coexisting

public wills at the same time (Raile et al. 2014: 105). This goes along nicely with a definition by Salmon et al. (2010: 159) that is slightly more elaborate:

“Nascent public will crystallizes around a social condition that is recognized as problematic; it coalesces into a collective consensus about how the problem can and should be ameliorated; and it can erupt, through coordination of resources and collective resolve, into social action.”

Another definition that leads in the same direction is provided by Coffman (2011). Coffman argues that public will is based on five factors. The first factor is that people need to have an actual opinion on a certain matter that, secondly, has to have a fair share of intensity or strength – meaning that people have to feel quite strongly about said matter. The third factor is salience; an issue needs to be a priority and of high importance for people, which will eventually lead them to educating themselves about the issue. The two crucial factors of public will, however, are the aforementioned willingness to actually do something about the problem and the ability to do so. In order to be able to act upon a problem, one would have to have the necessary resources to do so (e.g. financial resources, skills, environmental conditions and resources, information).

Raile et al. (2014: 106-109) name three areas for the analysis of which the concept of public will can be helpful. The first one is the area of political participation and government accountability. The general idea here is that democratically organized governments attempt to read the will of the public and implement said will into actual policies. A lack of this process, which is also called a delegate model, will in the long run lead to distrust in the government and political conflict. Understanding what the public will actually consists of could constitute a basis for research on accountability and responsiveness of governments and political participation. The second field of importance for the public will concept is the process of public policy-making. Some argue that the “goal of public will is to influence public policy” (Raile et al. 2014: 107). System theory and group-oriented theories have always focused on the importance of the ‘public’ for policy-making. In Easton’s approach to system theory, there is the assumption that the policy-making process is in need of demands and support in order to work

sensibly. However, the understanding of what ‘the public’ really is, is rather limited. The concept of public will could play a crucial role in researching the different compounds of political support and demands, as well as the usefulness of political will as a political resource.

Another important field of research is the area of communication and change. One needs to understand the complex relationship between the public and policy makers in order to derive any rules from it. While politicians use more and more thought-out techniques of political communication and public will campaigns, public opinion becomes more and more manifold. Not only are “policy agendas [...] influenced by what the public thinks, cares about, and does” (Coffman 2011), they also attempt to have an influence on public will. However, to actually build public will through public will campaigns one would first need to know how ‘organic’ public will is built spontaneously, when there are no conscious attempts made to influence it.

What lies at the very heart of various fields for which the concept of public will could be useful, is the interaction between public will and political will. Political will is a term that is, in the same way as public will, often used in the media and in political discussions but its meaning is rarely ever clearly defined. Post et al. (2010: 659) define political will as “the extent of committed support among key decision makers for a particular policy solution to a particular problem”. Both top-down and bottom-up processes are possible: Political will can be used to influence and sustain public will and public will can be used to attempt to influence political will. The following analysis of the gun control conflict with help of the public will framework deals with one side of this relationship – namely the idea that public will has to be composed in a specific way in order to have an influence on political will and – as a result of that – on policy-making. Post et al. (2008: 114) claim that “public will can be used to secure political will by (1) identifying and defining issues for attention, (2) focusing attention on an issue, and (3) affecting policy on an issue”. These general principles are manifested in the different components of the public will concept.

3.2 Components of the Public Will Concept

Raile et al. (2014: 111) derive the components of the public will concept directly from the basic definition “public will is a social system’s shared recognition of a particular problem and resolve to address the situation in a particular way through sustained collective action.” Accordingly, the five components are the following:

1. Social system
2. Shared recognition of a particular problem
3. Resolve to address the situation
4. In a particular way
5. Through sustained collective action

For each of these components, they provide fairly precise operationalizations and assessment targets. However, they emphasize the fact that they do not “delve much into specific measurement and indicator issues, as doing so could hamper the use of the concept across contexts” (ibid.). Therefore, the different components will carefully be looked at in this chapter in order to become aware of potential obstacles. Table 1 illustrates the details of the various subcomponents with the related operationalizations and assessment targets, which will now be assessed more closely.

Table 1: Operationalization, instrumentation and assessment targets of the five subcomponents of public will

Definition Component	Operationalization	Instrumentation and Assessment Targets
(1) Social System	(a) Interconnected people, groups, organizations, or subsystems	(a1) Association via information, monetary flows (a2) Social identities and cleavages
(2) Shared recognition of a particular problem	(a) Common belief something should be done about situation (b) Use of similar frame and terminology for problem	(a1) Directionality of attitudes and beliefs about problem status (a2) Nature and volume of expression of concern (b1) Convergence in statements and

		beliefs about the situation and its causes
(3) Resolve to address the situation	(a) Perceived collective efficacy (b) Willingness to commit significant resources	(a1) Beliefs about capability of social system to effect change (b1) Credible commitments to expend resources (b2) Stakeholder incentives and motivations (b3) Strength and salience of attitudes and beliefs
(4) In a particular way	(a) Use of similar frame and terminology for means of addressing situation	(a1) Directionality of attitudes and beliefs about particular means of addressing situation (a2) Convergence in statements and beliefs about proposed means of addressing situation
(5) Through sustained collective action	(a) Commitment to collective action (b) Intention to sustain collective action	(a1) Evidence of formalization and identification (b1) Stability over time of beliefs and attitudes (b2) Level of publicity of commitments

Source: Raile et al. (2014: 112)

What is important to note here is that the different components do not necessarily have to be assessed in the order shown in table 1 (they will, however, be assessed that way in this paper). The components are not built on each other in the sense of a chronological order; instead, they are interdependent. This becomes obvious when looking at the first two components: It might sometimes be hard to assess a particular social system without first having a look at the particular problem said social system is dealing with. Raile et al. (2014: 117-120) have provided us with a short case study for which they have applied the public will concept to the gun control issue. While this case study, in their case, serves merely as an illustration of the concept, it is useful for this paper in so far, as they have provided a very

basic outline of the analysis that enables us to identify the different components more easily.

The first step of analyzing a situation with help of the public will framework is identifying the involved social system or systems. A social system is defined as “a set of interrelated units that are engaged in joint problem solving to accomplish a common goal. The members or units of a social system may be individuals, informal groups, organizations, and/or subsystems” (Rogers 2003: 23, as cited in: Raile et al. 2014: 112-13). What is highlighted for this subcomponent is the importance of communicative activities. However, the extent of communication may vary from system to system. Furthermore, a social system has to be differentiated from an organization. It could be a formally organized entity such as a member-based interest group, but it does not have to be one. Raile et al. (2014: 113) argue, nevertheless, that “social systems have to be large or important enough [...] to surpass a ‘tripping point’ that initiates change.” Table 2 shows the instrumentation and assessment targets for the social system component, supplemented with specifications on the assessment targets that were identified by Raile et al. (2014: 112-114; 117-118). Each of the five components will be illustrated thoroughly with a table and a description of the approach analyzing it to ensure a higher level of coherence of the analysis in chapter 4.

Table 2: Instrumentation, assessment targets and specified assessment targets of the ‘social system’-component of the public will concept

Definition Component	Instrumentation and Assessment Targets	Specified Assessment Targets
(1) Social System	<p>(a1) Association via information, monetary flows</p> <p>(a2) Social identities and cleavages</p>	<p><u>information flow</u></p> <ul style="list-style-type: none"> - <i>communicational activities</i> in general - general <i>content of communicational activities</i>: coherent, targeted - <i>distribution of information</i>: regularity, receivers

		<p><u>monetary flow</u></p> <ul style="list-style-type: none"> - <i>dues</i> - <i>other sources of income</i> <p><u>social identities and cleavages</u></p> <ul style="list-style-type: none"> - <i>coherent ideas shared by everyone</i> - <i>areas of discrepancy</i>
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Source: Raile et al. (2014: 112), supplemented with own specifications

To identify the social systems involved in the conflict, first a look will be taken at the information flow of the involved parties. For this purpose, it is necessary to determine communicational activities of publics involved – internal communication as well as external communication. A closer look will also be taken at the content of said communicational activities. The aim is to assess whether the content is coherent and targeted. As a third step, it has to be assessed who receives the content and whether it is received on a regular basis. Analyzing the monetary flow of the assumed social systems will then help to substantiate the determination of the social systems. Therefore, the main sources of income of the social systems will be assessed. The area of ‘social identities and cleavages’ will be covered by looking more specifically at the information spread by the social system and any communicational activities and assessing whether they appear to be coherent or discrepant.

The second subcomponent – ‘shared recognition of a particular problem’ – contains the crucial factor that members of a social system recognize a specific problem and focus on it collectively. This is based on the condition that they share one coherent interpretation of the problem. While this shared recognition of a particular problem helps in identifying the social system, it also influences potential ways to deal with the problem, which is the next component of the concept. Therefore, it becomes obvious that all components of public will interact with each other. Operationalization of this component consists of the common belief that something should be done about a certain situation and the use of a

similar frame and terminology to talk about the problem. Table 3 illustrates the specified assessment targets of this component.

Table 3: Instrumentation, assessment targets and specified assessment targets of the ‘shared recognition’-component of the public will concept

Definition Component	Instrumentation and Assessment Targets	Specified Assessment Targets
(2) Shared recognition of a particular problem	<p>(a1) Directionality of attitudes and beliefs about problem status</p> <p>(a2) Nature and volume of expression of concern</p> <p>(b1) Convergence in statements and beliefs about the situation and its causes</p>	<p><u>directionality of attitudes/beliefs</u></p> <ul style="list-style-type: none"> - <i>basic position: well-developed narrative</i> - <i>shared by majority of members</i> <p><u>nature and volume of expression</u></p> <ul style="list-style-type: none"> - <i>communication of message</i> - <i>time frame of expression</i> - <i>spread of expression</i> <p><u>convergence in statements</u></p> <ul style="list-style-type: none"> - <i>issue-framing & terminology</i> - <i>blaming</i>

Source: Raile et al. (2014: 112), supplemented with own specifications

For this component, it will firstly be assessed whether the social system provides a well-developed narrative that is communicated regularly to its members and the outside world. Then a look will be taken at the way this narrative is communicated (When? Where? How?) and at the convergence in statements of the social system (or social system leaders). Please note that this component does not yet deal with any concrete solutions to the assessed problem. As a last step the assessment of this component includes looking at the way the issue is phrased by the respective social system and who or what is blamed for the existence of the detected issue.

The third component is ‘resolve to address the situation’. Raile et al. (2014: 115) argue that this is the component that differentiates public will from mere public opinion, as the resolve includes the will to actively change the problem:

“Documenting public support for change via passive responses to survey questions is fundamentally different from determining that a social system genuinely intends to engage in activities necessary to bring about change.”

Along with the belief that something could be done about the problematic situation comes the willingness to commit the necessary resources to do so. They could come in form of financial or human capital – through giving a large sum of money or merely through spending a bit of time working on the cause. The resources could also be represented by both individuals and groups of the social system furthering the cause. For the assessment target called ‘stakeholder incentives and motivations’, Raile et al. refer to the stakeholder analysis presented in Mitchell et al. (1997) who provide three key stakeholder attributes: Power, legitimacy (inside and outside) and urgency (866-867), which will be the basis for this part of the analysis. Power indicates that an actor is strong enough to act against resistance. The social system would thereby have influence on other social actors and has the power to create its desired outcomes. ‘Strength and salience of attitudes and beliefs’ draws back at agenda-building theory and indicates that an issue should have a high degree of participant involvement in order to be strong and should be relevant enough to be important and salient. Salience, therefore, “refers to the perceived importance of one issue vis-à-vis others collectively comprising a public, policy or media agenda” (Salmon et al. 2003: 15).

Table 4: Instrumentation, assessment targets and specified assessment targets of the ‘resolve to address’-component of the public will concept

Definition Component	Instrumentation and Assessment Targets	Specified Assessment Targets
(3) Resolve to address the situation	(a1) Beliefs about capability of social system to effect change	<u>perceived collective efficacy</u> - inside & outside

	<p>(b1) Credible commitments to expend resources</p> <p>(b2) Stakeholder incentives and motivations</p> <p>(b3) Strength and salience of attitudes and beliefs</p>	<p><u>resources</u></p> <ul style="list-style-type: none"> - <i>willingness to commit resources</i> - <i>financial</i> - <i>human capital</i> <p><u>stakeholder incentives</u></p> <ul style="list-style-type: none"> - <i>power, legitimacy, urgency</i> <p><u>strength and salience</u></p> <ul style="list-style-type: none"> - <i>intensity and relevance</i>
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Source: Raile et al. (2014: 112), supplemented with own specifications

According to Raile et al., “[t]he fourth component mirrors the second, which dealt with shared belief of a particular problem” (2014: 116). Therefore, the individual assessment targets of the ‘in a particular way’ component now take into consideration particular means of addressing the problem that has been assessed in component 2. For this component, therefore, the assessment targets are similar to the ones of component 2, but they focus on the particular way of addressing the issue the social systems have identified.

Table 5: Instrumentation, assessment targets and specified assessment targets of the ‘in a particular way’-component of the public will concept

Definition Component	Instrumentation and Assessment Targets	Specified Assessment Targets
(4) In a particular way	<p>(a1) Directionality of attitudes and beliefs about particular means of addressing situation</p> <p>(a2) Convergence in statements and beliefs</p>	<p><u>directionality of attitudes and beliefs</u></p> <ul style="list-style-type: none"> - <i>framing of solution</i> - <i>terminology used</i> - <i>views on roots of the problem</i> - <i>approach to problem</i>

	about proposed means of addressing situation	→ <i>convergence in statements</i>
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Source: Raile et al. (2014: 112), supplemented with own specifications

A look will be taken at how the proposed solution is framed by the social system, what is identified as the root cause of the issue and how they plan to concretely approach the problem. ‘Framing’ refers to the usage of a specific type of terminology when talking about a certain issue. Gitlin (1980: 7, as cited in Salmon et al. 2003: 14) claims that framing refers to “persistent patterns of cognition, interpretation and presentation, of selection, emphasis and exclusion, by which symbol handlers routinely organize discourse.” The way issues are framed can have an effect not only on the involvement of the public in certain causes, but also on political action: “[N]ew frames may activate different dimensions of an issue and in doing so affect the salience of the issue for individuals and perhaps alter their opinions about how political leaders should address it” (Goss 2006: 106). For all of this, it is crucial to look at the convergence of statements made by leaders of the social system or social system members on their proposed solution. The fifth component deals with ‘sustained collective action’. This can be analyzed by looking at the formal structure of the groups and whether it is coherent and aimed at collective efficacy. Any form of identification with a group, e.g. paying fees, going to group meetings, etc., can play a role here, as well as the “level of publicity of commitments made by social system members” (Raile et al. 2014: 117). All these efforts have to be long-lived and sustainable in order to be successful.

Table 6: Instrumentation, assessment targets and specified assessment targets of the ‘through sustained collective action’-component of the public will concept

Definition Component	Instrumentation and Assessment Targets	Specified Assessment Targets
(5) Through sustained	(a1) Evidence of formalization and	<u>formalization</u>

collective action	<p>identification</p> <p>(b1) Stability over time of beliefs and attitudes</p> <p>(b2) Level of publicity of commitments</p>	<p>- organizational structure of the social system</p> <p><u>identification</u></p> <p>- forms of socialization</p> <p>- selection of members</p> <p>- internal organizational communication</p> <p>- public relations</p> <p><u>stability over time</u></p> <p>- <i>change of communication/statements over period of time</i></p> <p><u>publicity</u></p> <p>- <i>presence in media</i></p>
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Source: Raile et al. (2014: 112), supplemented with own specifications

For this component, firstly, the organizational structure of the social systems will be looked at, followed by the forms of identification associated with the social system. The assessment target ‘identification’ that constitutes part of (a1) is the most unclear of all assessment targets presented by Raile et al. (2014: 116). For the purpose of assessing what constitutes identification with a social system, they refer to a rather outdated study by Cheney (1983) that deals with organizational identification in a corporate setting. Cheney (1983: 343) names socialization (both formal and informal), personnel selection, training, promotion, and transfer; internal organizational communications; and public relations as influential factors on organizational identification. These factors cannot be used in precisely the same way for a social system that does not constitute an organization with employees. However, adapted forms of these factors, as can be seen in table 6, will be used for the assessment of this subcomponent. Stability over time will be assessed by looking at reactions to incidents where guns were involved and the same is applicable to ‘presence in the media’.

3.3 Evaluation of the Public Will Concept

While the public will concept is outstandingly useful in assessing the different public wills involved in a conflict and delivering information on why certain public wills might be stronger than others, it also presents us with a number of complications.

First of all, as mentioned before, Raile et al. (2014) openly argue that they are not inclined to focus too much on measurement and indicator issues, as this could limit the usefulness of the concept in different contexts and make it more restrictive. While this enables us to apply the concept more freely, it also leaves a fair share to the imagination. Some of the presented assessment targets remain unclear, even after having taken a very close look at the description offered in the text and the short case study by Raile et al. (2014). This is the case especially when the terms used in the formulation of the targets are quite vague. For example, terms such as ‘beliefs’, ‘convergence’, ‘directionality’ and ‘commitment’ as well as phrases such as ‘perceived collective efficacy’ are sometimes not discussed thoroughly enough to come up with a clear idea of how to assess the specific component. Therefore, a certain share of the specified assessment targets stems from the understanding the researcher has about these terms and it cannot be made absolutely sure that this understanding is shared by Raile et al. Furthermore, some of the terms used by Raile et al. are terms that are quite subjective and sometimes, in addition to that, the perspective is unclear. A good example for this is the term ‘relevance’ used for component 3. Is the issue supposed to be relevant to the social system (which one can assume to be self-evident), to the general public or to political players?

Another critical factor was also mentioned before: it is sometimes unclear why Raile et al. base a few analytical factors on certain literature that is sometimes quite outdated. For example, they use a study from a corporate setting for assessment of the term ‘identification’ in component five (Cheney 1983) and an article dealing with stakeholder analysis from a management magazines for assessing ‘incentives and motivations of social system members’ (Mitchell et al. 1997). These sources, again, pose their own problems in terms of unclear

definitions and instrumentations, as they come from different areas of study and their connection to public will is not made clear enough.

The different research areas also constitute a problem on another level: While Raile et al. (2014) argue that public will is related to other concepts but is still clearly separable from them, it becomes apparent in the first component that, for example, a social system is not clearly distinguishable from a social movement or merely an organization. The actual analysis of the gun control conflict should show whether these issues turn out to be more profound problems.

4. Analysis of the Gun Control Conflict through the Public Will Concept

This chapter constitutes an attempt at applying the public will concept and its components to the gun control conflict. It is important to note here that certain assessment targets overlap across the different components (cf. chapter 3.3). Communicational activities, for example, play a role in all of the components. Therefore, be aware that the analysis provided for a single component will sometimes discard certain aspects of an assessment target to avoid duplication.

The analysis provided here focuses on a time frame from 2008-2016 and thereby covers the term of Obama's presidency. Whenever possible, focus will be put on specific events, for example when it comes to assessments of media presence. For certain components, e.g. the 'stability over time of beliefs and attitudes', it makes sense to focus on specific events in order to be able to draw an appropriate comparison between the different social systems involved. However, please be aware that literature which deals with the gun control conflict on a more detailed level and provides us with targeted information is rather sparse and it is, therefore, not possible to stick to the given time frame and specific events throughout the whole of the analysis.

As mentioned before, Raile et al. (2014: 117) have provided us with a "limited application of the definitional system" to the gun control conflict. While in their case the short analysis only constituted an exemplary application of their concept, it is useful as a reference for this analysis. It has become obvious in the past years and especially in the last couple of months (approximately October 2015 –

January 2016) that the issue is of high significance for the United States and it is one of the most hotly debated issues observable right now. However, there has no solution been reached yet, even if negative feedback on attempted legislations indicates a tendency. An analysis of this conflict through the public will concept can now help to demonstrate “the simultaneous existence of different types of publics and shows that certain elements of a common media description of the issue are misleading” (ibid.).

4.1 Social System

Raile et al. (2014: 117) have identified two social systems involved in the gun control conflict in their case study:

1. A NRA-led social system “opposing any new firearm control policies” (ibid.).
2. A social system represented by pro-control organizations such as the Brady Campaign.¹⁰

While the gun rights movement consists of various local, state and national organizations such as membership organizations, think tanks, sport-shooting organizations, activists, etc. (Cook / Goss 2014: 189), the NRA is clearly the organization that is most influential. The NRA’s basic position on the matter of gun control is “Guns don’t kill; people do”. They claim that it is a logical conclusion to assume that the people misusing guns are criminals and criminals categorically disobey the law. Therefore, they would also disobey gun laws and, as a result of that, there is no need to introduce any gun laws, as they would only limit the rights of the respectable citizens and would have no impact on gun criminality (see chapter 4.2 for more information).

The gun control movement likewise includes national, state and local organizations. However, all these organizations and communities have historically lacked the grassroots membership and resources the NRA has. The most

¹⁰ The analytical part of this paper was finalized on January 3rd, 2015. While there have been recent developments that indicate that President Obama is joining the discussion intensively, either with the gun control social system or as another potential social system, the developments are too recent to include them in this analysis and, naturally, there are no sources to be found on this in academic research yet.

prominent gun control organization in the US is the Brady Campaign to Prevent Gun Violence, an organization with around 400,000 members. The Brady Campaign also runs the Center to Prevent Handgun Violence that consists of a legal, research and education department. “[W]hile the gun rights movement has been unified around the notion that having fewer gun laws is better than having more” (Cook / Goss 2014: 207), the gun control organizations and movements have always disagreed among themselves about the different policy options concerning gun control and which kinds of measures such as background checks, increased child safety, restrictions on sales, etc. would be the best solution to the assessed problem of too much gun violence. There has rarely ever been a single approach supported by a majority of gun control advocates and communicated to the public (ibid.). Therefore, the basic position of the gun control social system does not appear to be as thought-out as the one of the NRA and there appear to be some internal areas of discrepancy in the gun control system’s views on the conflict.

The Brady Campaign is a membership organization such as the NRA but it relies heavily on financial contributions from the public, which tend to be connected to the occurrence of high-profile shootings. The combined revenues of the Brady Campaign and the Coalition to Stop Gun Violence, the second most prominent gun control organization, came up to only about 7% of the NRA’s revenue in 2011 (Cook / Goss 2014: 204). In some ways, the Brady Campaign has aimed at duplicating the tactics of the NRA: “[t]hey have works to build a grassroots base of membership, demonize the opposition, influence its members to contribute money, and for its members to call politicians” (Fleming 2012: 5).

However, the NRA had an income from member dues alone of \$102 million in 2011. This income is used to finance authoritative research, lawmakers, grassroots lobbying, communication with members and electoral work. In total, the membership organization had a budget of \$230 million in 2011 (Cook / Goss 2014: 195). It is often claimed that the NRA is strongly supported by the gun industry and functions solely as its lobbying arm. While the concrete relationship between the NRA and the gun industry is unclear, it is likely that a fair share of budgets comes from the industry. Buchter (2015) estimates that the NRA received

a total of \$19-60 million from the gun industry between 2005 and 2013. Money comes from different sources: direct donations, advertising in NRA publications and shares the NRA receives from the sales of certain types of guns. This indicates that the NRA's monetary flow coming from both membership dues and other sources of income is much more extensive than the one of the gun control social system.

The NRA actively supports laws protecting the gun industry against law suits and the NRA's Ring of Freedom corporate sponsorship program is supported by the gun industry. Additionally, "[s]everal gun industry executives serve on the NRA's 76-member board" (Cook / Goss 2014: 201). It is, however, also unclear how exactly this relationship translates into the NRA's points of view. Most likely, the NRA's views on gun control are more extreme than the ones of the gun industry and it can be assumed that the "NRA runs the show and the industry goes along because it fears the NRA's wrath and because their interests are largely aligned anyway" (Cook / Goss 2014: 201).

When it comes to communicational activities with its members, the NRA stands out on many levels. They operate a minimum of two e-mail groups that reach a large group of people¹¹, one of which deals with legislative matters and the other one features official press releases (Patrick 2002: 45). The NRA also hosts various well-developed websites. The main page www.nra.org links to a vast number of other pages, such as a website featuring all NRA publications (www.nrapublications.org), a news page (www.nranews.org), the NRA store (www.nrastore.org) and a website dealing solely with member benefits (www.benefits.nra.org). The website featuring all NRA publications, again, links to more subpages such as a website with content targeted specifically at the whole family (www.nrafamily.org). The three main publications by the NRA as well as the minor publications that also appear in a printed format are also featured on their own websites with some of the bigger articles and additional information.

¹¹ Patrick (2002: 45) states that these are the mailings accessible „to the public or journalists“ in 2002. There are most likely more mailings available in the present time and NRA members probably receive separate ones. Unfortunately, the “public” NRA newsletter was not sent to me after registration.

Furthermore, the NRA website provides other content such as video features, opinion pieces, speech transcripts, etc.

The NRA has three major publications, all of which also appear in printed format: *The American Rifleman*, *The American Hunter* and *America's First Freedom*. Each of the magazines is targeted at a specific group of people generally interested in guns. *The American Rifleman* is directed at the NRA members that are most likely the most enthusiastic about guns. It includes "shooting equipment and technique involving rifles, shotguns and handguns, historic and current technological development, new products and firearms, firearm-related collecting and biographies [...]" (Patrick 2002: 107)¹². The magazine also includes information on current legislative issues. As an example, the March 2015 issue¹³ included the following features: "ILA celebrates 40 years" (political), "Fashion & Function: EEA's Witness Pavona" (piece on specific type of gun, targeted at fashionable women), "The Original Weatherby" (historical), "The Guns of 1865: The Spencer Comes of Age" (historical), "Are Your Guns Tired and Stressed" (technical), "Power and Majesty: The Magnum Research Desert Stainless Eagle" (news, historical). As can already be derived from the titles of this specific issue, a lot of articles are "deeply nostalgic in tone, harking back to romanticized eras, values, and bygone craftsmanship or equipment of yore" (ibid.). There is also a TV program called *The American Rifleman*, which is hosted by the editor-in-chief of the magazine.

The American Hunter is targeted at NRA members interested in the hunting sport aspect of guns and includes information on "hunts, locations, game species and their behavior, appropriate or ideal calibers for different applications, equipment, history, conservation efforts, and biography-adventure" (ibid.). It does, however, also include a small share of political information. As an example, the November 2015 issue includes these features: "Deer Camp USA: Catskills Camp" (hunting/camping), "The Right Rut Stand" (hunting), "Second Chance First Elk" (hunting), "Armed Self-Defense 'Rare'?" (political), "Driven by Dedication" (hunting).

¹² All information by Patrick (2002) included in this chapter has proved to be still valid today.

¹³ All publication issues accessed through <http://www.nxtbook.com>.

America's First Freedom is the NRA publication most obviously directed at the social and political issues around guns (ownership, self-defense, guns and the family, etc.). The features from the July 2015 issue illustrate the dominant topics of this publication: "Knot at the Border" (deals with want for national right-to-carry laws), "You May Feel Some Pressure" (on freedom to carry guns despite medial conditions), "Freedom Rides High in Nashville" (report on ILA gathering in Nashville), "What Draws Women to Guns, Stop The Noise" (on nationwide legalization of suppressors). In addition to features, all three publications include recurring sections such as The Armed Citizens ("True Stories of the Right to Keep and Bear Arms"), the President's Column (a regular feature by NRA president Allan D. Cors), a Mail Call featuring letters from NRA members and a Political Report that elaborates on current events in gun politics.

In addition to three main publications that are only available to members, there is also a magazine available on the newsstand – *NRA Shooting Illustrated*. The NRA media kit (2012) provides the following information on this magazine: "*Shooting Illustrated* provides today's shooters with cutting-edge coverage of the latest self-defense and tactical firearms. [...] *Shooting Illustrated* delivers in-depth technical analysis combined with practical evaluation of the newest guns and gears." There is also a digital magazine, *Shooting Sports USA*, which seems to be catering to roughly the same demographic as *Shooting Illustrated* and *The American Rifleman*. Furthermore, the 2012 media kit presented a magazine targeted specifically at children and young adults, but this magazine is no longer being published: "*NRA InSights* offers both education and entertainment for young folks interested in firearms, hunting, game animals and shootings sports. [...] *NRA InSights* offers safety lessons, informative how-to articles, product reviews, and encouragement to become active in shooting and hunting." (NRA Media Kit 2012). The NRA is also very active on Social Media (Facebook, Instagram and Twitter) and all their content is available in a smartphone app.

All of this indicates that the NRA is eager to get its message across to members interested in the various different aspects of shooting and also to the families involved and pays thorough attention to adapt the message to a variety of different types of members. All in all, the NRA communicates regularly and intensively

with its members. Magazines sent out to members are even customized with “key voting information by states and congressional districts” (Patrick 2002: 45), through which they communicate NRA-approved candidates when elections come up. Communication includes all imaginable communicative channels and is targeted very purposefully at the different groups of NRA members and people generally interested in the NRA. The NRA also advertises in venues where gun supporters meet on a regular basis, namely gun shops, gun shows and shooting ranges.

Unfortunately, there is no analysis of the communicational activities of the Brady Campaign or any other pro-gun control organization to be found in academic literature. However, judging from their website www.bradycampaign.org, they do not have any actual magazine publications. In general, it is not made clear on the website how to become a member of the Brady Campaign. There seems to be the option to join a local chapter in the state one lives in. Additionally, there is the option to become a member of the citizen circle, which results in membership fees ranging from \$1,200 to \$100,000, depending on which type of membership one chooses. The benefits are described as follows:

“Citizen Circle donors receive both one-time and annual ‘Members Only’ items, plus briefings from Senior Brady staff, and access to Brady events and gatherings. At the highest contribution levels, members will be invited to engage in executive-level in-person discussions with Brady leadership, receive prominent recognition throughout the year, and gain special access to Brady’s Signature Events” (<http://www.bradycampaign.org/citizen-circle>).

Also, the Brady Campaign prominently features an appeal for funds on their website. In addition to that, they provide informative articles and links, but their website is not nearly as well thought-out as the NRA website and does not make the benefits for potential members quite as clear as the NRA does. The Brady Campaign is also active on Social Media (Facebook, Twitter, Pinterest). On Facebook and Twitter, they post on a regular basis, usually even multiple times a day. The content of these postings is comprised of comments on current events or links to articles on current events, quotes or phrases from current campaigns

meant to encourage gun control proponents and praise for celebrities supporting gun control. They also offer subscription to a newsletter, which unfortunately was not sent to me after subscription. As one would have to become a member of the Brady Campaign in order to receive all the information available to members, it cannot be assessed completely how far the communication with members lacks behind the NRA. But keeping the Brady Campaign's limited budget in mind, it is hard to imagine that their communicational activities could even closely match the ones of the NRA.

The Coalition to Stop Gun Violence appears to be slightly more active on their website. They provide more information than the Brady Campaign and feature their blog and current campaigns. The Violence Policy Centers offers easily accessible scientific research in pdf format for many current issues. As can be seen from this analysis, both social systems demonstrate communicational activities, but the NRA far excels the gun control proponents. One could assume that the reason for this are the vast financial resources of the NRA, which enable the organization to cater to its members in an outstanding manner.

Outside communication with the media will be looked at in the analysis of component 5, which also deals with press relations.

4.2 Shared Recognition of a Particular Problem

As mentioned before, the Second Amendment plays a key role in the views and basic positions expressed by both gun control advocates and opponents. It is, therefore, part of the basic position of both sides. Carter (2006: 24) provides a coherent summary of the views on the Second Amendment of the two sides involved in the gun control debate:

“The proponents of ‘gun rights’ – archetypically vocalized by the National Rifle Association (NRA) – would have the public, lawmakers, and judges believe that the amendment guarantees the *individual* the right to own and use arms for protection – protection of one’s person, home, or property, as well as against a government that might descend from democracy into tyranny. On the other hand, the proponents of gun control – most strongly articulated by the Brady

Campaign to Prevent Gun Violence – would have everyone believe that the Second Amendment is a *collective* right that guaranteed *states*, not individuals, the right to form armed militias for protection in case the democracy of the fledgling nation failed.”

Before 2006, proponents of gun control often argued that no federal court had ever dismissed a gun control law as unconstitutional in the light of the Second Amendment; “courts have consistently decreed that both federal and state governments can restrict who may and may not own a gun” (Carter 2006: 25). However, this changed in 2008 when the Supreme Court ruled in favor of an individual right to carry guns for the first time. Nevertheless, the gun control groups still made use of back references to cases such as the 1939 *United States vs. Miller* case, which ruled that the National Firearms Act of 1934 is constitutional in the light of the Second Amendment. Also, the 1980 *Lewis vs. United States* ruling is often cited by gun control advocates, as it deemed the 1968 Gun Control Act (which prohibited felons to own firearms) to be constitutional.

The NRA and other organizations aimed against gun control “prefer to take the long view of history with regard to the Second Amendment” (Carter 2006: 29). They focus on Supreme Court decisions between 1876 and 1938, which claimed that the Second Amendment was originally intended to grant the individual citizen the right to possess arms “and to be prepared to carry these arms into battle in defense of the state” (Carter 2006: 29). Their arguments often go back as far as Saxon England and the first settlers, who actually had a duty to be armed. England tried to disarm population at the beginning of the Revolutionary War, which was one of the reasons for its final outburst. In the course of the Revolutionary War, single states adopted constitutions that allowed every single one of their citizen to bear arms. Later on “[s]tate’s rights advocates wanted to be certain that federal power could not be used to annul state sovereignty” (Carter 2006: 31). The NRA uses this historical background to argue that the individual right to carry firearms is indeed based on tradition and sensible arguments. Also, the NRA and other organizations frequently use an analysis of the First Congress debate over the Second Amendment and the Militia Act of 1792 as a basis to claim that there is

“no instance of any representative questioning whether individual citizens had the right to possess a firearm” (ibid.).

The NRA also provides information about their basic position on their website, which also focuses on the Second Amendment rights:

“While widely recognized today as a major political force and as America's foremost defender of Second Amendment rights, the NRA has, since its inception, been the premier firearms education organization in the world. But our successes would not be possible without the tireless efforts and countless hours of service our nearly five million members have given to champion Second Amendment rights and support NRA programs. As former Clinton spokesman George Stephanopoulos said, "Let me make one small vote for the NRA. They're good citizens. They call their congressmen. They write. They vote. They contribute. And they get what they want over time."
(www.nra.org)

The Brady Campaign delivers a much shorter and much less concrete statement, namely: “The mission of the Brady organization is to create a safer America for all of us that will lead to a dramatic reduction in gun deaths and injuries” (<http://www.bradycampaign.org/about-brady>).

The Violence Policy merely offers a slogan: “Research, investigation, analysis and advocacy for a safer America” (www.vpc.org) and the Coalition to Stop Gun Violence is a bit more specific: “We seek to secure freedom from gun violence through research, strategic engagement and effective policy advocacy” (www.csgv.org). While the pro-gun control organizations provide little on their general goal and message, they do provide information on their suggested solutions to the problem of gun criminality, which will be discussed in the context of the ‘in a particular way’-component. However, when it comes to a general basic message, the NRA exceeds at communicating this message to the public, as it is mentioned frequently in discussions about any kind of gun control legislation, in communication with its members and in the aftermath of any kind of incident involving gun violence.

As both social systems analyzed here are also membership organizations or a combination of membership organizations, it can be assumed that members of the social system, as they are also members of the organization, support the basic standpoints of the organizations because otherwise they would not be due-paying members. However, as mentioned before, there appear to be more areas of discrepancy amongst the gun control advocates than there are within the NRA.

While both the NRA and their counter-organizations work on the gun control issues permanently and share their story with their members on a regular basis, their messages are usually communicated to the general public in the context of gun incidents. President Obama (Time Magazine 2015) summarized the standard reaction of the NRA in cases of gun violence in his statement for the Oregon shooting in 2015 in a quite ironic manner:

“And what’s become routine, of course, is the response of those who oppose any kind of common-sense gun legislation. Right now, I can imagine the press releases being cranked out: We need more guns, they’ll argue. Fewer gun safety laws.”

While this statement was made in a context that is clearly aimed at putting the NRA in a negative light, the essence of it holds a lot of truth. The reaction of the NRA to any kind of incident involving guns usually includes one, or in some cases all three, of these points:

1. The claim that more guns are needed; the basic argument being that “[t]he only thing that stops a bad guy with a gun is good guy with a gun” (Lichtblau / Rich 2012).
2. A reference to the Second Amendment, the alleged individual right to carry a gun and the freedom to take self-protection into one’s own hands.
3. The argument that people, not guns, are the root cause of the problem (Breslow 2015).

The reactions of the NRA to major focusing events have been quite stable over the last couple of years¹⁴ and Henigan (2009: 6) argues that “[e]ven when these exact

¹⁴ For further information on the argumentative structure of the NRA’s statements, which would exhaust the scope of this paper, Henigan (2009) provides an extensive analysis of the main arguments used by the NRA. Examples are general messages such as “Guns don’t kill people. People kill people”, “When guns are outlaws, only outlaws will have guns” and “An armed society is a polite society” (6).

phrases weren't used, the thoughts they express were conveyed in other words. In more scholarly settings, critics of gun regulation would dress up statistics, but their basic claims could, to a remarkable degree, be boiled down to the same themes [...].”

What is interesting is that while prominent articles – both in Germany and the US – dealing with mass shootings or any other event involving gun violence usually include a more or less direct reference to the NRA's reaction to the event, they often lack a statement of one of the gun control organizations. Goss (2006: 191) argues that “the gun control campaign struggled to obtain patronage, to craft a resonant issue frame, and to settle on a strategy that could deliver movement-building victories.” The gun control proponents would have to use focusing events and research more effectively to “expand the significance of the issue beyond those who are directly involved” (Wilson 2007: 154).

However, the gun control organizations lack prominent spokespeople. While the NRA is established enough to rely on its own prominence, counter organizations are in need of strong spokespersons such as Sarah Brady. In addition to that, they have lacked a powerful communicational framework. While the NRA relies on the freedom of the individual as a broad basis for everything they say, pro-gun control groups do not provide a basic framework that would mobilize the public. At the same time, they are struggling against an opponent that “has millions of supporters delivering a very disciplined message, that gun control is futile at best and un-American at worst” (Cook / Goss 2014: 209). As mentioned before, the Brady Campaign was renamed several times: When the National Council to Control Handguns (NCCCH) was renamed Handgun Control Inc., this went along with a change in philosophy from banning to controlling guns. And when it was renamed Brady Campaign because of Sarah Brady, the organization claimed credit for the passage of several control laws and lawsuits against the gun industry and the passage of the Brady Bill, but failed with the attempt on Brady II (Wilson 2007: 134). All of these structural changes within the organization did not contribute to a coherent outside communication of the group.

When it comes to blaming, the blaming of any restriction on the ownership and usage of guns is a natural consequence for the NRA:

“Since the late 1990s [...], the NRA has been exaggerating gun control threats, shifting to the political Right [sic] to connect gun threats to liberal culture war threats, and portraying threats to gun rights as threats to all individual rights and freedoms. The NRA frames defenders of gun rights as patriots and freedom fighters, and labels gun control supporters as freedom-haters and terrorists.” (Melzer 2009: 76)

Similarly, gun control proponents join the media in blaming the NRA for the gun control crisis. Goss (2006: 105) claims that “the absence of an accessible, compelling issue frame was one of the key factors constraining the gun control movement.” While the 1990s were characterized by the use of a framing of gun control as a variety of crime control, the gun control advocates have now been working towards a frame that focuses on public health, even if that frame is not used as consistently as the framing of the NRA. More precisely, the focus has often been put on keeping children safe from any gun violence. The regular and systematic use of this framing does not only put gun control on a level that makes people become more emotionally affected by it, which is necessary because gun rights opponents are usually personally affected by their issue and are, therefore, very emotional about it. It has also proved to increase people’s participatory efforts: “When gun control advocates started portraying their policy as a child-protection measure, more people participated more intensely over a longer period of time” (Goss 2006: 123).

4.3 Resolve to Address the Situation

It has become clear in the previous parts of this analysis that the NRA has vast financial resources backing them up in all their actions, while the financial capital of organizations such as the Brady Campaign is limited and relies heavily on donations from outsiders. In addition to that, NRA members are very actively working for their cause: “[T]he NRA and allied gun rights groups stand out in their ability to generate true grassroots engagement – getting members to show up at lawmakers’ town hall meeting, contact elected officials, write letters to the editors, harass opponents, and cast their votes based on a candidate’s gun rights

positions” (Cook / Goss 2014: 193). As mentioned before, the arguments frequently used by the NRA and their associates show a great degree of constancy and cohesiveness and “[f]or gun control advocates, the sad fact is that the bumper sticker arguments of the National Rifle Association and its allies have a persuasive power that cannot be denied” (Henigan 2009: 6). Wilson claimed the following in an interview for his new publication on the gun control conflict:

“For people who favor gun control, it's one of several issues they care about, along with abortion and immigration, whatever else. [...] For a significant number of people who oppose gun control, they care about gun control, gun control and gun control. They may care about other issues too, but they *really* care about gun control. They're more likely to contact elected officials, more likely to talk to friends about it, more likely to make campaign contributions.” (Adams 2015)

It has become apparent in the previous analysis that both the NRA and the Brady Campaign are willing to commit financial resources to their cause, even though the scope of the resources they are able to commit is vastly different. Other organizations such as the Brady Center and the Violence Policy Center focus on contributing research to the cause. The distinguishing factor here seems to be what Raile et al. call “human capital” – while NRA members are quite active in contributing to the organization and the spread of the NRA’s message, members of the Brady Campaign are more restrained and it falls to prominent spokespersons like Sarah Brady to further the cause. This may be connected to the lack of incentives the gun control proponents can offer to members of the social system as a whole or individual organizations, as gun control struggles to provide incentives in the form the NRA does. They must rely heavily on “altruistic incentives” (Cook / Goss 2014: 208), which are not that effective in mobilizing as are for example materialistic incentives.

The stakeholder attributes which Raile et al. used in the analysis of this component are defined by Mitchell et al. (1997: 865) as power, legitimacy and urgency. A powerful actor would be one that is in the position to act against resistance, has influence on other social actors and has the power to create its desired outcomes. All of this is true for the NRA: It acts against resistance from

gun control advocates and the media, has a huge influence on other social and political actors, and the NRA's power to affect policy has never really been in danger despite "clouds of media scorn, presidential censure, or unfavorable public opinion" (Patrick 2002: 4). When it comes to legitimacy, both social systems stand for claims that are deemed to be legitimate by certain parts of the public. However, Mitchell et al. (1997: 866) argue that "[an] entity may have legitimate standing in society, or it may have a legitimate claim [...], but unless it has either power to enforce its will [...], it will not achieve salience [...]", which is one of the gun control social system's obstacles. Urgency is the only factor for which it could be argued that it is fulfilled more by the gun control organizations than by the NRA. In the light of gun violence happening on a daily basis, their issue calls for immediate attention, not only in the eyes of the organization, but also for society as a whole. Most likely, the NRA would also argue that their issue is time-sensitive. However, with gun laws being as weak as they are already, there would most likely not be much of a change for society if they became even weaker.

Strength and salience of attitudes and beliefs refers to the intensity and relevance of the problem. While relevance of an issue is not a very objective criterion, it is to be assumed that both social systems consider their issue to be relevant and as we are dealing with membership organizations, they include members of society that believe the topic is meaningful. When it comes to intensity, it has often been argued that the "intensity of the gun control issue is greater for supporters of gun rights than it is for proponents of gun control; they are more likely to vote for or against a candidate based solely on their position on gun control" (Wilson 2007: 156). The aforementioned gun control paradox is usually answered with a remark on intensity: People that support gun control do not feel as strongly about the issue as do people who support gun rights. It is claimed that gun control supporters care about many other issues as well, especially since most of them have not been victims or relations to victims of actual gun violence, and do not make gun control a priority, whereas, allegedly, a lot of "gun rights supporters are passionate, relentless, single-issue voters who will stop at nothing to prevent passage of stronger gun laws" (Cook / Goss 2014: 196). While this cannot be generalized onto every voter, the NRA reflects this argument. This might also be

the case because gun rights proponents are presented with a direct impact on their freedom, while gun control supporters would not feel any change in their daily life immediately or at all, if there were stronger gun control laws. Basically, gun control supporters are faced with the so-called free rider problem: They offer a public good, namely a society with little gun violence and people would benefit from that public good without having to actually contribute anything to the cause of gun control (Cook / Goss 2014: 207). Also, it is true that gun owners generally participate more. Even if their views are not always more radical, studies claim that gun rights supporters are two or three times more likely to take action on their issue in the form of spending money, writing to public officials or signing petitions. This leads to the general baseline that “[i]t’s not intensity per se that favors the gun rights movement but rather its ability to translate passion into action” (Cook / Goss 2014: 198).

4.4 Addressing the Situation in a Particular Way

The NRA’s solution to the gun control issue is, put simply, that they do not acknowledge the issue at all. The NRA’s goal is sticking to the status quo or even loosening some of the gun laws already in existence in order to guarantee people their individual freedom to guns. A video clip from a national promotion campaign shows Wayne LaPierre (executive vice president of the NRA) speaking the following words: “When evil knocks on our doors, Americans have a power no other people on the planet share: the full-throated right to defend our families, and ourselves with our Second Amendment. Let fate decide if mercy is offered to the demons at our door” (video clip on nranews.com). When it comes to more concrete measures, for example in the aftermath of focusing events, the NRA usually suggests the introduction of more guns. For example, a quite frequently used argument is that an armed teacher could have stopped a shooter in a school or university. The focus of the NRA in the past few years has been put on preventing further gun restrictions, securing preemption laws, passing state laws barring lawsuits against gun industry, protecting shooting ranges from lawsuits and removing restrictions on gun carrying in bars, on campuses and in other public places. A quite recent example is a new law that is going to be introduced

in Texas in August 2016, which allows the concealed carrying of guns in classes in all state universities in Texas (Richter 2015: 11).

The NRA also advertises in venues where gun supporters meet, e.g. gun shops, gun shows and shooting ranges to promote their stand on the problem and the solution they offer. Also, “locally organized grassroots volunteers can be mobilized to contact Congress, while the NRA’s national legislative office can provide money, policy information, and advertising to state and local campaigns” (Goss 2006: 194).

The Brady Campaign is more specific with their content-related goals and announces them prominently on their website:

“Brady has announced the bold goal to cut the number of U.S. gun deaths in half by 2025, based on an innovative and exciting strategy that centers on the idea of keeping guns out of the wrong hands through three impact-driven, broadly engaging campaigns: (1) a policy focus to "Finish the Job" so that life-saving Brady background checks are applied to all gun sales; (2) to "Stop 'Bad Apple' Gun Dealers" – the 5 percent of gun dealers that supply 90 percent of all crime guns; and (3) to lead a new national conversation and change social norms around the real dangers of guns in the home, to prevent the homicides, suicides, and unintentional shootings that happen every day as a result.” (<http://www.bradiycampaign.org/about-brady>)

The NRA often claims that the roots of the problem are to be found in the government and gun control advocates attempting to take away an individual right from the people. It thereby “deliberately casts the gun control issue in moral terms to evoke the fundamental and personal values of gun owners” (Fleming 2012: 36). Gun control organizations often draw back at public safety – quite frequently in the context of the safety of school-aged children (Haider-Markel / Joslyn 2001: 537) and they claim that the individual right to bear arms is a violation of public health and a threat not only to children. However, a lot of the time they have failed to frame the issue and their proposed solution to the issue in a manner that appeals to American citizens concerned with gun control: “Seeing their cause as self-evidently good, gun control advocates have framed their policy argument in

terms that appeal more to policy experts than to ordinary citizens” (Goss 2006: 29). Solutions have, especially in the early 2000s, often included technical specifications and a focus on the crime control aspect of the issues, which would force any ordinary citizens to sacrifice a lot of time and effort to be part of the organization or movement, while professional organizations such as the NRA had a lot to argue on the matter. Goss (2006: 192) claims that case of gun control historically was strongest “when gun control was framed as a means of protecting children”.

Recently, the NRA has also used the current terrorism crisis to get their message across and have hinted that presidential candidate Hilary Clinton is not suitable for the position:

“The greatest damage the terrorists could ever inflict upon us is disarmament at the hands of the political elites.”

There are many powerful, accomplished women—in both parties—who meet and exceed that standard. But you, Mrs. Clinton, are not one of them. Your past is littered with shameful, dishonest behavior ... decades of decisions that point toward your own power and fortune—not the best interests of women, the country or the truth.” (both: www.nranews.org)

Also, they often use the same type of terminology such as *monsters* and *demons at our door* for anything that they perceive as a threat. Comparisons often feature the *innocents* with true *faith* that are *slaughtered* by the *evil* and do not have the *freedom* to defend themselves. In general, one could argue that their rhetoric contains many propagandistic elements. For their video campaigns, they use alleged mothers that need to defend their children as well as men to make their topic more relatable – all of it under their campaign title “Freedom’s Safest Place”. At the same time, the Brady Campaign has been promoting their cause with slogans such as “The tipping point is now! Stand with us!” (facebook.com/bradycampaign). In reaction to the revelation of Obama’s plans to act on gun control, they used statistics on numbers of children and teen victims of gun violence, while the NRA’s reaction on Facebook to the reveal has been

“When nothing less than freedom is at stake, we stand and fight” (facebook.com/nationalrifleassociation).

When it comes to solutions to the issue, however, the gun rights activists have the clear advantage that it is simply easier to offer the solution to block any kind of gun control proposals than it is for the gun control side to actually push through a new proposal. In addition to that, people generally react more strongly to the threat of losing an existing right than they do to the possibility of future gains.

4.5 Sustained Collective Action

The first assessment target of this component is organizational structure of the social system. It is often claimed that the NRA is a highly democratic organization. The NRA is run by a board of directors consisting of 76 members that “are regularly nominated and voted in by life members” (Patrick 2002: 6). As mentioned before, the NRA has developed from an organization mainly interested in shooting sports into a major political player. Today, the NRA consists of 3-4 million members nationwide and is aimed at promoting shooting, hunting, gun collecting and firearm safety (Ness 2000: 532). The NRA-Institute for Legislative Action (NRA-ILA) – and a political action committee (PAC) – the NRA-Political Victory Fund (NRA-PVF) are two major additions to the organization. In the same way as the membership organization, the NRA-ILA focuses on “preserving the right [...] to purchase, possess and use firearms for legitimate purposes as guaranteed by the Second Amendment” (NRA, quoted by Wilson 2007: 147) and “has stalled, gutted, or defeated numerous pieces of proposed federal, state and local-level gun control legislation” (Patrick 2002: 5). The NRA-PVF looks over political campaigns, “ranks political candidates – irrespective of party affiliation – based on voting records, public statements and their responses to an NRA-PVF questionnaire” (Wilson 2007: 147). Furthermore, “[t]he NRA-PVF communicates its candidate rankings and endorsements quite effectively. This information is published in the NRA’s magazines, and communicated through e-mails and sometimes get-out-the-vote phone calls and postcards” (Wilson 2007: 153). Through these clever organizational structures, the NRA has the possibility to apply pressure on lawmakers and on the state on both the national and local level

through its different organizations: The NRA has “lobbyists working on the legislative branch, lawyers taking pro-gun cases to court, and technical experts and lobbyists weighing in on regulations promulgated by the executive branch” (Cook / Goss 2014: 194) and thereby produces almost government-like structures, supported by a committed base of members they offer incentives to: Things of value, information, discounts, marksmanship honors, giving them “sense of meaning and satisfaction” (Cook / Goss 2014: 194).

Both the Brady Campaign to Prevent Gun Violence and The Brady Center to Prevent Gun Violence have a board of directors. The organization presents short texts about a number of the directors of the board on its website. Along with biographical information, there seems to be a focus on personal areas of interest in the field of gun control. Also, the organization provides information on Sarah and Jim Brady. This information is extensive and is supplemented with an emotional video clip. All in all, the intention of the Brady Campaign seems to be to put an emphasis on the personal side of the organization and its representatives and to encourage personal identification with their cause by reporting on the most famous supporters of the group. There is also a link to an ‘annual report’ provided on the website. However, this report is unfortunately not up-to-date as it shows information from 2012/13. It gives information on the organization’s success stories and its finances (revenues and expenses).

It seems to be a prominent claim that there is a divide between the NRA and national media. While the NRA does provide press releases and detailed information on guns, “NRA spokespersons have attributed much media sensationalism regarding firearms such as assault weapons to simple ignorance” (Patrick 2002: 153). Journalists report being treated as inferiors who are accused by the NRA of having a personal bias against guns. This has resulted in the NRA trying to bypass national media by providing their own sources of information (magazine publications, extensive websites, etc.) and in the messages they share with the media being short and direct messages of protest (Patrick 2002: 156-157). Nevertheless, when it comes to any reporting on gun control, there is a very high chance that a quote by a NRA official is to be found in the article.

When it comes to socialization, gun rights supporters naturally come together as they share the same “cultural values and historical allegories that create a sense of shared citizen identity” (Cook / Goss 2014: 196). The NRA is prominent for encouraging members to socialize and help further the cause by interacting with outsiders about the NRA and gun rights in general. Unfortunately, it is unclear whether this is true for gun control groups as well, as there is not much information on their internal structures. As mentioned before, there are meetings and conferences members of the Brady Campaign can attend. Most likely, however, they do not match the NRA standards.

Melzer (2009: 173) identifies certain types of NRA members, but does not provide us with numbers on how evenly these types are distributed in the organization. He claims that there are members who are deeply committed to the NRA and “who can be counted on to donate money and time to the NRA, lobby their representatives for gun rights, and vote only for gun rights candidates” (ibid.). But of course, naturally, there are also members who are only moderately interested in the issue and others who he names “peripheral members” who are mainly interested in the informational aspects of the NRA and do not participate actively. One has to keep in mind, however, that both social systems have actual organization members and members of the social system meaning that certain supporters of the NRA might not be NRA members and supporters of gun control do not necessarily have to be a member of a gun control organization.

The aspect of the stability over time of the two social systems has already been hinted at in the discussion of the previous component. It appears as if the NRA has shown a lot of consistency over the last couple of years both internally and externally, while gun control organizations have lacked both sufficient internal communication and organization and external representation of their issue. Also, the NRA is much more present in the media than are gun control organizations.

5. Conclusion

The analysis of the gun control conflict through the public will concept has revealed a number of results. The two social systems identified are the gun control

system on the one hand – consisting of the Brady Campaign and a few other minor gun control organizations – and the gun rights system on the other hand – consisting of the NRA as the clearly most powerful player. The NRA shows strong communicational activities with its members that cannot even remotely be matched by the gun control proponents. Outside communication by the NRA is strong, even though it is slightly limited by its lack of popularity with journalists. The NRA has vast financial resources that far exceed the ones of the Brady Campaign and any other organization and can boast a membership base willing to commit extensive resources and effort to the cause of gun rights. Furthermore, the NRA presents us with a more coherent basic message than the gun control proponents that is regularly shared with the public and expressed through a variety of communicational channels. In contrast to that, the gun control advocates have trouble focusing their attention on one coherent approach to and the framing of the issue. As a result, the NRA is perceived as highly effective, while the issue of gun control is perceived as urgent but in lack of power. All of this is supported by the strong organizational structures and forms of socialization of the NRA, while the Brady Campaign lacks incentives to mobilize its members.

While Raile et al. (2014: 120) have argued that “the pro-control public is working on shoring up relevant capacities, beliefs, and commitments to sustained collective action to make its will more meaningful”, this analysis has not revealed much of that. A cautious approach to interpreting the results indicates that the NRA exceeds its opponents on so many levels that they, at least in the nearer future, will not stand a change of tackling the NRA and convince the public and politics of new gun laws. These conditions could be seen as a basic explanation why the influence of gun control proponents on political will and policy has been so little in the last couple of years, while the NRA has been successfully defending gun rights.

While the public will concept has proved to be useful in analyzing the two publics involved in the gun control conflict very closely and has also provided us with a number of results, it does have a few drawbacks. The anticipated measurement and indicator issues have most definitely made the analysis problematic insofar as terms were often unspecific and vague and, therefore, hard to apply. Also, a lot of

assessment targets, while not always named the same way, proved to be repetitious and made it quite hard to separate the different components of the framework. Additionally, at the very basis of the concept lies the issue that public will and the concept's benefits are not yet sufficiently defined. The recent focus on Obama as a single player in the gun control conflict also brought up the question how a single person could fit into the concept, as it claims that an individual could also constitute a social system in itself. This would, however, bring up another difficulty for the analysis of the various components as some of the assessments (e.g. communicational activities within system) would have to be assessed differently.

One does, however, have to bear in mind that the conflict between the NRA and its counter-parts can only be seen as part of a complex situation that includes many different levels: a cultural level (conflicting worldviews, tradition, history), a legal level (the role of the Second Amendment), a public health level (guns as tools for self-defense and their role in recreation) and, of course, a political level. This conflict is extremely complex and by far exceeds the scope of this paper. Nevertheless, the results of this paper's analysis can be seen as a very basic and reduced attempt at looking very closely at the parties involved in the conflict and shedding a first light onto why gun control has been treated so reluctantly in the past and present. Nevertheless, recent events¹⁵ show that the introduction of a strong and prominent figure that proves to have strong communication and a cohesive framing of the issue into the conflict could open doors for the gun control proponents. Obama's recent approach to the problem has been highly emotional and, as mentioned in the analytical part of this paper, he is making use of the framing of the issue gun control proponents historically have been most successful with. The focus on the emotional appeal of the issue through emphasizing the danger for children and revealing his own emotional involvement might be an answer to the issue that gun control has often been difficult to relate to, as it had sometimes turned into a debate on criminology and "an issue for experts" (Goss 2006: 192). Furthermore, Obama has taken onboard prominent figures and actual victims of gun violence. Nevertheless, at this point, Obama's

¹⁵ Final state of information of this paper is Jan 5, 2016.

proposals are still quite modest and slightly vague, but, on the other hand, largely focused on the expansion of background checks, which is a proposal largely supported by the general public and has been an area of consensus for gun control groups. Another interesting aspect of the recent developments is that this is one of the few times where gun control has been a prominent topic in the media without a prior occurrence of a shooting. As Obama has laid the basis for further steps, it will now also be in the hands of “gun control advocates [...] to keep the attention of the media, the public, and policymakers focused for as long as possible [,while] [...] for gun rights supporters, the goal is to influence the terms of debate, or to change the subject entirely” (Cook / Goss 2014: 210).

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